



**CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
August 10, 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 Council Member Glaize.
- IV. PLEDGE OF ALLEGIANCE:** was recited in unison.
- V. PUBLIC COMMENTS:**
 1. James Summers, 112 Shannon Chase Court, spoke on bicycle education and safety. He asked Mayor and Council to provide some education to the residents of the city regarding the rules of the road for cyclist and motorist.
 2. Andrew Whitmore, 25 Somerset Hills, thanked staff for updating the city's website. He said residents did not have a way to submit code violations. Mr. Whitmore passed out pictures of various code violations in the city. He said the Planning & Zoning Commission discussed the Care of Premises Ordinance matter over a year ago.
 3. Ellen Samuels yielded her time to Mr. Whitmore who continued to address his concerns with code violations and the Code Enforcement Department.

VI. ADOPTION OF THE COUNCIL AGENDA:

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

VII. APPROVAL OF CITY COUNCIL MINUTES: Council Minutes of July 27, 2015

Council Member Alderman made a motion to approve the City Council Minutes of July 27, 2015.

Council Member Portis-Jones said there is a correction on page 8. She stated Harvest Rain Pastor is Ingrid Thompson and not Mya Thompson. The correction was noted.

Council Member Johnson providing the second. **The motion carried.**

VIII. AGENDA ITEMS:

1. Text Amendment: 15TA-010 Section 62-387 Care of Premises

Council Member Johnson made a motion to approve Text Amendment: 15TA-010 Section 62-387 Care of Premises with Council Member Heath providing the second.

Council Member Hurst said she requested to add language in the ordinance about mold, mildew, rust etc. on housing at a meeting back in May. She said it fell under the Property Management section of the Code. Council Member Hurst said she was told that it would be included, but it is not. She said the language will pertain to both new and old subdivisions as some subdivisions are front sided brick/vinyl or hardy plank.

City Attorney Randy Turner said he will have a conversation with Valerie and look into the issues. I do not know where we are as it relates to the development of the ordinance.

Council Member Hurst said Code Enforcement would have to take an IPMA Code class. The class is online and will certify Code Enforcement Officers to write citations.

Council Member Johnson said we are approving the fees, but if we need to add to the ordinance can we do that at a later date.

Council Member Alderman asked if other cities included this in their ordinance. He also wanted to know how Code Enforcement would determine if there is a violation.

City Attorney Randy Turner said there would have to be a standard that is

describe to withstand a judicial proceeding. The training must address the standards of proving a violation.

After the discussion, **the motion carried.**

2. National Electrical Code-2014

Council Member Glaize made a motion to approve with Council Member Johnson providing the second. **The motion carried.**

3. Surge Arrestor Program

Council Member Portis-Jones made a motion to approve with Council Member Heath providing the second.

Council Member Hurst said she has never heard of the company and wanted to know the Better Business Bureau rating. She then addressed her concerns with a portion of the agreement that refers to customer disputes. She asked who would mediate customer disputes.

Utility Director Tom Ridgeway said we would be responsible for removing the surge arrester in case of failure and send it back to the company for evaluation. He said there are other ways a surge can come into a home. The warranty protects motor driven items such as air condition units and microwaves. Mr. Ridgeway said the surge can come through a cable line and in those cases; the customer will need to provide a secondary source of protection such as a point of use protector. He said we could purchase and sale those but, I am not recommending that.

Council Member Hurst said so ultimately Tesco decides if they are responsible or not.

Utility Director Tom Ridgeway said Tesco would decide if the surge arrester was damaged.

Council Member Hurst asked if the outside air condition units are covered under the limited product warranty.

Council Member Alderman said under #3 the warranty claim exclusion and bullet point #4 damage caused by lightning strikes; the company is stating they are not responsible for the damage.

Utility Director Tom Ridgeway said there is no way they can prevent against a direct lightning strike. If lightning hit on the distribution line they are covered because it is coming through the meter. The company is saying if the lightning strike bypasses the electric meter. He said the energy must come through the meter.

Council Member Glaize asked if he could go back and get clarification on air condition units before we approve it. She said she would love for that to be included.

