



**CITY OF FAIRBURN  
CITY HALL  
56 Malone Street  
Fairburn, GA 30213  
August 24, 2015  
7:00 P.M.**

The Honorable Mayor Mario Avery

The Honorable Ron Alderman  
The Honorable Alex Heath  
The Honorable Marian Johnson

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

Tom Barber  
Brenda B. James  
William Randy Turner

City Administrator  
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 Pastor Danita Jones of In His Great Name Worship Center.
- IV. PLEDGE OF ALLEGIANCE:** was recited in unison.
- V. PRESENTATION:**

1. Proclamation In Recognition of Master Corey Jackson, Jr.

Mayor Avery read the proclamation recognizing Master Corey Jackson, Jr. into the record.

*Whereas*, The City of Fairburn, Georgia legislatively adopted the Let's Move campaign and became a Let's Move city in January 2015 and received 5 awards for its Let's Move efforts; and

*Whereas*, Corey Jackson, Jr. is a fifth grader at Main Street Academy in College Park, Georgia; and

*Whereas*, Corey Jackson Jr. is the son of Corey Jackson, Sr. and Dora Dumas of Fairburn, Georgia; and

**Whereas**, Corey Jackson, Jr. represented the state of Georgia as the winner in the 4<sup>th</sup> Annual Healthy Lunchtime Challenge, sponsored by First Lady of the United States, Michelle Obama; and

**Whereas**, Corey Jackson Jr. joined 54 other 8-12 year old winners from their respective states, territories and the District of Columbia who lunched with First Lady Michelle Obama at the White House; and

**Whereas**, Corey Jackson Jr. won because his meal creation was healthy, affordable, original and delicious-the four criteria for the Healthy Lunchtime Challenge; and

**Whereas**, Corey Jackson Jr. has shown through his healthy eating and active lifestyle change that he overcame autism, maintains healthy weight and overall good health.

**NOW, THEREFORE**, I, Mario B. Avery, Mayor and the six members of City Council of the City of Fairburn, a Let's Move City, wish to congratulate Master Corey Jackson, Jr. on his representing the state of Georgia Healthy Lunchtime Challenge-an initiative of the national Let's Move campaign.

Master Corey Jackson, Jr. thanked the Fairburn City Council for the opportunity. He said he was one of 54 winners selected by First Lady Mrs. Michelle Obama. Master Corey Jackson, Jr. said he toured the Capitol, White House and the underground tunnel. He said he saw Mrs. Obama's garden and a bee hive. He said Mrs. Obama encouraged him to eat healthy and to pass what he learned on to the City of Fairburn.

Mayor Avery called Chief McCarthy forward.

Police Chief McCarthy provided Mayor and Council with a response to a complaint filed by an elected official.

I was directed by Mayor Avery to research a complaint leveled by Councilwoman Glaize regarding allegations of improper behavior on the part of an unnamed Fairburn police officer. Councilwoman Glaize indicated that an incident occurred Thursday, August 6<sup>th</sup> where she was yelled at, for no reason, by a Fairburn officer. I could find no officers in the area indicated by Ms. Glaize on that date. Without supporting information, questioning agency officers individually had to be done. The only incident that was close to the allegations indicated by the councilwoman occurred on Tuesday, July 28<sup>th</sup>.

Since the facts of the location and date are different, and the name of the officer was not given when requested, there is no way to know if this is the incident involving Councilwoman Glaize. Should further investigation be required into this matter, sworn, written statements will need to be gathered and a more thorough investigation

completed. If discrepancies cannot be ironed out, polygraphs may be required to complete the investigation.

