



**CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
November 14, 2016
7:00 P.M.**

The Honorable Mayor Mario Avery

The Honorable Lydia Glaize
The Honorable Elizabeth Hurst
The Honorable Hattie Portis-Jones

The Honorable Alex Heath
The Honorable Pat Pallend
The Honorable James Whitmore

Stephen Hood
Stephanie Tigner
William Randy Turner

Interim City Administrator
Interim City Clerk
City Attorney

- I. MEETING CALLED TO ORDER: by Honorable Mayor Mario Avery.**
- II. ROLL CALL:** All members were present which constituted a quorum.
- III. INVOCATION:** was provided by Honorable Mayor Mario Avery.
- IV. PLEDGE OF ALLEGIANCE:** was recited in unison.
- V. PRESENTATION:**

1. Police Department Presentation

Interim Police Chief Sutherland introduced the recent police officers that have joined the department. Police Chief Sutherland said "these officers do not work for me, they work with me". The police officers introduced themselves to the Mayor and Council and to the public.

Interim Police Chief Sutherland went on to state that the Deputy Police Chief position was opened. At the time, only one person stood out. He understood the job and was ready to move forward, that was Lieutenant Anthony Bazydlo; soon to be Deputy Police Chief Bazydlo.

Mayor Avery asked if Deputy Police Chief Bazydlo would like to speak.

Deputy Police Chief Bazydlo said “I appreciate the opportunity and I promise you guys I, will give you my all”.

2. Overview of the MARTA and Department of Transportation Meeting

Mayor Avery said everyone is aware of the unfortunate incident that took place here in the City two weeks ago where a pedestrian was struck and killed by a vehicle. As a result, there was a meeting that took place between MARTA officials and the Department of Transportation. In attendance were the Regional Transportation Engineer and Manager, Mr. Harvey Stokes and Ms. Brendetta Walker. Mayor Avery said officials with the Department of Transportation were highly impressed with our staff. He said Ms. Brendetta Walker, Mr. Harvey Stokes and Mr. Lester Thompson met with representatives from MARTA and the Department of Transportation to address the traffic concerns on U.S. Highway 29. Mayor Avery stated the gentleman that was involved in the tragic accident recently on U.S. Highway 29 also attended the meeting. He said the meeting helped him tremendously from a therapeutic perspective.

Mayor Avery introduced Community Development Director & City Engineer Brendetta Walker to provide an overview of the meeting.

Brendetta Walker said there were representatives from GDOT- District Engineer, Kathy Zahul, (inaudible) and representatives from MARTA, and the City of Fairburn. She explained the issues that exist on the Highway 29 Corridor. The three main locations are Harbor Lakes Apartments, Manor at Broad and Georgia Military College. She said we went on a field trip to the locations. We exited the van at Harbor Lakes Apartments. She said there were people crossing the streets with young kids. Ms. Walker stated staff made the same stops at the other two locations. Ms. Walker said we let them know that we definitely want to slow down the traffic on U.S. Highway 29. The representatives suggested reducing the speed limit at Harbor Lakes Apartments and increasing the lighting. Secondly, they suggested mid-block crossing, a flashing beacon and a median at both the Manor at Broad and Georgia Military College. She said they also addressed rerouting the bus at the college and at the Manor so you will not have to cross U.S. Highway 29 to go northbound. The bus stop will be located on Washington Street. She said we are planning to do the same at the college. We will reroute the bus routes to the street behind the college instead of stopping on U.S. Highway 29 until we get safer pedestrian crossings in place.

Mayor Avery thanked Ms. Walker for the update. He said “I thought we should publically acknowledge what is being done to address concerns”. Mayor Avery said staff had already requested action at the Manor at Broad and Harbor Lakes Apartments six months ago; unfortunately it took a fatality, but now we believe we will get some answers. He thanked Ms. Walker, Mr. Stokes and Mr. Thompson for their work.

VI. PUBLIC COMMENTS:

1. James Sumners, 112 Shannon Chase Court, said he is happy to see the Complete Streets Ordinance on the agenda. Mr. Sumners stated he likes that the ordinance codifies some ideas that he suggested since the Comprehensive Plan was devised.

