



**CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
October 24, 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: Honorable Mayor Mario Avery.

II. ROLL CALL: All members were present which constituted a quorum.

III. INVOCATION: was provided by Mayor Mario Avery.

IV. PLEDGE OF ALLEGIANCE: was recited in unison.

V. PRESENTATION:

1. Fairburn Police Officers Presentation

Interim Police Chief Sutherland presented Police Sergeant McGhee and Officer Kelly to the members of Council and to the public. He said police officers are bound by an oath and bound by the law “to do something”. He said that is what I am here to talk with you about. These two officers stepped up on August 18, 2016. He said on that day, the Fairburn Police Department was called to a suspicious person in the community. Sergeant McGhee arrived on the scene first and made contact with the individual. The individual decided he did not want to obey any lawful commands made by Sergeant McGhee. The individual proceeded to walk away and a taser had to be used, however it was ineffective; the individual proceeded to run away. Sergeant McGhee gave chase and was met by gunfire. Officer Kelly arrived on scene and began to engage; both officers are engaging the individual. The police vehicle was hit with bullets; this could have been a fatal shot if Officer Kelly was in the vehicle. Sergeant McGhee was hit, but the bullet

was stopped by a wallet in his pocket and a vest behind it. Interim Police Chief Sutherland said “I am honored to stand here with these officers”. He said “the way you came here is the way I want you to go home”; this is the message that we preach. Thank God both officers made it back home. The perpetrator was taken into custody on the scene. He then presented both officers to Mayor and Council and the residents of the City of Fairburn.

Sergeant McGhee thanked God. He said we were not hurt nor was the suspect. We are here to serve the citizens of Fairburn and I have a vested interest here. Sergeant McGhee said I have been doing this job for 28 years and I am a second generation law enforcement officer; and that is what I bring to the City. I will continue to bring this to our City.

Police Officer Kelly said when I came around the corner I thought the individual had shot my sergeant. He said “I responded and we did what we do”. I have been policing since 1988 and I just saw a fellow comrade down, but we were glad to apprehend the suspect. He said no one in the surrounding areas was hurt and we will continue to do what we do to the best of our ability.

Mayor Avery said we really appreciate our officers and very proud of them. I want to thank the Council for passing the recent legislation for the Body Worn Cameras. He then spoke on a recent television interview where he spoke on the recent legislation passed by the City Council. Mayor Avery thanked the Fairburn Police Department for their service and helping to make the City of Fairburn the 52nd safest cities in the country.

2. Proclamation for Complex Regional Pain Syndrome

Mayor Avery read into the record the Proclamation for Complex Regional Pain Syndrome into the record. He then presented the proclamation to Ms. Shamika Jones.

Whereas, Complex Regional Pain Syndrome (CRPS) also known as Reflex Sympathetic Dystrophy (RSD) is an uncommon pain condition that sends high levels of nerve impulses to an affected site and causes chronic pain; and

Whereas, the symptoms of CRPS are often described as burning that is out of proportion to the severity of the initial injury and can include swelling and extreme sensitivity to the touch; and

Whereas, anyone can get CRPS, however, over 70% of its victims are women between their thirties and forties with approximately 250,000 cases in the United States alone; and

Whereas, While CRPS was first identified during the Civil War, it remains a poorly understood pain disorder with no cure, the goal of treatment is to provide relief from the related symptoms; and

Whereas, the National Institute of Neurological Disorders and Stroke, a part of the National Institutes of Health, is the primary agency that conducts research on CRPS; and

Whereas, the members of the CRPS community will spread awareness of this condition in the month of November.

NOW, THEREFORE, I, Mario B. Avery, Mayor and the members of City Council for the City of Fairburn, do join Shamika Jones, a member of the CRPS community, in recognizing November as Complex Regional Pain Syndrome month and the 7th of November as Color the World Orange day in the City of Fairburn, Georgia.

VI. PUBLIC COMMENTS:

1. Craig Hillman, 610 Birkdale Drive, spoke in favor of recognizing the veterans that live in the City of Fairburn on Veterans Day. He wanted to know if there will be any recognition on Veterans or the Memorial Day holiday.

2. Karen Harrison, 152 N.W. Broad Street, thanked Mayor and Council and the police officers. She said we have been residents of the City of Fairburn for two years. She thanked the Mayor for opening the meeting with a prayer. She then addressed her concerns with the traffic on N.W. Broad Street and downtown Fairburn. She would like to see vehicles slow-down in the downtown area. She said she is greatly grieving the loss of the individual killed on Hwy 29. She asked if the Council to consider doing something about the traffic in downtown Fairburn.

