



City of Fairburn
Mayor and Council Meeting- Zoom
January 25, 2021
7:00 pm

- I. The meeting was called to order at 7:00 pm by the Honorable Mayor Carr-Hurst.
- II. Roll Call was taken by City Clerk, Arika Birdsong-Miller with the following members present:

Mayor Elizabeth Carr-Hurst

The Honorable Linda J. Davis
The Honorable Alex Heath
The Honorable Hattie Portis-Jones

The Honorable Pat Pallend
The Honorable Ulysses J. Smallwood
The Honorable James Whitmore

The attendance of Council constituted a quorum and the meeting proceeded.

City Attorney Randy Turner was also present.

- III. The invocation was led by Apostle Dr. LaReese Howell of New Horizons in Faith Ministry Inc.
- IV. Adoption of City Council Minutes:
Motion to Approve January 11, 2021, Council Meeting Minutes (Zoom) was made by Councilman Heath and the second was provided by Councilman Smallwood.
Vote: 6-0: Motion Carried.
- V. Adoption of the Council Agenda:
Motion to Approve the Council Agenda was made by Councilman Whitmore and the second was provided by Councilman Heath.
Vote: 6-0: Motion Carried.
- VI. Discussion:
 1. Mr. David E. Clark, Director of Public Works for Fulton County explained that in January 2018, the Fulton County BOC in coordination with the Mayors of the County's 14 municipalities outside of the City of Atlanta adopted the Fulton County Transit Master Plan. In May 2019, the BOC in coordination with the cities, amended the County's short-term plan and reaffirmed South Fulton Parkway and GA 400 as the priority transit corridors. Through previous discussions, MARTA has agreed to fund the maintenance and operations for transit along South Fulton Parkway and GA 400 as part of the existing 1-cent sales tax. To move these projects toward implementation a local commitment is required to help fund the necessary capital improvements. Renewal of the County's TSPLOST (Transportation Special Purpose Local Option Sales Tax) provides an avenue for the County and Cities to provide up to 50% of the capital funds needed to advance transit in South and North Fulton County. Mr. Clark further explained that in lieu of renewing the current 0.75-cent TSPLOST, the County could pursue a legislative change to allow a full 1-cent sales tax (as allowed in other Georgia counties). A full 1% sales tax would yield approximately \$700 Million over

five years and would allow the cities to maintain a similar level of funding to the current TSPLOST for local projects as well as the necessary transit funding.

VII. Agenda Items:

1. Office of the Mayor

Mayor Elizabeth Carr-Hurst

- Appointment of Mayor Pro-Tem for 2021
Councilman Whitmore made the Motion to Appoint Hiram Alex Heath as Mayor Pro-Tem for the City of Fairburn for 2021. Councilwoman Davis provided the second.
Vote: 6-0: Motion Carried.
- Appointment of City Attorney for 2021
Councilwoman Davis made the Motion to Appoint William Randy Turner as the City Attorney for the City of Fairburn for 2021. Councilman Smallwood provided the second.
Vote: 6-0: Motion Carried.
- Appointment of Municipal Judge for 2021
Councilwoman Portis-Jones made the Motion to Appoint Monica Ewing as the Municipal Judge for 2021. Mayor Pro-Tem Heath provided the second.
Vote: 6-0: Motion Carried.
- Appointment of City Clerk for 2021
Councilman Smallwood made the Motion to Appoint Arika Birdsong-Miller as the City Clerk for 2021. Mayor Pro-Tem Heath provided the second.
Vote: 6-0: Motion Carried.
- Appointment of Police Chief for 2021
Councilman Whitmore made the Motion to Appoint Stoney Mathis as the Police Chief for 2021. Councilwoman Davis provided the second.
Vote: 6-0: Motion Carried.
- Appointment of Fire Chief for 2021
Councilwoman Davis made the Motion to Appoint Cornelius Robinson as the Fire Chief for 2021. Councilman Smallwood provided the second.
Vote: 6-0: Motion Carried.
- Legal Organ of the City of Fairburn for 2021
Councilman Whitmore made the Motion to Appoint the South Fulton Neighbor Newspaper as the Legal Organ for the City of Fairburn for 2021. Mayor Pro-Tem Heath provided the second.
Vote: 6-0: Motion Carried.