VII. ADOPTION OF THE COUNCIL AGENDA:

Council Member Hurst made a motion to adopt the Council Agenda and to add item #4 Cancellation of the November 28, 2016 Workshop and City Council Meeting and item #5 Bullet Resistant Body Armor and to add #2 Personnel Policy Update and #3 Cancellation of the December 26, 2016 Workshop and City Council Meeting to the Consent Agenda with Council Member Heath providing the second. **The motion carried.**

VIII. CONSENT AGENDA:

Council Member Portis-Jones made a motion to approve the Consent Agenda Item #2 Personnel Policy Update with Council Member Pallend providing the second. **The motion carried.**

Council Member Whitmore made a motion to approve Consent Agenda Item #3 Cancellation of the December 26, 2016 Workshop and Council Meetings with Council Member Heath providing the second. **The motion carried.**

IX. APPROVAL OF CITY COUNCIL MINUTES: City Council Minutes of October 24, 2016.

Council Member Glaize made a motion to approve the City Council Minutes of October 24, 2016 with Council Member Hurst providing the second. **The motion carried.**

X. AGENDA ITEMS:

1. Complete Streets Ordinance (Council Member Glaize)

Community Development Director & City Engineer Brendetta Walker provided an overview of the Complete Street Ordinance.

Council Member Glaize made a motion to adopt the Complete Streets Ordinance with Council Member Hurst providing the second.

Council Member Glaize made a friendly amendment to add to Section 50-12 of the Ordinance 1). Creating Walkable Communities Federal Highway Administration Office of Safety 2). Pedestrian and Streetscape guide by the Georgia Department of

Transportation; In Section 50-14(b) to strike low and moderate income neighborhoods and add "city-wide"; Section 50-15 to strike November 1 and replace with December 1.

Mayor Avery suggested replacing "low income community with city-wide" in Section 50-14 (f).

Council Member Glaize stated that information should stay as it defines what a low income community is.

City Attorney Randy Turner said "we are not amending this section".

Mayor Avery said "I stand corrected".

Council Member Portis-Jones stated my recommendations were included in the friendly amendment made by Council Member Glaize.

Council Member Glaize thanked Mr. James Sumners for his work on the Complete Streets Ordinance for over a year. She thanked the Georgia Municipal Association for providing the training. **The motion carried.**

4. Cancellation of the November 28, 2016 Workshop and City Council

Council Member Whitmore made a motion to approve the Cancellation of the November 28, 2016 Workshop and City Council with Council Member Heath providing the second. **The motion carried.**

5. Bullet Resistant Body Armor

Interim Police Chief Sutherland provided an overview of the Bullet Resistant Body Armor agenda item. He said the request is for (15) vests for police officers with a vest that already or will expire this year. He said there is a customary warranty on the vest for (5) years and the manufacturer will not warranty those vests after five years.

Council Member Pallend made a motion to approve the purchase of (15) Level (2) Bullet Resistant Body Armor in the amount of \$10,425 and funds to be allocated from the State Confiscated Fund account with Council Member Glaize providing the second.

Council Member Portis-Jones requested that Interim Police Chief Sutherland state for the record what is expiring.

Interim Police Chief Sutherland said there is a customary date of life of the vest for effectiveness. Generally, we replace vests every five years.

Council Member Heath wanted to know where the funds would come from to purchase the vests.

Interim Police Chief Sutherland said "I am requesting the State Confiscated Funds".

Council Member Hurst asked if we would purchase the Level 2 instead of Level 3.

Interim Police Chief Sutherland said "yes".

Council Member Hurst said this will cost us \$10,425. She said we purchased (39) Body Worn Cameras for the police officers in the amount of \$71,000. She said the payment for the body cameras was not taken out of the State Confiscated Funds account, but was taking from the General Fund; it is my understanding that this was an error on your part. She said I need to ask Mr. Young to come up and answer a couple of questions for me in reference to how we are going to solve this issue.

Finance Director Tim Young said "yes".