3. Lewis Ecker, 968 Fellowship Road, First Baptist Church and the Fairburn Fellowship of Churches said 1 and 5 people are food insecure. He said hunger impacts Georgians. The Community Food Pantry is operated at the First Baptist Church in Fairburn and supported by various other churches in the area. Residents must bring identification to prove that are residents of Union City of Fairburn to participate. Participants receives prepared food up to (4) times a year. Mr. Ecker said donation come from Midwest Food Bank, Peachtree City Kroger, Publix, churches and other resources. The Community Food Bank is open from 1:00pm to 4:00pm Tuesday and Thursday.

VII. ADOPTION OF THE COUNCIL AGENDA:

Council Member Glaize made a motion to adopt the Council Agenda with Consent Agenda Items # 1, #2, #3, #4, #5, and #7 and to add items #9 and #10 with Council Member Heath providing the second. **The motion carried.**

VIII. CONSENT AGENDA:

Council Member Portis-Jones made a motion to adopt the Consent Agenda Items #1, #2, #3, #4, #5, and #7

1. Professional Services Agreement with Mauldin & Jenkins for FY2016 Audit
2. Resolution to Establish Protocol for Legal Fees
3. Race Trac Petroleum, LLC-16P-005
4. City of Fairburn Economic Development Strategic Plan
5. Approval of Fleet Management Software System for the City Garage
7. Request to Approve the Purchase and Installation of a Monument Sign

Council Member Hurst provided the second. **The motion carried.**

IX. APPROVAL OF CITY COUNCIL MINUTES: City Council Minutes of October 10, 2016.

Council Member Whitmore made a motion to approve City Council Meeting Minutes of October 10, 2016 with Council Member Glaize providing the second.

Council Member Portis-Jones stated there is a correction to page (4) paragraph 2. She said the word former should be capitalized and to add “*Interim*” before the City Clerk on the same page. The corrections were noted and were corrected.

Council Member Hurst said there was a correction in her comments on page 10; paragraph 3. After review of the audio, there was no change to the minutes. **The motion carried.**

X. AGENDA ITEMS:

6. Task Order for Phase 1 MS4 Inspections

Utilities Director Tom Ridgway provided an overview of the Task Order for Phase 1 MS4 Inspections. He said the inspections deadline and report is due by June 15, 2017. He said part of the task order is for training to be provided to our staff in order for us to take over the inspection.

Council Member Pallend made a motion to approve the Task Order for Phase 1 MS4

Inspections with Council Member Heath providing the second.

Council Member Glaize made a substitute motion to send out an RFP for the MS4 Inspections. **The motion died for lack of a second.**

The motion on the floor is the original motion made by Council Member Pallend to approve the Task Order for Phase 1 MS4 Inspections with Council Member Heath providing the second.

Council Member Glaize said her concern is that the original 2003 agreement predates everyone that is here; we are just filling a task order. I would like to keep it clean and offer the RFP. We should not be operating off of a contract prior to everyone being here and that is 13 years old. She wanted to know if Mr. Ridgway has had an opportunity to review the original contract.

Utilities Director Tom Ridgway said “yes”.

Council Member Glaize said is the wording pertinent for an open contract?

Utilities Director Tom Ridgway said as far as I can tell, but we can certainly rebid it.

Mayor Avery interjected and requested that the conversation cease on bidding the contract.

Council Member Portis-Jones said I am glad to see City personnel will be trained to perform the job duties after the next year. She said we do not have an agreement to perform the training nor do we have any information on what the training will entail; who will be trained; do we have the equipment to perform the duties. I am concerned that we do not have an obligation with them about the training.

Council Member Portis Jones made a substitute motion to hold the request to approve the Task Order for Phase 1 MS4 Inspections pending the information regarding training and to include an MOU with the vendor that the training will be completed to be brought back in 30 days with Council Member Whitmore providing the second. **The motion carried** with Council Member Pallend voting “No”.

8. Discussion and Possible Action of New Welcome to Fairburn Monument Sign Design

Mayor Avery provided an overview of the Welcome to Fairburn Monument Sign.

Council Member Heath made a motion to approve (4) new Welcome to Fairburn Monument Signs with Council Member Glaize providing the second.

Council Member Portis-Jones asked if the motion should include (4) signs.

Mayor Avery asked to amend the motion to include the (4) signs. **The motion carried.**

9. Appointment to the Board of Zoning Appeals

Council Member Heath made a motion to appoint Derek A. Jones to the Board of Zoning Appeals with Council Member Whitmore providing the second. **The motion carried.**

10. Discussion of Utility Manual and Extension of the Amnesty Program

Council Member Whitmore provided an overview of the discussion on the Utility Manual. He said from the discussion, we decided to review the manual and come up with changes and bring back before Mayor and Council for approval. We also decided that we would extend the Amnesty program until the end of October. He said to date; there is no manual to review.