The response of the officer, who may or may not be the subject of this complaint, is included below. It was sent from his phone (he is on military leave), not a computer, and is the reason for the typographical errors therein. He states that he had to yell to get a driver's attention at an accident scene. Since most drivers have their windows up, and since the car was creating an emergency situation, there was no other way to alert the driver without yelling. This had to be done to prevent another accident from occurring. The driver in this incident violated the law by changing lanes and driving into oncoming traffic. The driver had to be backed up to allow those oncoming vehicles to safely cross the intersection. The driver endangered other drivers on the road by not turning right as indicated by the lane she was in. Had the officer wanted, a traffic citation could have been issued, which indicates the officer had solved the immediate problem and had no other issues with the driver. There is no indication the officer knew who the driver was, contrary to what was stated at the meeting, which indicates that this may not be the incident discussed at the City Council meeting.

From what I have read and heard in the case involving Officer Wakeman, I find no wrongdoing on the part of the officer in the incident he described. I further find that his actions prevented injury and/or further property damage from occurring. As such, without additional facts indicating the officer's behavior was a violation of policies and procedures I will take no action regarding the actions of the officer.

#### **VI. PUBLIC COMMENTS:**

1. Carol M. Berry, 113 Shannon Chase Lane Fairburn, Georgia spoke on an incident that occurred on August 3, 2015. She said Mr. Berry arrived home from practice sick and she called 911. The officers arrived on scene and were very calm. The officers informed her that an ambulance was not available. She wanted to know why the ambulatory service was not available. She said the Fire Department personnel were very professional and courteous.
2. Pastor Danita Jones, 81 Dodd Street Fairburn, Georgia thanked Mayor, Council and the Police Department for their work to stop the speeding in the Lightning Community. She thanked Harvey Stokes for taking care of the bees at the playground. Pastor Jones said on last Thursday there was a man carrying a gun on his back walking downtown. She said the police were called and she wants to know the plan to protect the citizens of Fairburn.

#### **VII. ADOPTION OF THE COUNCIL AGENDA:**

Council Member Heath made a motion to adopt the Council Agenda with Council Member Johnson providing the second. **The motion carried.**

**VIII. APPROVAL OF CITY COUNCIL MINUTES:** Council Minutes of August 10, 2015

Council Member Glaize made a motion to approve the City Council Minutes of August 10, 2015 with Council Member Alderman providing the second. **The motion carried.**

Council Member Portis-Jones said in the minutes it states Nissan of Union City, which is what was said, however she has been given a correction and the car at the Farmers Market will be from Nissan Next through Rodney Lewis.

**IX. PUBLIC HEARING:**

2. Rezoning: 15RZ-004- Rezoning RM-8 (Multifamily Residential District) to R-CT (Residential Condominium/Town-House District)

Mayor Avery opened the Public Hearing on the Ordinance to Rezone RM-8 (Multifamily Residential District) to R-CT (Residential Condominium/Town-House District) and asked for those in favor to come forward.

Speakers For:

1. Chris Snider, spoke in favor of the Rezoning from RM-8 (Multifamily Residential District) to R-CT (Residential Condominium/Town-House District).

There were no speakers against.

Mayor Avery closed the Public Hearing.

Council Member Portis-Jones said in the report this rezoning is not consistent with the Development Plan.

Linda Abaray said that was the old Comprehensive Plan and this is the new plan.

Council Member Glaize made a motion to approve the Ordinance to Rezone RM-8 (Multifamily Residential District) to R-CT (Residential Condominium/Town-House District) with Council Member Heath providing the second. **The motion carried.**

**X. AGENDA ITEMS:**

3. Plat Review: Robert Kleinschmidt/Sure Lock Self Storage  
Council Member Johnson made a motion to approve the Plat Review: Robert

Kleinschmidt/Sure Lock Self Storage with Council Member Jones providing the second. **The motion carried.**

4. Schedule of Fees for Development Services-Donation Box

Council Member Alderman made a motion to approve the Schedule of Fees for Development Services to include \$25.00 fee for the application permit with Council Member Johnson providing the second. **The motion carried.**

Council Member Hurst wanted to know the color of the Donation Box and will there be one per lot.

Tarika Peek said they will only be neutral colors and only one box.

