



**CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
May 23, 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

Tom Barber
Stephanie Tigner
William Randy Turner

City Administrator
Interim City Clerk
City Attorney

- I. MEETING CALLED TO ORDER: Honorable Mayor Mario Avery at 7:06pm.**
- II. ROLL CALL:** All members were present which constituted a quorum.
- III. INVOCATION:** was provided by Council Member Lydia Glaize.
- IV. PLEDGE OF ALLEGIANCE:** was recited in unison.
- V. PRESENTATION:**

1. S.T.E.A.M Update

Mr. John Childs provided Mayor and Council with an update on the S.T.E.A.M Summer Program. Mr. Childs stated the goal is to register (60) students for the S.T.E.A.M program. As of now there have been 42 families that have registered their kids. He said Subway restaurant has contact them to do a fundraiser. The fundraiser will be held on June 4, 2016 beginning at 12pm to 4pm. He encouraged everyone to purchase a sandwich to help a child. He said the program received notification today informing them they have been approved to accept funds to receive C.A.P.S. Mr. Childs said Bear Creek Middle School use will allow the S.T.E.A.M. to utilize the computer lab for the Summer Robotic program sponsored by Georgia Tech and N.A.S.A. He said two teachers from Campbell were hired and (4) out of (7) teachers are educators. He announced there is a Coding Workshop sponsored by Microsoft for the 3rd -7th graders. Cinemark Cinemas will allow student to attend the movies for

\$4.00. Mr. Childs acknowledged Ms. Payne. He said she has provided a rate for the children to visit the pool. He also acknowledged Dr. D'Avante Parks and Harvey Stokes. He said S.T.E.A.M representatives will be at the Fairburn Farmer's Market on June 3, 2016.

Council Member Whitmore thanked Mr. Childs. He said we appreciate you bringing the project to the City. He said we are collecting donations to have a lottery. He said we want to ensure a child will have an opportunity to participate in the program. Council Member Whitmore said the lottery will take place next week.

2. Presentation by Fire Chief Hood Recognizing Charles Figures Promotion to Battalion Chief

Fire Chief Hood recognized Battalion Chief Charles Figures. He said Charles Figures is a legacy fireman that has been with the City of Fairburn for (10) years. He said you can find Battalion Chief Figures at the local schools and at our senior citizens facility. He said Figures supervises (13) employees. Fire Chief Hood closed by stating there are two words that describes Battalion Chief Charles Figures and they are "professionalism and humility".

3. A.R.C. Community Choices Assistance City of Fairburn, Sidney Douse

Mr. Sidney Douse of Atlanta Regional Commission provided Mayor and Council with an overview of the Community Choices Assistance program. He presented a PowerPoint presentation of how the program will assist the City of Fairburn. He said the program will offer direct technical assistance to the City; provide ARC staff and intern support; assist with new codes and policies drafts. Mr. Douse said we will tie the research to Article 9 and match and provide the City with the next course of action. He said we will be back before the Council in the fall.

Council Member Glaize said we applied for the G.I.C.H distinction last year. We will reapply this year and notate on the application that we were selected for the Community Choices Assistance program. She extended an invitation to Mr. Douse and staff to join the G.I.C.H team on June 6, 2016 for the 2016 G.I.C.H meeting. Council Member Glaize thanked Ms. Tarika Peeks and Mr. Tim Cox for their work. Council Member Heath wanted to know would this program provide funding to the City.

Mr. Douse said "not directly". This is more geared towards technical assistance.

Council Member Heath wanted to know the program that assisted with funding for blighted areas. He said the City of East Point received funding to replace facade in the amount of \$9K to \$10K.

Mr. Douse stated that he would check in to it.

VI. PUBLIC COMMENTS:

1. Homer Knight, 148 Durham Lakes, spoke in opposition of the landfill. He requested to hold a meeting with Jeff Browne, Safeguard Landfill and Durham Lakes H.O.A.

VII. ADOPTION OF THE COUNCIL AGENDA:

Council Member Glaize made a motion to adopt the Council Agenda and to add items #18 Cancellation of the June 27, 2016 City Council & Workshop Meeting, #19 T-SPLOST, #20 P.I.E. (Process, Inclusion and Equity), #21 Facilities Use Agreement for the Campus Conference Room and #22 Concession Vendor for the Swimming Pool with Council Member Hurst providing the second. **The motion carried.**

VIII. APPROVAL OF CITY COUNCIL MINUTES: City Council Minutes of May 9, 2016.

Council Member Portis-Jones made a motion to approve the City Council Minutes of May 9, 2016 with Council Member Hurst providing the second.