2. City Clerk

Mrs. Arika Birdsong-Miller

For Mayor and Council to Discuss and Approve the 2021 City Council Meeting Schedule. Mrs. Birdsong-Miller presented the schedule to Mayor and Council. Mayor Carr-Hurst stated that the Georgia Municipal Association Annual Conference was moved to August 6th-10th and would like the proposed schedule to reflect the recent change. Mayor Carr-Hurst explained that the meeting on June 28, 2021 should be added as a City Council Meeting and August 9, 2021 should be reflect the GMA Conference. Motion to Approve the 2021 City Council Meeting Schedule with modifications was made by Councilman Whitmore and the second was provided by Mayor Pro-Tem Heath.
Vote: 6-0: Motion Carried.

Councilwoman Portis-Jones made a Motion to add an agenda item to discuss adding the Public Comments section back on the agenda beginning February 8, 2021. The second

was provided by Councilwoman Davis. Mayor Carr-Hurst stated this item will be added as Item #8.

3. Property Management

Mr. Harvey Stokes

For Mayor and Council to Approve and Adopt the 2020 National Electric Code. Mr. Stokes explained that there are several changes that occurred in the newer version geared toward new single-family home construction. Most notable is requiring all new home to have a surge protector installed to protect modern electronics against power surges, this change included older homes when services are upgraded. Mr. Stokes further explained that another change is the exterior disconnects, better known as the “Emergency Disconnect” for public safety. Under the old rule if the panel was within 25’ of the meter base no exterior disconnect was required, the new code will benefit our fire service so that the power can be disconnected by staff rather than waiting on the utility company to remove the meter. Motion to Approve and Adopt the 2020 National Electric Code was made by Councilman Smallwood and the second was provided by Councilman Whitmore.

Vote: 6-0: Motion Carried.

4. Utilities Department

Mr. John Martin

For Mayor and Council to Approve the Bid Award Recommendation for the Corbett Group, LLC in the amount of \$672,600 for the Fayetteville Road Water Main Improvements Project. Mr. Martin explained that the City of Fairburn experienced ongoing maintenance issues with the water distribution system on Fayetteville Road from Edelweiss Drive to Broad Street. Staff identified recurring water main leaks that resulted in costly repairs on the existing 6-inch water main. Due to the age of this water main, and the ongoing repair expenses, the City requests to replace this approximately 5,000 linear feet portion of the 6-inch water main. Mr. Martin stated that ISE assisted City Staff with the bidding process and the Corbett Group, LLC was the lowest bidder. Motion to Approve the Bid Award Recommendation for the Corbett Group, LLC in the amount of \$672,600 for the Fayetteville Road Water Main Improvements Project was made by Mayor Pro-Tem Heath and the second was provided by Councilwoman Portis-Jones.

Vote: 6-0: Motion Carried.

5. Fire Department

Chief Cornelius Robinson

For Mayor and Council to Approve the Purchase of Equipment for Ten-8 Fire & Safety Equipment of Georgia for the New Fire Engine in the amount of \$21,810. Chief Robinson explained that this purchase will allow the Fire Department to upgrade to modern day equipment and technology and replace some of the equipment that was purchased in 1992. Motion to Approve the Purchase of Equipment for Ten-8 Fire & Safety Equipment of Georgia for the New Fire Engine in the amount of \$21,810 was made by Councilwoman Davis and the second was provided by Councilman Whitmore.

Vote: 6-0: Motion Carried.

6. Engineering

Mr. Lester Thompson

For Mayor and Council to Approve a Supplemental Agreement with Envirorisk for Contaminated Ground Water Remediation and Follow-Up Monitoring Service in the amount of \$46,950. Mr. Thompson explained that due to the presence of higher concentration of dissolved benzene and total BTEX in the ground water, Georgia EPD is requiring preparation of a Corrective Action Plan-Part B (CAP-B) by February 15, 2021.