5. Award Contract to Strack, Inc. to Install Water Line Under Private Road Between Bohannon Road and Creekwood Road

Council Member Heath made a motion to award the Contract to Strack, Inc. to Install Water Line under Private Road between Bohannon Road and Creekwood Road in the amount of \$22,242.25 with Council Member Glaize providing the second. **The motion carried.**

6. Settlement and Release Agreement with James Reid

Council Member Hurst made a motion to approve the Settlement and Release Agreement with James Reid in the amount of \$350.00 with Council Member Glaize providing the second. **The motion carried.**

City Administrator Tom Barber explained the problem on Lake Esther Drive.

Council Member Hurst asked if there are more people over there with the problem.

Planning Director Brendetta Walker said there is one more on Waterboy. She said it deals with the drain easement on the back of the house. She said she is in communication with the homeowner to resolve the problem.

7. GMA Direct Lease Program for 2015

Council Member Heath made a motion to approve the GMA Direct Lease Program for 2015 in the amount of \$328,421.00 with Council Member Johnson providing the second. **The motion carried.**

8. Task Order #118-Fayetteville Road Water Line Improvements

Council Member Alderman made a motion to approve Task Order #118 in the amount of \$39,340.00 for Fayetteville Road Water Line Improvements with Council Member Jones providing the second. **The motion carried.**

9. Service Agreement with Chase Thomas Music

Council Member Heath made a motion to approve the Service Agreement with Chase Thomas Music in the amount of \$725.00 with Council Member Johnson providing the second. **The motion carried.**

Council Member Hurst asked how staff decides how much you pay the different bands.

Council Member Portis-Jones stated the agreement is not very telling what services the vendor will render.

10. Service Agreement with Face Painter Conni Blankowski

Council Member Johnson made a motion to approve the Service Agreement with Face Painter Conni Blankowski in the amount of \$400.00 with Council Member Heath providing the second. **The motion carried.**

11. Service Agreement with Brenist Promotions

Council Member Hurst made a motion to approve the Service Agreement with Brenist Promotions in the amount of \$500.00 with Council Member Glaize providing the second. **The motion carried.**

12. Service Agreement with Brischler Art Studio, Inc.

Council Member Alderman made a motion to approve the Service Agreement with Brischler Art Studio in the amount of \$1,000.00 with Council Member Heath providing the second. **The motion carried.**

13. Service Agreement with Magician Ken Scott

Council Member Heath made a motion to approve the Service Agreement with Magician Ken Scott in the amount of \$400.00 with Council Member Glaize providing the second. **The motion carried.**

14. Service Agreement with Starwalk Enterprises

Council Member Glaize made a motion to approve the Service Agreement with Starwalk Enterprises in the amount of \$3,500.00 with Council Member Jones providing the second. **The motion carried.**

15. Service Agreement with Honey McGhee

Council Member Heath made a motion to approve the Service Agreement with Honey McGhee in the amount of \$700.00 with Council Member Glaize providing the second. **The motion carried.**

16. Service Agreement with Happy Entertainment

Council Member Alderman made a motion to approve the Service Agreement with Happy Entertainment in the amount of \$300.00 with Council Member Glaize providing the second. **The motion carried.**

Council Member Hurst asked if balloons would be provided.

Council Member Portis-Jones said she would like for each contract to state what services are being provided.

17. Service Agreement with Drivewire Band

Council Member Glaize made a motion to approve the Service Agreement with Drivewire Band in the amount of \$700.00 with Council Member Heath providing the second. **The motion carried.**

18. Service Agreement with Drew Brown

Council Member Johnson made a motion to approve the Service Agreement with Drew Brown in the amount of \$660.00 with Council Member Hurst providing the second. **The motion carried.**

19. Service Agreement with Leon N. Smith

Council Member Heath made a motion to approve the Service Agreement with Leon N. Smith in the amount of \$1,600.00 with Council Member Jones providing the second. **The motion carried.**

20. Service Agreement with Rhythma Studios

Council Member Glaize made a motion to approve the Service Agreement with Rhythma Studios in the amount of \$2,000.00 with Council Member Johnson providing the second. **The motion carried.**

21. Service Agreement with Bulldog Supply

Council Member Alderman made a motion to approve the Service Agreement with Bulldog Supply in the amount of \$665.00 with Council Member Jones providing the second. **The motion carried.**

Council Member Hurst wanted to know if the viewing station at the festival would be covered. She said the sun blinds them.