Council Member Glaize stated the corrections may have been already corrected in the revised minutes. She said to replace the ampersand with the word "and" in the Presentation to place and between Mayor and Council on page (2).

IX. PUBLIC HEARING:

1. Use Permit 16U-002 and Concurrent Variance 16CV-002-Living Word Church

Linda Abaray provided Mayor and Council with an overview of the Use Permit 16U-002 and Concurrent Variance 16CV-002-Living Word Church. She said the Council wishes to approve you can make a motion to approve in its entirety or make two separate motions. She said if one part is denied; both will be denied.

Mayor Avery opened the Public Hearing on the Use Permit 16U-002 and Concurrent Variance 16CV-002-Living Word Church and asked for those in favor to come forward.

Speakers For:

1. William O'Neal, PO Box 1451, spoke in favor of the Use Permit.

2. Karonn Blue, 216 Kelvington Way, Peachtree City, spoke in favor of the Use Permit.

3. James Sumners, 112 Shannon Chase Court, spoke in favor of the Use Permit. He said it is good to see something in the area. He said he is pleased to see that it is not another station.

Speakers Against: there were no speakers.

Mayor Avery closed the Public Hearing on the Use Permit 16U-002 and Concurrent Variance 16CV-002-Living Word Church.

Council Member Heath made a motion to approve the Use Permit 16U-002 and Concurrent Variance 16CV-002-Living Word Church with Council Member Glaize providing the second.

For the record, Council Member Portis-Jones requested clarification on the recommendations for the Use Permit.

Linda Abaray stated the conditions a. Church and accessory uses at a density of 1,552 square feet per acre or 14,000 square feet, whichever is less 2. a. To the site plan received by the Department of Community Development dated April 4, 2016. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning ordinance and these conditions prior to the approval of a land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy. 2. a. Intersection improvements at Irwin Rd (aka Old Senoia Rd.) and Senoia Road shall be addressed during the Land Disturbance Permit plan review, subject to the approval of the City Engineer. B. The owner/developer shall dedicate a minimum of sixty (60) feet of right-of-way from centerline of Valleybrook Drive along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Fairburn. C. The owner/developer shall dedicate a minimum of sixty (6) feet of right-of-way from centerline of Senoia Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater. D. The owner/developer shall dedicate a minimum of sixty (60) feet or right-of-way from centerline of Irwin Road (aka Old Senoia Rd.) along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Fairburn. E. To allow parking within the minimum front yard setback adjacent to Irwin Road (aka Old Senoia Rd.) (16CV-002); **the motion carried.**

2. Text Amendments 16TA-003-Regulations in the Sign Ordinance

Tarika Peeks provided Mayor and Council with an overview of the Text Amendments 16TA-003-Regulations in the Sign Ordinance.

Mayor Avery opened the Public Hearing on the Text Amendments 16TA-003-Regulations in the Sign Ordinance and asked for those in favor to come forward.

There were no speakers.

Mayor Avery closed the Public Hearing on the Text Amendments 16TA-003-Regulations in the Sign Ordinance.

Council Member Glaize made a motion to approve the Text Amendments 16TA-003 Regulations in the Sign Ordinance with Council Member Portis-Jones providing the second. **The motion carried.**

X. AGENDA ITEMS:

3. Administrative Zoning Modification-Brookhaven at Durham Lakes, Unit V, Phase 2 Lots 10-32 and 83

Linda Abaray provided an overview of the Administrative Zoning Modification-Brookhaven at Durham Lakes, Unit V, Phase 2 Lots 10-32 and 83.

Council Member Whitmore made a motion to approve the Administrative Zoning Modification-Brookhaven at Durham Lakes, Unit V, Phase 2 Lots 10-32 and 83 with Council Member Pallend providing the second. **The motion carried.**

4. Discussion of Dedication Plaque at Duncan Park

Mayor Avery provided an overview of the Dedication Plaque for Duncan Park. He requested the Council to select the type of plaque and content to be dedicated.

After some discussion, Council Member Portis-Jones made a motion to approve the plaque that lists the current members with Council Member Heath providing the second. **The motion carried.**

5. Laborchex Client Services Agreement

Human Resources Director David Johnson provided an overview of the Laborchex Client Services Agreement.

Council Member Glaize made a motion to approve the Laborchex Client Services Agreement with Council Member Pallend providing the second.

Council Member Portis-Jones wanted to know who would be the authorized users.