Council Member Hurst said the Council is requesting that confiscated funds be used to purchase the 38 or 39 body cameras that are police officers are now wearing. Payment for the cameras was not taken out of the Confiscated Fund account but was taken from the General Fund account and it my understanding that was an error on your part.

Interim Finance Director said "yes ma'am".

Council Member Hurst said I want to make sure that we will be reimbursed the \$71,020; what is the process for the reimbursement?

Finance Director Tim Young said after speaking with Council Members Glaize and Hurst on Thursday. He said I contacted Taser International and they understood the issue. I suggested that we send out a second payment in the exact amount of \$71,020 and they would return a check to us. The representative at Taser International indicated that he had met with the CFO and I should know the exact process by tomorrow or Wednesday for the reimbursement. So, the payment actually nets from the State Confiscated Funds account.

Council Member Hurst asked if the issue has been resolved. I want it to be clear in the record, that we are going to issue Taser International another check from the State Confiscated Funds Account for \$71,020 and they are going to reimburse us the \$71,020 that will go back into the General Fund Account.

Finance Director Tim Young said "that is the current request". Until I receive confirmation from them, I would not say that this will happen; that is my expectation.

Council Member Hurst requested the City Administrator, Mayor and Council are kept abreast of the status on this issue. We are talking about \$71,020 that has come out of the General Fund account that we cannot afford when we have the money in another account. She requested that as soon as you hear from Taser International to inform the Council because this is not a small amount of money. Council Member Hurst then said it is my understanding the \$10,425 will be coming out of State Confiscated Funds which is a manual checkbook that the Police Department keeps; you keep it.

Finance Director Tim Young said the Police Department does not have it, the check book is held in the Finance and City Clerk office.

Council Member Portis-Jones said the amount in the account will accommodate both of those purchases.

Finance Director Tim Young said “yes”.

Council Member Portis-Jones asked if the request to Taser International was in writing.

Finance Director Tim Young said it is not in writing yet; it was discussed over the phone.

Council Member Portis-Jones said “I am requesting that your request is in writing just in case there is a misunderstanding”. She said based on what you just said “we would send them another check and they would reimburse us the other funds”; is that the order?

Finance Director Tim Young stated “yes, that is the order but, I would rather we send it by wire transfer or ACH; instead of a check”.

Council Member Portis-Jones said immediately I am requesting that your request be placed in writing and sent to the appropriate parties, the City Administrator and to the Mayor.

Finance Director Tim Young said “yes”.

Council Member Heath asked if it is possible to transfer the funds from that account into the City’s account.

Finance Director Tim Young said “I don’t know if it is not, but there is some push back by others that think it may cause some issues. He said so without knowing that we decided...we are determined to go back to Taser first (*sic*). I have not researched to find out if it is or isn’t, it may actually cause less investigation, less looks like the City is using Confiscated Funds; just the appearance. **The motion carried.**

XI. COMMENTS FROM COUNCIL:

Council Member Whitmore saluted all of the Veterans, our employees that are veterans and the veterans that live within the City. He said I look forward to bigger and better things next year in recognizing our veterans on Veterans Day; thank you.

Council Member Heath invited everyone out on December 3, 2016 to the City of Fairburn's Christmas Tree Lighting and Fireworks events. He urged everyone to bring their kids, grandchildren and friends. He said I was impressed with the snowflake machine and how the kids enjoyed playing. Council Member Heath said there will be a lot of things for everyone to do.

Council Member Hurst thanked the City staff for a great Veteran's Day event. She said Dr. Parks did a fantastic job and everyone enjoyed it. She recognized Open Word Ministries for their 25th Anniversary event; it was great. Council Member Hurst said she also attended the 12th Anniversary Celebration at Free Spirit Ministries. She said she and Mayor Pro Tem Glaize presented a proclamation from the City of Fairburn in honor of their anniversary. On a personal note, Council Member Hurst thanked Mayor and Council Members for the beautiful flowers that were sent to her daughter Kimberly. She then explained to the public that her daughter has been battling Salivary Gland Lymphoma Cancer and has been going through intense chemotherapy treatments. The last treatment will be at the end of the month. She said her results on last week were clear and no cancer was detected and she is doing great. Council Member Hurst said this is the reason why my hair has been cut; this was our compromise for the love and support of my daughter; thank you all for the beautiful flowers. She really enjoyed them.

