



**CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
July 11, 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
Valerie Ross

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. Council Member Portis-Jones attended the meeting via phone.
- III. INVOCATION:** was provided by the Honorable Mayor Mario Avery.

Mayor Avery spoke on the recent tragic incidents that occurred in Baton Rouge New Orleans and Minneapolis, Minnesota. He asked for prayers for the five slain police officers and their families. Mayor Avery spoke on the citizen concerns regarding utility bills.

In addition, Mayor Avery announced to the public that Tom Barber is no longer with the City of Fairburn. He then introduced Fire Chief Stephen Hood as the Interim City Administrator.

- IV. PLEDGE OF ALLEGIANCE:** was recited in unison.
- V. PRESENTATION:**

1. Presentation by John Childs, Founder of Mental Fitness "S.T.E.A.M." Summer Program

Mr. John Childs, Founder of Mental Fitness presented a video recap of the S.T.E.A.M Summer Program. He said there were 101 kids that registered for the summer program, with a weekly average of 66 students. Mr. Child said 40% of the students that attended the program were Fairburn residents; 12% of the students were residents of our sister Cities; 6% were students here for the summer and 32% of the students attended school in the City of Fairburn.

2. Presentation by Street Grace Organization “Georgia’s Not Buying it Campaign”

Lisa Clark, Street Grace Organization provided an overview of the Georgia’s Not Buying it Campaign. Ms. Clark said the cities that are affected by sex trafficking spans from Savannah, Athens, Lawrenceville, Cobb to Loganville, Georgia. She said there is an average of 7,200 men that pay for sex with minors. She said most trafficking occur outside of the perimeter. Ms. Clark said “Georgia’s Not Buying It” is about having all cities across the state to participate in ending sex trafficking. The program will provide a 3-hour training with Law Enforcement; Lisa Clark and staff will provide a 2-hour community training; engage businesses and civic groups. Ms. Clark announced that Safe Harbor legislation will appear on the November 2016 ballot.

Ms. Lavon Grant spoke on domestic violence and sex trafficking. She said her goal is to obtain grant money to offset some of the work that needs to be done to fight domestic violence in the area.

Deborah Clark spoke on behalf of Senator Donzella James. She said Senator James is a proponent of HB 141. She then read a letter to support the “Georgia’s Not Buying It Campaign” written by Senator Donzella James. Ms. Clark introduced Asia Sweeden who shared her story of being abducted and held as a hostage for sex trafficking.

3. New Firefighters Presentation

Fire Chief Stephen Hood said and then introduced (4) new City of Fairburn Firefighters and they are: Lavar Sims, Michael Bailey, Victor Terrell and Caleb Pyle.

4. Recognition of Fairburn Housing Authority Board Appointee Ms. Awanda Womble Arthur

Mayor Mario Avery recognized Ms. Awanda Womble Arthur as the new Fairburn Housing Authority Appointee.

Ms. Awanda Womble Arthur stated she has been a resident of Fairburn for 15 years and is here to serve.

Executive Director Fairburn Housing Authority, Mr. Michael Spann said he is excited to be a part of improving the lives of the residence of the City of Fairburn. He said we are excited about partnering with the City to transform some of the existing housing and to possibly acquire some of the abandoned houses and distress properties and convert them to affordable housing or housing that would no longer be vacant.