Human Resources Director David Johnson stated that the Human Resources Coordinator, Fire Chief, Police Recruiter and the Human Resources Director will be authorized users. Mr. Johnson stated the Fire Chief was recently added.

Council Member Portis-Jones wanted to know if the City will provided the applicant with a copy of the report.

Human Resources Director David Johnson said “no”, but the applicant may see the report.

City Attorney Randy Turner suggested to that the City continues to follow the federal act and not deviate.

Council Member Hurst stated the Laborchex provide more services such as credit report, education, criminal history and sex offender history.

Council Member Glaize said as a member of the GMA Advisory Committee there were (7) vendors vetted and Laborchex was one. She said there are (31) cities that are conducting business with them.

Council Member Heath requested that staff look at the policy about providing the credit report to the applicant. He said that he believes that a person can receive (2) free credit reports per year. **The motion carried.**

6. Contract for Uniform Service

Utilities Director Tom Ridgway provided an overview of the Contract for Uniform Service.

Council Member Pallend made a motion to approve the service agreement with UniFirst to provide uniform service for the Electric Department with Council Member Whitmore providing the second.

Council Member Hurst wanted to know how many uniforms will be provided.

Utilities Director Tom Ridgway said “two sets”; multiple shirts and pants.

Council Member Hurst asked if employees will be provided steel toe work boots.

Utilities Director Tom Ridgway said we purchase protective boots for the workers.

Council Member Glaize wanted to know if this was the first contract.

Utilities Director Tom Ridgway said “no, we had a contract with Cintas”. **The motion carried.**

7. Discussion of Procedure to Verify Lease

Utilities Director Tom Ridgway provided a brief overview of the lease procedure. He said on last week the City received a lease that was falsified.

After some discussion, Council Member Hurst requested that the Utility Policy be reviewed within the next 60 days.

8. Discussion of Proposal to Implement Automated Metering

Utilities Director Tom Ridgway provided an overview of the Automated Metering Infrastructure (AMI) system. He then introduced Mr. Randy Williams of Tanelus. Mr. Williams provided Mayor and Council with the benefits of using the AMI system.

Council Member Heath asked about the Northstar Upgrade.

Utilities Director Tom Ridgway said the upgrade will allow the mass import of meters into inventory. He said if we perform the process manually it would take longer.

Council Member Heath wanted to know how many complaints the Utility Department receives.

Utilities Director Tom Ridgway said it varies.

Council Member Glaize spoke on the AMI System and the cost as it relates to the budget. She wanted to know if ECG or MEAG offer grants to assist with technology upgrades.

Utilities Director Tom Ridgway said “no”.

Council Member Glaize said GEFA will allow us to borrow and with a small interest rate. She also wanted to know if he has looked into solar energy.

Council Member Portis-Jones said if approved, is there a way to phase in within two to three budget cycles. Would this be different than partial deployment?

Utilities Director Tom Ridgway said “yes”.

Mayor Avery requested for Tom Ridgway and the City Administrator to find the most cost effective way to address the need.

Council Member Glaize said GEFA offers loans at one percent.

9. Purchase of Seven (7) 2016 All-Wheel Drive Dodge Chargers for the Police Department

Council Member Pallend made a motion to approve the Purchase of Seven (7) 2016 All-Wheel Drive Dodge Chargers for the Police Department in the amount of \$177,938.25 with Council Member Heath providing the second.

Council Member Glaize wanted to know if the two vehicles that were damaged due to fire and an accident have been replaced by the insurance company.

Council Member Hurst said we are talking about (5) cars. She asked how many cars have been purchased within the last (2) fiscal years. She said one of the vehicles was destroyed by fire at a private resident. Council Member Hurst said this is an unwritten perk for the police officers along with (10) gallons gas allowance.

Interim Police Chief Sutherland provided clarification. He said an officer is provided 28 miles round trip for (14) days a month on a (12) hour shift. Police Chief Sutherland provided an example using a recent hostage situation as it relates to take home vehicles. He said there are (10) vacant positions in the police department. Mayor Avery said after speaking with police officers at Fire House Subs they said if the vehicles are removed as a benefit they will leave. He said the last thing we need to do is take action.

Council Member Glaize suggested to replace the (2) vehicles that were damaged. She said there is not an immediate present need to purchase an additional (5) vehicles.

Council Member Portis-Jones said this is further justification for Management Audit. She said there are various demands on the Police Department for new vehicles and body cameras. She said "I am asking the council to approve the Management Audit and Prepare an RFP".

Council Member Whitmore wanted to know the life span for the vehicles.