Mayor Avery said several ADA citizens and guests said they could not see the parade for the people standing in front of them.

Council Member Portis-Jones said the Agriculture Commissioner Gary Black will attend the Fall Festival. She wanted to know the location of the Farmer's Market Vendors at the festival and asked if the Nissan vehicle could be displayed at the festival.

Mayor Avery said there will be cars coming for the car show.

## **XI. COMMENTS FROM COUNCIL:**

Council Member Portis-Jones congratulated Master Corey Jackson, Jr. for his efforts with the Let's Move initiative. She also reminded residents that Pastor Danita Jones from His Great Name Ministries will lead the Evangelism Series on Tuesday night at St. John A.M.E and Pastor Ingrid Thompson of Harvest Rain Church will host the series on next Tuesday night. Council Member Portis-Jones thanked the Department Heads for the reports and bragged on the staff.

Council Member Glaize acknowledged Council Member Portis-Jones for the Let's Move Campaign and the Farmer's Market. She also thanked Master Corey Jackson, Jr. for a great job. She said the Emanuel Faith Riders of South Fulton and the Moo Cow Riders from Chick-fil-A rode from Atlanta to deliver a donation of \$15,000 to Mother Emanuel A.M.E. Church in Charleston, South Carolina. Council Member Glaize said it is always a pleasure to work with staff. For the past two weekends Fire Safety and Police volunteered in our Back to School programs; one was held at St. John A.M.E. and the other at Harvest Rain Church. The students and families were excited to interact with our Public Safety workers. She said we appreciate Chief Hood for being present as well as his staff. Pictures were taken and sent to the respective Chiefs and I hope they will be displayed throughout the office. Council Member Glaize said she was taken back by the level of action taken by the Mayor and Staff regarding a comment she made to encourage officers and citizens to be respectful to one another in their encounters. She apologized to the citizens for the time and expense utilized to investigate the encouragement which was not a complaint. In some instances, when asked we should remember that humanity is better than policy on most occasions. This will be my only and last response to the investigation by Chief McCarthy and the Mayor.



Council Member Hurst acknowledged Assistant City Clerk Stephanie Tigner. She said she does a fantastic job and the minutes show that she cares about her work. She also acknowledged Master Corey Jackson, Jr. for his accomplishment. She said it is good to see young people do well. Council Member Hurst said she will be there on tomorrow evening to hear Pastor Danita Jones.

Council Member Heath thanked everyone for coming out to the meeting tonight. He acknowledged Master Corey Jackson, Jr. He said he is very proud of him. Council Member Heath spoke on the visit to the Red Rock Development. He said Mr. Bill Harold said he would not be able to be here had it not been for Mr. Barber and staff.

Council Member Alderman said they are building on a site of over million square ft. He said the developers could not say enough about the staff. He acknowledged Master Corey Jackson, Jr. for his accomplishment. He said he is a great young man.

Council Member Portis-Jones thanked Tim Cox for the effort he put in to locate Master Corey Jackson, Jr.

City Clerk Brenda James announced Qualifying for 2015 Election will be Monday, August 31, 2015 to Wednesday, September 2, 2015 between the hours of 8:30am and 4:30 pm. The City Clerk's Office will close from 1:00pm to 2:00pm for lunch.

Mayor Avery spoke on the Durham Lakes event. He acknowledged Master Corey Jackson, Jr. for his work with the Let's Move Campaign. Mayor Avery said a Georgia State Trooper was killed on yesterday. He introduced his new Assistant Ms. Akilah Moody.

## **XII. ADJOURN:**

Council Member Alderman made a motion to adjourn with Council Member Johnson providing the second. **The motion carried.**

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Brenda B. James City Clerk

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Mario Avery, Mayor