VI. PUBLIC COMMENTS:

1. Lavon Morris-Grant, 4889 Triger Lane, said she is here on behalf of her clients of domestic violence in the City of Fairburn. She thanked Mayor and Council for the relationship the organization has with the elected officials and the community. Ms. Grant said she is attempting to end the violence. She said the C.J.C.C. has received more money for victims of violent crimes. C.J.C.C. has a \$20M dollar grant for organizations to apply for and work within their cities. She said the MACOSH Healing Network would like to work with Fairburn public safety departments. She said MACOSH is hosting a conference on September 14, 2016 at the Cobb Recreation Center off of Six Flags Parkway. Ms. Grant then invited Mayor and Council to attend and speak. She then read a report from the CDC in which reported in Fairburn there have been 78 domestic violent incidents report. She said that is a high number for a small city. She said I would like to identify families to provide support.
2. Thomas W. Cochran, 467 Fire Leaf Way, congratulated the Mayor and City Council for Duncan Park being the talk of the City. He commended the staff and organizers of the S.T.E.A.M. Program. He thanked Council Member Whitmore for taking the lead on sponsorships. Mr. Cochran said it was great to see the program in the community and he wants to see the program will return next year.
3. Michael Johnson, 430 Waterboy Road, said he has been a resident for 30 years and try to be involved. He said it is his understanding that there will be a new City Administrator. Mr. Johnson requested that the City Administrator is vetted by the Council. He said he does not have a problem with the new Interim City Administrator. Mr. Johnson said the Fire Code for Fairburn was reduced and it saved the residents money.
4. Carol Berry, 113 Shannon Chase Lane, thanked Mayor and Council for supporting Eric Berry. She said the camp a few weeks ago and it went well. She thanked the volunteers. Mrs. Berry said the camp served so many kids this year. Mrs. Berry said when her son was nine years old he told her that he was going to put Fairburn on the map. She said they will be leaving to attend the ESPY Awards as Eric Berry will be honored as the Comeback Player of the Year.

5. Inga Kennedy, 110 Orchard Street, she distributed photos to Mayor and Council of a declining property in the Lightning Community. She said the property located next to her home and there is standing trash and now that it is summer there are field rats, rabid fox, coyote and snakes. She said the next door neighbor was almost attacked by a rabid fox as she walked to the bus stop. Ms. Kennedy said Code Enforcement comes out and does a great job, but the City have codes, but the property owners are in violations. Ms. Kennedy said as taxpayers we pay to keep the properties up. She said the new norm in the area is prostitution, squatting and gun fire.

VII. ADOPTION OF THE COUNCIL AGENDA:

Council Member Whitmore made a motion to adopt the Council Agenda to move item #4 Appointment of the Interim City Administrator first on the agenda and add items #17 A Request to Conduct a Forensic Audit of the City of Fairburn and item #18 Discussion of Resolution to Amend the City Charter and to move items after item #4 on the City Council Agenda; and to add #19 Discussion and/or Approval of S.T.E.A.M After-School Program remove item #15 Discussion and or Approval of Resolution to Adopt a Policy Regarding the Appointment of Various City Officials with Council Member Glaize providing the second. **The motion carried.**

VIII. APPROVAL OF CITY COUNCIL MINUTES: City Council Minutes of May 23, 2016 and June 13, 2016.

Council Member Glaize made a motion to approve the City Council Minutes of May 23, 2016 with Council Member Hurst providing the second. **The motion carried.**

Council Member Hurst made a motion to approve the City Council Minutes of June 13, 2016 with Council Member Heath providing the second. **The motion carried.**

IX. AGENDA ITEMS:

4. Appointment of Interim City Administrator

Council Member Pallend made a motion to appoint Stephen Hood as the Interim City Administrator with Council Member Heath providing the second.

Council Member Glaize made a substitute motion to appoint Stephen Hood as the Interim City Administrator with the scope, authority and role as the City Administrator with the start date of June 14, 2016 with all pay increases from that date with Council Member Whitmore providing the second. **The motion carried.**

17. Request to Conduct a Forensic Audit of the City of Fairburn

Council Member Hurst stated I requested to add to the agenda tonight that the City of Fairburn conduct a forensic audit and I am requesting that we do a forensic audit because our top (3) financial people are no longer in the City of Fairburn; that is the City Administrator, our Treasurer and also our Finance Director. I had some items that I wanted to include in the scope of work for the forensic audit such as contracts. I know that there have been some issues in the last couple of weeks concerning contracts; I want to make sure all of the contracts are proper. I would like to have a complete accounting of the MEAG for the last (5) years and income and expenses our GEO Bonds, full accounting of funds and expenses; our purchasing card expenses. I was unaware that we had a petty cash fund here in the City; sometimes that fund has quite a bit of money in it. I have never seen an accounting of that petty cash fund; I would like to see that; Our leased equipment, our leased and purchased equipment by Council approval. Our vendors; all of the vendors that we are paying. All of the vendors that we are paying I want I want to make sure that we have payments and supporting documents on each one of those vendors. Maybe we could look at our accounting firm or we can look at another accounting firm to come in and do that. That is my suggestion to the Council tonight.