Interim Police Chief Sutherland said the older vehicles are used as back up for reserve police officers.

After much discussion, Council Member Whitmore made a substitute motion to hold

the Purchase of Seven (7) 2016 All-Wheel Drive Dodge Chargers for the Police Department with Council Member Portis-Jones providing the second.

Council Member Pallend said as of now we need (10) police officers. **The motion carried.**

10. Purchase of Radios for Seven (7) 2016 Chargers

Council Member Portis-Jones made a motion to purchase (2) Radios with Council Member Hurst providing the second.

Council Member Hurst asked if insurance will pay for the cost of the radios.

City Administrator Tom Barber spoke on the depreciation of the vehicle and equipment. He said they will not pay dollar for dollar.

Council Member Heath asked if the radios being purchased are 800MHZ.

City Administrator Tom Barber said "yes". **The motion carried.**

11. Ratification of Landscaping at Duncan Park Pool

Council Member Heath made a motion to ratify the invoice with A-Abbey Group for landscaping around the Duncan Park Pool and splash pad in the amount of \$27,775.58 with Council Member Glaize providing the second. **The motion carried.**

12. Agreement between the City of Fairburn and the South Fulton Little League for Use of Fields and Facilities at Duncan Park

Council Member Portis-Jones made a motion to approve the Agreement between the City of Fairburn and the South Fulton Little League for Use of Fields and Facilities at Duncan Park with Council Member Council Member Heath providing the second.

Council Member Glaize stated there will be softball, baseball and kickball on the same day. She suggested different times for the agreements.

City Administrator Tom Barber explained the staggered time.

Council Member Glaize said this may be a prescription for an issue. **The motion carried.**

13. Agreement between the City of Fairburn and Southside Kickers for Use of Fields and Facilities at Duncan Park

Council Member Heath made a motion to approve the Agreement between the City of Fairburn and Southside Kickers for Use of Fields and Facilities at Duncan Park with Council Member Hurst providing the second.

Council Member Glaize made a substitute motion to change the time on the Agreement between the City of Fairburn and Southside Kickers for Use of Fields and Facilities at Duncan Park to 2:30pm to 6:30pm with Council Member Portis-Jones providing the second. **The motion carried.**

14. Lease Agreement with Kevin & Sharia West on behalf of Charis Fellowship Church

Council Member Glaize made a motion to approve the Lease Agreement with Kevin & Sharia West on behalf of Charis Fellowship Church with Council Member Heath providing the second. **The motion carried.**

15. Various Amendments to City Personnel Policies

City Attorney Randy Turner provided an overview of the Various Amendments to the City Personnel Policy.

Council Member Pallend made a motion to approve the Various Amendments to the City Personnel Policy with Council Member Glaize providing the second. Council Member Hurst requested clarification on outside employment and on-call. Harvey Stokes said there are (2) employees on-call per shift.

Utilities Director Tom Ridgway said "all my employees are on-call"; one primary and one secondary.

Council Member Hurst asked for clarification.

Utilities Director Tom Ridgway said we operate on a rotating shift.

Council Member Whitmore wanted to know when the changes will be implemented and if the Human Resources Director considered videotaping the first training session.

Human Resources Director David Johnson said we are working with an outside company to come in and provide training.

Council Member Glaize wanted to know if we should insert primary and secondary in the policy.

City Attorney Randy Turner said the policy covers all employees. **The motion carried.**

16. Amendment to the Code of Ethics, Relating to Interactions Between City Officials and City Employees

Council Member Glaize made a motion to approve the Amendment to the Code of Ethics, Relating to Interactions between City Officials and City Employees with Council Member Whitmore providing the second. **The motion carried.**

17. Discussion and or Approval of a Request for Proposals for a Complete and Comprehensive Rewrite of the City Charter

City Attorney Randy Turner provided an overview of the Request for Proposals for a Complete and Comprehensive Rewrite of the City Charter. He said we will need to have everything completed by the Council by November to make the legislative deadline.

Council Member Glaize said there are changes for council's consideration to be made.

City Attorney Randy Turner recommended receiving Council's feedback by June 13, 2016 via email.

Mayor Avery wanted to know how the selection committee would work. City Attorney Randy Turner stated that it is an unusual committee and suggested not breaking the body up.

Mayor Avery asked about Sole Source as it relates to the RFP.

Council Member Whitmore said to be transparent would it be wise for the body to go with an RFP instead of a Sole Source.

Council Member Glaize said I would like to follow the recommendation put forth by the City Administrator. She said Columbus is a great model city.