Mr. Thompson introduced Mr. Kenneth Summerour, Principal Geologist at Envirorisk Consultants, Inc to give a detailed breakdown of the proposed agreement. Mr. Summerour explained the CAP-B will include the installation of 3 to 4 temporary monitoring wells, sampling, field gauging, surveying, and preparation of a groundwater remediation plan using In-Situ Chemical Oxidation (ISCO). After EPD approval of the CAP-B, Envirorisk will implement an ISCO injection in the former tank pit using 1750-2,000 gallons of activated sodium persulfate with calcium peroxide. Approximately 30 days following the ISCO injection, allowing time for adequate oxidant treatment, Envirorisk will resample the monitoring wells and prepare a Monitoring Only Report (MOR) #1. Pending the results, Envirorisk will likely request "No Further Action" (NFA) along with MOR #1 submittal. NFA approval will be at the discretion of Georgia EPD and based on experience, up to three (3) additional quarterly sampling events and reports (MORs) may be required. The breakdown provides the costs with contingencies to hopefully eliminate future proposal requests.

- Temporary well installation, sampling, & CAP-B preparation – \$14,200.00
 - ISCO treatment (up to 2,000 gal), 30-day sampling, MOR prep – \$22,250.00
 - 3 additional sampling events and MORs-\$3,500.00/event x 3 – \$10,500.00
- TOTAL: \$46,950.00

Motion to Approve a Supplemental Agreement with Envirorisk for Contaminated Ground Water Remediation and Follow-Up Monitoring Service in the amount of \$46,950 was made by Councilman Pallend and the second was provided by Councilman Whitmore.

Vote: 6-0: Motion Carried.

7. Engineering

Mr. Lester Thompson

For Mayor and Council to Approve Change Order #1 with Summit Construction and Development for Retaining Wall Surface Preparation at the Fairburn Train Depot Parking Lot Expansion Project in the amount of \$7,500. Mr. Thompson explained that after constructing the retaining wall on the Fairburn Train Depot Parking Lot Expansion Project was completed, staff thought that it may be an ideal backdrop for future creative placemaking projects. Motion to Approve Change Order #1 with Summit Construction and Development for Retaining Wall Surface Preparation at the Fairburn Train Depot Parking Lot Expansion Project in the amount of \$7,500 was made by Councilwoman Portis-Jones and the second was provided by Councilwoman Davis.

Vote: 6-0: Motion Carried.

***8. Office of Mayor and Council**

Councilwoman Portis-Jones

For Mayor and Council to Discuss and Approve adding Public Comments back on the agenda beginning February 8, 2021. Councilwoman Portis-Jones explained that the citizen comment section was removed when the COVID-19 Global Pandemic began, and the Council Meeting moved to the virtual platform. Councilwoman Portis-Jones stated that she thinks we should add the comments section back on the agenda moving forward. Motion to Approve adding the Public Comments section back on the agenda beginning February 8, 2021 was made by Councilwoman Portis-Jones and the second was provided by Councilwoman Davis.

Vote: 6-0: Motion Carried.

**Agenda Item added from the floor.*

VIII. Council Comments:

Mayor Pro-Tem Heath stated that he is honored with the Appointment of Mayor Pro-Tem.

Councilwoman Portis-Jones welcomed Mayor Carr-Hurst back and told her that with God's grace she will learn to manage the grief after the passing of her beloved daughter Kim.

Councilwoman Davis welcomed Mayor Carr-Hurst back and congratulated all Re-Appointees.

Councilman Pallend told Mayor Carr-Hurst that he is sorry for her troubles regarding her daughter Kim. Councilman Pallend stated that residents interested in receiving the COVID-19 vaccine should contact YourTown Heath.

Councilman Smallwood stated that he is still praying for Mayor Carr-Hurst and congratulated all Appointees including Mayor Pro-Tem Heath.

Councilman Whitmore congratulated all staff members Appointments and informed Mayor Carr-Hurst that he is continuously praying for her.

Mayor Carr-Hurst stated that she is taking it day by day dealing with the grief of losing her beloved daughter Kim that lost her battle with cancer. Mayor Carr-Hurst stated that she is so thankful to God for the years she got to spend with Kim. Mayor Carr-Hurst thanked the City of Fairburn's staff, Pastors, and friends for being in Alabama during her time of need.

- IX. Adjournment: At 8:44 pm, with no further business of the City of Fairburn, the Motion to Adjourn was made by Councilwoman Davis and the second was provided by Councilman Whitmore.

Vote: 6-0: Motion Carried.


Arika Birdsong-Miller, City Clerk


Elizabeth Carr-Hurst, Mayor