Council Member Glaize made a motion to approve the Request to Conduct a Forensic Audit of the City of Fairburn to include the scope of contracts, complete accounting of the last (5) years of MEAG Funds, G.O. Bonds, Purchase Cards, Petty Cash Fund, Lease and Purchase Equipment by Council approval, and vendors to begin immediately with Council Member Whitmore providing the second.

Council Member Glaize said a forensic audit would be a large amount of money.

City Auditor, Doug Moses said the cost would depend on the parameters. He said when you talk about a forensic audit it can be expensive. Often times we can achieve through agreed upon procedures, but it depends on the parameter and items.

Council Member Glaize made a motion to utilize the funding for the Rewrite of Charter to use for the forensic audit.

Mayor Avery held bringing the motion to the floor.

Mayor Avery asked the dollar value of a forensic audit.

City Auditor, Doug Moses provided Mayor and Council with an example of cost and stated he does not think the forensic audit for the City would cost as much.

Mayor Avery said he is concerned about the cost.

Council Member Pallend asked the City Attorney if this should be sent out as an RFP.

City Attorney Valerie Ross said Council Member Hurst motion is just to get approval to *Conduct a Forensic Audit* and the details can be worked out at a later date. If the council wants to conduct an audit this is the first step in the process.

Council Member Whitmore said he is willing to push the money for the Live Streaming to the next fiscal year if the money is needed to conduct the audit.

Council Member Heath wanted to know if we should place a cap on the amount of money to be spent

City Attorney Valerie Ross if you want to do that this evening you can, but my understanding is this is just for approval and the council can revisit this.

Council Member Heath asked if there was another type of audit that would give us an idea about the financials at a reasonable rate.

City Auditor, Doug Moses yes we can do that with an agreed upon procedure. We will look at the PCard and contracts as long as we have the parameters.

Mayor Avery wanted to know how you go about developing the specs to go out for bid.

Council Member Hurst said I will get with Tim Young and other cities/municipalities that have conducted a forensic audit to see what some of their parameters were. I am not looking for things back 5 years; we can talk about the time frame. I am requesting approval of the audit and then to come back with the parameters for the audit at a later date and by then we will have a range of the cost.

Mayor Avery said he is concerned about how the budget will get done. He said Mr. Young is attempting to obtain Finley Banks and White. For the lack of manpower, his primary job is how we will get through the budget season.

Council Member Hurst said she is willing to take the lead.

Council Member Pallend said I am opposed to this. If we are going down the path we should put the parameters together and take it from there.

After some discussion, Council Member Whitmore stated for the record that is important to note not only for Mayor and Council but for everyone in the Chambers

this evening. You mentioned that we lost three key elements of the team here in the City of Fairburn in reference to Finance department. I believe the forensic audit needs to be conducted. Personally, I don't think it is too vague. I think the motion on floor calls for approval of the forensic audit and we will come back at a later date with the parameters. Once we have the parameters we will be able to ascertain what the cost would be to the city. I also think by virtue of my colleague and I offering up our portion of budgeted items we discussed in the last City Council Meeting hopefully that will be able to take care of the cost of the audit. We can then determine if we have a clean audit or if we don't have a clean audit. This body and the citizens have the right and they want to know everything is clean; I fully support it.

Council Member Portis-Jones said I believe the approval of the forensic audit is consistent with our approval of the management audit of the police department. The same reasons were given. The heads of the departments are vacant and it is incumbent upon this governing body to know the status of the department prior to bringing new personal on. In addition, the information would aid us in determining the skill set that we need in the department. **The motion carried;** Council Members Pallend and Heath voting "No".