Interim City Administrator Hood said it was his understanding that the Amnesty program would end at the end of this month and there would be an updated form of the shut-off policy. He said we are in the process of formulating the policy. Interim City Administrator Hood said my understanding is that the Council would like an updated policy and a committee that would produce a manual and be approved by this Council.

Council Member Whitmore said there have been 2-3 civilians and (1) business that provided you feedback for the policy thus far.

Utility Director Tom Ridgway said I am making contact with the small business owner and is not willing to participate in the program.

Council Member Whitmore said there has been some communication to put some concrete things together to present to the Council.

Utility Director Tom Ridgway said council recommendations were Thomas Gerard, Sarah William, and Ingrid Kennedy. He said these residences have responded. He said I have compiled their recommendations into one document to be sent to everyone. He said I have worked with the large businesses, but I have not received any responses back. Mr. Ridgway said I have reached out to West Coast Distribution and they have submitted recommendations. The small business, Mr. Davenport stated he is not willing to participate. I have not heard from any other participant.

Council Member Whitmore wanted to know if he has been in contact with Ellen Samuels.

Utility Director Tom Ridgway said he did not have information for Ms. Samuels.

Council Member Whitmore said it is important to me as a councilperson to make sure we proceed and make this happen to bring something before the Council.

Council Member Portis Jones made a motion to extend the Utility Fee Amnesty Program through the end of the year allowing us time to develop the draft Utility Manual document for review and approval with Council Member Whitmore providing the second.

Council Member Hurst requested to include in the utility bills information on the Amnesty program extension for the next two months; November and December.

Council Member Whitmore requested to add the Amnesty extension information to the website.

Mayor Avery wanted to know if the committee is addressing billing issues and not customer service. He said the Council had an in depth conversation this past summer about the billing and the recommendation was not approved. He said he is concerned about providing the committee specific billing data.

Council Member Portis Jones said I do recall that. She said what we are proposing to discuss are low tech and inexpensive ways to address the billing issues. There are some things we can do with the current system to address those issues.

Mayor Avery said I do not want the committee to come to a roadblock. He wanted Councilwoman Portis-Jones to name a few of the options.

Council Member Portis Jones stated all of the information went to the committee and to Mr. Ridgway. We do not want to create road blocks we want to get the document completed for the residence of the City of Fairburn.

Council Member Whitmore said one of the catalysts that pushed this to Mayor and Council level was the reducer that was being used. We exhausted that; the equipment is no longer being used in the City of Fairburn. He said now it is just the matter of housekeeping and going over the policy that was written in 2012. Council Member Whitmore said there are some things that we can update in the policy. **The motion carried.**

XI. COMMENTS FROM COUNCIL:

Council Member Whitmore had no comments.

Council Member Heath reminded everyone that early voting has started. You may vote now at the Fairburn Library and the South Fulton Annex. He thanked everyone for coming to the meeting.

Council Member Hurst had no comments.

Council Member Glaize thanked Sergeant McGhee for his participation at the Tyrone Town Hall Meeting. She thanked him for his heroic efforts being recognized this evening is a blessing. She said there is a financial incentive for employees that go beyond the call of duty. Council Member Glaize recognized St. John A.M.E. for their monthly outreach program that collaborates with Lyft Food Pantry in College Park. She announced that there will be an open political forum at St. John A.M.E. Thursday, October 27, 2016 at 7:00pm. She said the National Race and State amendments as well as the TSPLOST and South Fulton Cityhood will be discussed. She urged everyone to attend.

Council Member Pallend invited everyone to come to the TSPLOST Town Hall meeting that will be held on Tuesday, October 25, 2016 at the Fairburn City Hall. The meeting will begin at 6:30pm. He urged everyone to come out and find out what you need to know.

Council Member Portis-Jones commended Officer Kelly and Sergeant McGhee. She said it is a blessing everyone came out unscathed. She said she has received fantastic feedback about our Fairburn Police Department in the last 4-5 weeks. She congratulated Chief Sutherland for his efforts.

Mayor Avery reminded everyone to come out to the TSPLOST Town Hall Meeting that will be held on Tuesday, October 25, 2016 at 6:30pm. He said this is an important meeting that could possibly affect over 47 miles of infrastructure and maintenance upgrades. He thanked the Council for approving the project list.

XII. ADJOURN:

Council Member Hurst made a motion to adjourn into Executive Session for Litigation Matters with Council Member Heath providing the second. **The motion carried.**

XIII. EXECUTIVE SESSION:

Council Member Portis-Jones made a motion to exit Executive Session with Council Member Pallend providing the second. **The motion carried.**

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

Council Member Pallend made a motion to adjourn with Council Member Whitmore providing the second. **The motion carried.** The meeting adjourned at 8:46pm.

Interim City Clerk, Stephanie Tigner

Mayor, Mario Avery