Council Member Glaize thanked the Engineering Department for providing the Council with an Open House on all of the open projects for the City. She said she learned a lot and was afforded an opportunity to understand more. She thanked her colleagues and the residents of the City especially Mr. James Sumners for helping to bring good legislation to Fairburn. Council Member Glaize thanked Dr. Parks and Ms. Payne for the great Veterans Day event. She announced that Atlanta Area Technical College and Georgia Military College just consolidated a collaborative agreement. She said now the Atlanta Area Technical college graduates will now have a direct bridge to Georgia Military College. She said now Georgia Military College is a 4 year college. Council Member Glaize said it used to be two years, but now Atlanta Area Technical College graduates can now attend Georgia Military College campus and move forward in a Bachelor's program. We are very grateful for the collaboration efforts that will have an impact on the community and the educational facility. She thanked staff and department heads. She then recognized Interim City Administrator Hood for his leadership.

Council Member Pallend wished everyone a Happy Thanksgiving.

Council Member Portis-Jones thanked the Engineering Department for the Open House. She said she has learned a lot by sitting with Ms. Walker and Mr. Thompson. She said “in having one on one communication you understand what you know and don’t know and then you understand how misunderstandings are happening”; good opportunity to clear up some things. She encouraged all of the departments to do the same; it is very beneficial. She said it takes a team of all of us to move this City forward and craft legislation as you saw here tonight with the Complete Street Ordinance. Council Member Portis-Jones said I wanted to ensure walkability was included and addressed in the ordinance as well. She said I attended the Open Word Ministries 25th Anniversary celebration and the message was, “It’s the turning point, what now? She said it is about constant reflection about what you are going to do next. She thanked the residents of Fairburn for their TSPLOST votes. She then requested Parks and Recreation Director Chapin Payne to come forward.

Parks and Recreation Director Chapin Payne invited everyone out to “Let’s Move Night” at the Fairburn Youth Center on Tuesday, November 29, 2016. There will be free fitness and Zumba classes. She said there will be a healthy snack preparation session for the kids, lecturing etc. Ms. Payne urged everyone to come out and support the “Let’s Move Initiative”.

Mayor Avery reminded everyone to attend the Christmas Tree Lighting Event that will be held on Saturday, December 3, 2016. He said the dedication for the City of Fairburn’s Former Mayor Betty Hannah has been tentatively scheduled for Saturday, December 3, 2016 at 3:00pm. Mayor Avery announced the renaming of the courtyard is tentatively scheduled to recognize the first African American Council Member; Former Council Member Frankie Arnold. Mayor Avery recognized President-elect Donald Trump as he prepares his cabinet. He also gave honor to President Barack Obama for his work and his endurance during his tenure. He said “I have had the opportunity to meet President Obama five times”. He thanked Dr. Parks and Ms. Payne for their work on the Veterans Day event. He thanked Interim Police Chief Sutherland for the excellent group of men and women that will now honor this City by wearing a uniform with a City of Fairburn patch. Mayor Avery commended Deputy Police Chief Anthony Bazydlo on his promotion. He thanked the Engineering Department for the Open House event. He said Ms. Walker, Mr. Thompson and Mr. Stokes did a fantastic job with their presentation to Department of Transportation and MARTA representatives. He thanked all of the citizens of Fairburn for their TSPLOST vote. He said he was reminded last Saturday if you went to Duncan Park it was packed to capacity. He said if a situation occurred park patrons would only have one way in. He thanked everyone that voted for TSPLOST.

XII. ADJOURN:

Council Member Whitmore made a motion to adjourn the meeting with Council Member Heath providing the second. **The motion carried.** The meeting adjourned at

7:59pm

Interim City Clerk, Stephanie Tigner

Mayor, Mario Avery