City Attorney Randy Turner said I will send sample Charters in the next 3-4 days.

City Administrator Tom Barber said if you put an RFP out, it may not make it to the General Assembly. He said you will not be able to fix the Charter; you will have to look at a new or an existing Charter.

Council Member Hurst said a sample Charter would be beneficial. She said some

things in the Charter will carry over.

Council Member Glaize said you will receive input as the draft of the Charter continues to build. She said approved the RFP approved and bided out within (14) days.

18. Cancellation of the June 27, 2016 City Council & Workshop Meetings

Council Member Heath made a motion to approve the Cancellation of the June 27, 2016 City Council & Workshop Meetings with Council Member Hurst providing the second.

Council Member Portis-Jones requested to state the reason.

Mayor Avery said to attend the 2016 GMA Conference and he would be attending the Mayor's Conference. **The motion carried.**

19. Approval of T-SPLOST List

Council Member Heath made a motion to approve the T-SPLOST List with Council Member Glaize providing the second. **The motion carried.**

20. Request to Adopt P.I.E (Process, Inclusion and Equity) Procedure

Mayor Avery brought the Request to Adopt P.I.E (Process, Inclusion and Equity) Procedure to the floor.

Mayor Avery said I have made concession to bring the Council together.

City Attorney Randy Turner said "I am not sure if this is intended to amend the Charter; if so, it would need to be redrafted. He said there are specific procedures to follow as far as being heard (2) in a public hearing and advertised. He said a change in the form of government if this is a working agreement could be approved as a resolution. City Attorney Randy Turner said this would need to be put in a different form.

Council Member Glaize agreed and said "yes put in as a resolution but not placed in the City Charter".

Mayor Avery said I agreed to some of it, not all. I will try to make it work. He stated for the record, this document contradicts the City Charter.

Council Member Glaize said we know this is not in the Charter, but we want

inclusion.

Council Member Pallend said let's wait to see where the RFP for the City Charter goes before we do the P.I.E.

Council Member Hurst said this is a procedure to get a Chief of Police. She said now we are going back to challenge the legalities. Council Member Hurst said we talked about it and agreed on the procedure but not one person has yet to be brought to us. She said this document is just a procedure. We are not trying to circumvent the Mayor. She said some things have been changed by Home Rule at least twice and I know they were file incorrectly.

Mayor Avery stated "you have procedure, you have the Charter".

Council Member Portis-Jones publically stated that she asked to place the hiring of the Police Chief on hold until the Management Audit was conducted.

After much discussion, Council Member Glaize made a substitute motion to hold the Adoption of the P.I.E (Process, Inclusion and Equity) Procedure until a resolution is brought back with Council Member Heath providing the second. **The motion carried.**

21. Facilities Use Agreement for the Campus Conference Room

Council Member Pallend made a motion to approve the Facilities Use Agreement for the Campus Conference Room with Council Member Heath providing the second. Council Member Hurst said the company that is requesting this is a 501-C3. She said I am not ready to vote. We need to have further discussion on renting out our conference room at the Educational Center. She said "I would like to ask questions of the company".

Council Member Pallend said we are approving the pricing structure.

Council Member Glaize said "I do not think we need to rent the space. She said there are other facilities that are opened in the City.

Council Member Hurst made a substitute motion to not rent space at the Educational Center with Council Member Glaize providing the second. **The motion carried** with Council Member Heath voting "no".

22. Concession Vendor for the Swimming Pool

Council Member Glaize made a motion to approve the Concession Vendor for the

Swimming Pool with Council Member Portis-Jones providing the second. **The motion carried.**

XI. COMMENTS FROM COUNCIL:

Council Member Whitmore had no comments.

Council Member Heath had no comments.

Council Member Hurst had no comments.

Council Member Glaize had no comments.

Council Member Pallend had no comments.

Council Member Portis-Jones congratulated Battalion Chief Charles Figures and thanked Fire Chief Hood for the presentation. She acknowledged Ms. Tarika Peek for her work on the ARC Community Choices Assistance program. Council Member Portis-Jones congratulated Living Word Ministries. She reminded everyone to come out on Friday, June 3, 2016 to the Fairburn Farmer's Market located at the amphitheater.

Mayor Avery asked about the date for the Council Retreat. Council discussed holding the Council Retreat on Thursday, June 2, 2016 at 6pm. He said if Mr. Hightower is available the retreat time will be moved up to 5pm to 8pm. If not, the time will be 6pm to 8pm.

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 10:35pm.

Interim City Clerk, Stephanie Tigner

Mayor, Mario Avery