Council Member Glaize made a substitute motion to hold until confirmation has been received regarding outside air condition units with Council Member Hurst providing the second. **The motion carried.**

4. Fund-Raising Opportunity

Council Member Glaize made a motion to approve the sponsorship with Council Member Hurst providing the second.

City Attorney Randy Turner requested Council Member Glaize to withdraw her motion. Council Member Glaize withdrew her motion.

Council Member Portis-Jones made a motion to authorize execution of a sponsorship agreement in the form which shall be approved by the City Attorney with Nissan Next through Rodney Lewis for the sponsorship of the City of Fairburn's Farmer's Market in the amount of \$250.00 per market day with Council Member Glaize providing the second. **The motion carried.**

IX. COMMENTS FROM COUNCIL:

Council Member Portis-Jones congratulated the City of Fairburn's staff for the outstanding Laser Show event. She acknowledged Dr. Parks for organizing the event.

She also acknowledged the Street and Electric departments for their work. She went on to explain that high winds damaged the screen which is a testament of the good work performed by staff to make sure the event went on. Council Member Portis-Jones thanked the Eric Berry Foundation, Advance Disposal, Astro Turf and the City of Fairburn for their participation in the Saint John A.M.E. Church "Back to School Bash" on Saturday, August 1st. There were over 200 children served because of the collaboration and effort. She said it was fantastic to see the Police and Fire departments as well. She reminded the community about the Evangelism Series. She said on Tuesday, August 11, 2015 Saint John A.M.E. Church will worship with First Christian Church. She invited everyone to come out. Council Member Portis-Jones reminded everyone the reason for the Evangelism Series and closed by saying "how can we walk and work together if we can't worship together".

Council Member Johnson had no comments.

Council Member Glaize said the Laser Show was phenomenal. She said Dr. Parks and city staff did a great job with the logistics. She gave kudos to the Fire

and Police departments for their participation at the Back to School events hosted by

Saint John A.M.E. Church, Harvest Rain and the Parks. She said the Police and Fire departments were on duty and participated. She thanked Fire Chief Hood for coming out and having fun with the children. Council Member Glaize addressed her concerns with the after school programs and recreational activities for the children in the community since school is back in. She requested Council to consider the request made by Harvest Rain Church to provide an after school program at the Community Center. She said it is an honor to serve with her peers and for the City of Fairburn.

Council Member Hurst said she had a fantastic time serving at Saint John A.M.E. Church on last Saturday. She said after giving away over 175 book bags that were fully packed with school supplies more supplies had to be purchased. Council Member Hurst said Councilwoman Glaize went to purchase extra supplies but Mr. Thomas Cochran purchased the supplies. She acknowledged Dr. Parks for his work and thanked Mr. Summers for being a concerned citizen. She then thanked everyone for coming out tonight.

Council Member Heath thanked Dr. Parks for the Laser Show. He said the only complaint is that it was not long enough.

Council Member Alderman said he enjoyed the Laser Show as well. He said the music was a little too loud for him, but overall the event was good. He said the Evangelism Series was great. Council Member Alderman said First Baptist Church of Fairburn's choir sang and the Pastor preached and it was a good time. He said he was unable to attend the Back to School events, but thanked those who were able to.

Mayor Avery thanked the Street and Electric departments for cleaning up after the storm. He said the Utility department had to erect the screen for the Laser Show in order for it to be used. He thanked all the volunteers and the men that came out to Duncan Park. Mayor Avery thanked the owners of the Renaissance Festival and the churches for providing transportation. He said there were three great Back to School events this weekend and they were the best back to school events he had ever seen. Mayor Avery said he had a conversation at the Capitol last Thursday with the Lieutenant Governor and wanted staff to know that the Lieutenant Governor said the City Council and staff are being talked about at a higher level for the work that is being done in the city.

X. ADJOURN:

Council Member Alderman made a motion to adjourn into Executive Session for (2) Litigation Matters with Council Member Johnson providing the second. **The motion carried.** The meeting adjourned at 7:59pm.

XI. EXECUTIVE SESSION:

Council Member Alderman made a motion to adjourn out of Executive Session at 8:25pm and into the Council Workshop meeting with Council Member Glaize provided the second. **The motion carried.**

Brenda B. James City Clerk

Mario Avery, Mayor