18. Discussion of the Resolution to Amend the City Charter

City Attorney Valerie Ross provided an overview of the Resolution to Amend the City Charter and the requirements.

Council Member Glaize directed the City Clerk to advertise the proposed changes for three weeks for the annual appointments for the (5) positions of City Administrator, City Clerk, City Attorney, City Municipal Judge and the Police Chief.

1. Discussion of Consulting Services and Review of City of Fairburn Contracts

Interim City Administrator Stephen Hood provided Mayor and Council with an overview of the Consulting Services of Tom Barber and the review of City of Fairburn Contracts. After some discussion, Council Member Pallend made a motion to utilize Tom Barber as a Consultant with Council Member Heath providing the second. **The motion failed** with Council Members Heath and Pallend voting "Yes" and Council Members Portis-Jones, Hurst, Glaize, and Whitmore voting "No".

2. Meter Exchange Software to Support AMI Project

Interim City Administrator Stephen Hood provided Mayor and Council with an overview of the Meter Exchange Software to Support AMI Project.

After some discussion, Council Member Heath made a motion to approve with

Council Member Pallend providing the second.

Council Member Glaize made a substitute motion to hold the Approval of the Meter Exchange Software to Support AMI Project until more information is received with Council Member Hurst providing the second. **The motion carried** with Council Member Heath and Pallend voting “No”.

3. Non-Medical Benefits Renewal

Human Resources Director David Johnson provided Mayor and Council with an overview of the Non-Medical Benefits renewal application.

Council Member Glaize made a motion to sign the authorization for Non-Medical Benefits Renewal with Council Member Heath providing the second. **The motion carried.**

5. Approval of Fire Department Purchase of 2017 Ford F250 Crew Cab V8 Short Bed 4x2 $\frac{3}{4}$ Ton Truck

Council Member Glaize made a motion to approve the Fire Department’s purchase of a 2017 Ford F250 Crew Cab V8 Short Bed truck in the amount of \$32,364 with Council Member Heath providing the second. **The motion carried.**

6. Approval of Proposal with Uretek USA, Inc. For the Creekwood Road Bridge Repair

Community Development Director & City Engineer Brendetta Walker provided Mayor and Council with an overview of the proposal with Uretek USA Inc. for the Creekwood Road Bridge repair.

After some discussion, Council Member Hurst made a motion to approve the URETEK proposed agreement in the amount of \$12,620.00 with Council Member Heath providing the second. **The motion carried.**

7. Approval of the Intergovernmental Agreement Between Fulton County, Georgia for Use and Distribution of Proceeds Generated by the 2016 TSPLOST Referendum

City Attorney Valerie Ross provided an overview of the Intergovernmental Agreement between Fulton County, Georgia for the Use and Distribution of Proceeds generated by the 2016 TSPLOST Referendum.

Council Member Hurst made a motion to approve the Intergovernmental Agreement Between Fulton County, Georgia for Use and Distribution of Proceeds Generated by the 2016 TSPLOST Referendum with Council Member Pallend providing the

second. **The motion carried.**

8. Discussion and Possible Action of Alternate Projects for CDBG Grant Implementation in the Lightning Community

Community Development Director & City Engineer, Brendetta Walker provided Mayor and Council with an overview of Alternate Project for the CDBG Grant Implementation in the Lightning Community.

After some discussion, Council Member Glaize made a motion to use Alternate #3 and to use the balance towards drainage in Duncan Park with Council Member Whitmore providing the second. **The motion carried.**

9. Approval of the Change Order with Waterworks-Atlanta for the Duncan Park Splash Pad and Lap Pool

Council Member Heath made a motion to approve the Change Order with Water Works-Atlanta for the Duncan Park Splash Pad and Lap Pool with Council Member Pallend providing the second. **The motion carried.**

10. Discussion and Possible Action Concerning City of Fairburn Purchase of Scoreboard for Football Stadium

Council Member Glaize made a motion to consider the purchase of a scoreboard with replay and wireless options in the amount of \$17,000.00 with Council Member Heath providing the second. **The motion carried.**

11. Duncan Park Pool Report

Parks and Recreation Director Chapin Payne presented Mayor and Council with the Duncan Park Pool Report. Ms. Payne said the report shows the usage from May 28th through June. She said the pool has had 7,439 guests since opening in May collecting \$41,676.00 in revenue.

12. Duncan Park Revised Pool and Splash Pad Hours of Operation

Council Member Glaize made a motion to approve the Duncan Park Revised Pool and Splash Pad Hours of Operation beginning August 8, 2016-September 24, 2016 with Council Member Heath providing the second. **The motion carried.**

13. Discussion and Possible Action on Duncan Park Signage and Dedication Signage in Recognition of Former City Council Members Frankie Arnold and Betty Hannah

Council Member Whitmore provided an overview of the signage in recognition of former elected officials. He said he would prefer recognizing the elected officials with a raised bronze plaque.

After some discussion, Council Member Pallend suggested placing the plaque in honor of former Mayor Betty Hannah at the Administration Building.

Harvey Stokes said the plaques can be ready in 4-6 weeks and will cost \$1600 to \$1800.

Council Member Portis-Jones requested to include the plaque at Duncan Park.

Council Member Glaize mentioned recognizing Mr. James Berry.

Mayor Avery said the sign would read the James and Eric Berry Football Complex.

Council Member Heath made a substitute motion to include a plaque for Eric Berry Football sign for Duncan Park.

Mayor Avery wanted clarification on the motion. He asked Mr. Heath what he is proposing.

Council Member Hurst stated that a sign is more appropriate for a football field than a plaque.

Council Member Whitmore provided a suggestion for the signage in honor of Eric Berry.

Mayor Avery called for a motion.

Interim City Clerk Stephanie Tigner stated there is no motion on floor.

Council Member Portis-Jones stated to include the signage for Duncan Park Pool and Splash pad.

Interim City Administrator Stephen Hood wanted to know exactly what the sign would look like.

Council Member Glaize said two years ago there was a discussion about recognizing Mr. James Berry at the park. He has been the one that has put the blood, sweat and tears at the park for the last 20 years.

Council Member Heath said “I originally came forth with the James and Eric Berry Football Complex, but no one liked the idea”.

Council Member Glaize said “I do”.

Mayor Avery called for a motion.

Council Member Whitmore made a motion to purchase plaques for former Mayor Betty Hannah and former City Council Member Frankie Arnold to be erected at the Stage/Courtyard and GMC and to include a dedication plaque for Mayor and Council at Duncan Park Pool and Splash Pad and a plaque for the James and Eric Berry Sports Complex with Council Member Pallend providing the second. **The motion carried.**

14. Discussion and Possible Approval of the “Georgia’s Not Buying It” Campaign Declaration

Interim City Administrator, Stephen Hood provided an overview of the Georgia’s Not Buying It Campaign Declaration brought forth by Council Member Glaize.

Mayor Avery brought the item to the floor for a motion.

Council Member Hurst made a motion to approve the Georgia’s Not Buying It” Declaration with Council Member Heath providing the second. **The motion carried.**

16. Approval of Settlement Agreement with Grady Memorial Hospital

Council Member Whitmore made a motion to approve the Settlement Agreement with Grady Memorial Hospital in the amount of \$3,000.00 with Council Member Glaize providing the second. **The motion carried.**

19. Discussion and/or Approval of S.T.E.A.M After-School Program

Council Member Whitmore made a motion to bring the S.T.E.A.M After-School Program to the City of Fairburn as a sole source contract with Mental Fitness to be effective beginning 2016-2017 school year due to the time restraints with Council Member Glaize providing the second. **The motion carried;** with Council Member Pallend voting “No”.

X. **COMMENTS FROM COUNCIL:** There were no council comments.

XI. **ADJOURN:**

Council Member Whitmore made a motion to adjourn the meeting with Council Member Glaize providing the second. **The motion carried.** The meeting adjourned at 10:51pm.

Interim City Clerk, Stephanie Tigner

Mayor, Mario Avery