



**CITY OF FAIRBURN  
CITY HALL  
56 Malone Street  
Fairburn, GA 30213  
July 27, 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:** Council Members Alderman, Glaize, Heath, Johnson and Portis-Jones were present. Council Member Hurst was absent.
- III. INVOCATION:** provided by Mayor Mario Avery.
- IV. PLEDGE OF ALLEGIANCE:** was recited in unison.
- V. PUBLIC COMMENTS:**
  1. Gerald Todd, 300 Rivertown Road Fairburn, Georgia addressed his concerns with the City Zoning Ordinance. He spoke on the proposed event center located at 49 Main Street. He requested Mayor and Council consideration on issuing a temporary license to allow the business to open.
  2. Danise Churchwell, 41 S.W. Broad Street, Fairburn, Georgia spoke on obtaining a Business License and a Special Use Permit to conduct business at 49 Main Street.
  3. Andrew Whitmore, 25 Somerset Hills, Fairburn, Georgia addressed his concerns with how Family Dollar is using the recycling bins to get rid of cardboard boxes. He said the pool will be a great attraction for the citizens of Fairburn.
  4. Pastor Danita H. Jones, 81 Dodd Street, Fairburn, Georgia thanked Mayor and Council for their support. She also spoke on adding speed bumps and the playground equipment in the Lightning Community. She addressed her concerns

with the Senior Housing Facility and said she heard the facility will be used to assist grandparents that are supporting their grandchildren.

5. Del Hughes, 844 Wynbrooke Parkway, Stone Mountain, Georgia spoke on the Atlanta Boom Volleyball Group located at I-285 and Cascade Road. The organization provides Volleyball training to teen's ages 8 to 18 to assist with acquiring scholarships. The organization has obtained over 240 scholarships to date.

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

Council Member Heath made a motion to adopt the Council Agenda and add items #13, #14, #15, #17, #18, #19, #20, #21 to the Consent Agenda and pull item #12 from the agenda with Council Member Glaize providing the second. **The motion carried.**

#### **VII. APPROVAL OF CONSENT ITEMS:**

Council Member Heath made a motion to approve the Consent Items.

13. Ordinance: Text Amendment: 15TA-011 Schedule of Fees for Development Services-Public Hearing Signs
  14. Plat Review: Meadow Glen Outparcel
  15. Ordinance: Amend City Code to Permit Fireworks in Accordance with State Law and to Prohibit All Other Users
  17. Purchase of Sanitary Sewer Monitoring Equipment
  18. Purchase of Excavator for the Electric Department
  19. Task Order #117-Bohannon Road Fire Hydrant Relocation
  20. Facilities Use Agreement Between the City of Fairburn and the Fairburn Flames Athletic Association for Use of the Football Complex at Duncan Park for the 2015 Season
  21. Adoption of Grease Management Program's Policy and Procedures
- Council Member Glaize provided the second. **The motion carried.**

## **VIII. APPROVAL OF CITY COUNCIL MINUTES:** Council Minutes of July 13, 2015

Council Member Alderman made a motion to approve the City Council Minutes of July 13, 2015 with any corrections.

Council Member Portis-Jones stated on page (3) she made the comment in regards to the Economic Development Partnership not Council Member Glaize. She also mentioned on page (5) pertaining to the 6 Week Series at Saint John A.M.E. Church she named the following churches to be included in the minutes: Mt. Zion Missionary Baptist Church, First Baptist Church, First Christian Church and Saint Mark United Methodist Church.

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

## **IX. PUBLIC HEARINGS:**

### **1. Ordinance: Text Amendment: 15TA-001 Section 80-42 Donation Box**

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-001 Section 80-42 Donation Box and asked for those in favor to come forward.

There were no speakers for or against.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-001 Section 80-42 Donation Box.

Council Member Alderman made a motion to approve the Ordinance: Text Amendment: 15TA-001 Section 80-42 Donation Box with Council Member Johnson providing the second. **The motion carried.**

### **2. Ordinance: Text Amendment: 15TA-002 Section 80-179.1 Farmers Market**

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-002 Section 80-179.1 Farmers Market and asked for those in favor to come forward.

There were no speakers for or against.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-002 Section 80-179.1 Farmers Market.

Council Member Glaize made a motion to approve the Ordinance: Text Amendment: 15TA-002 Section 80-179.1 Farmers Market with Council Member

Jones providing the second. **The motion carried.**

3. Ordinance : Text Amendment: 15TA-003 Section 80-89 Highway 29 Overlay District Outdoor

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-003 Section 80-89 Highway 29 Overlay District Outdoor and asked for those in favor to come forward.

There were no speakers for or against.

- Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-003 Section 80-89 Highway 29 Overlay District Outdoor.

Council Member Johnson made a motion to approve the Ordinance: Text Amendment: 15TA-003 Section 80-89 Highway 29 Overlay District Outdoor with Council Member Jones providing the second. **The motion carried.**

4. Ordinance: Text Amendment: 15TA-004 Section 80-79 R-CT (Residential Condominium/Townhouses District)

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-004 Section 80-79 R-CT (Residential Condominium/Townhouses District) and asked for those in favor to come forward.

There were no speakers for or against.

- Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-004 Section 80-79 -CT (Residential Condominium/Townhouses District)

Council Member Heath made a motion to approve the Ordinance: Text Amendment:

15TA-004 Section 80-79 R-CT (Residential Condominium/Townhouses District) with Council Member Glaize providing the second. **The motion carried.**

5. Ordinance: Text Amendment: 15TA-005 Section 80-337 Off-Street Parking, Loading and Landscaping Requirement District

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-005 80-337 Off-Street Parking, Loading and Landscaping Requirement District and asked for those in favor to come forward.

There were no speakers for or against.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-

005 80-337 Off-Street Parking, Loading and Landscaping Requirement District.

Council Member Glaize made a motion to approve the Ordinance: Text Amendment: 15TA-005 Section 80-337 Off-Street Parking, Loading and Landscaping Requirement District with Council Member Jones providing the second. **The motion carried.**

6. Ordinance: Text Amendment: 15TA-006 Section 80-44 Uses Not Listed

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-006 Section 80-44 Uses Not Listed.

Speakers:

1. Rusty Todd, spoke in favor of the ordinance. He said it is good common sense.

There were no speakers against.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-006 80-44 Uses Not Listed

Council Member Johnson made a motion to approve the Ordinance: Text Amendment: 15TA-006 Section 80-44 Uses Not listed with Council Member Alderman providing the second. **The motion carried.**

7. Ordinance: Text Amendment: 15TA-007 Section 80-431 Sign Regulations

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-007 Section 80-431 Sign Regulations and ask for those in favor to come forward.

Speakers:

1. James Sumner, spoke in favor of the Text Amendment: 15TA-007 Section 80-431 Sign Regulations. He said he submitted his opinion of the Sign Regulation.

Speakers Against:

1. Ed Wyatt, 362 Lees Mill Road, spoke against the ordinance. He addressed his concerns with the section of the ordinance that discusses the size of the window. He requested Council to amend the wording to state 25% of the area

of the windows.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-007 Section 80-431 Sign Regulations.

**There was no motion on the item.**

8. Ordinance: Text Amendment: 15TA-008 Section 80-89(m) Highway 29 Overlay District

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-008 Section 80-89(m) Highway 29 Overlay District and ask for those in favor to come forward.

There were no speakers for.

Speakers Against:

1. Ed Wyatt, 41 Dodd Street said Southside Theatre sign violates the ordinance. He said Subway should be allowed to place a sign in the window. He said the Ordinance is convoluted. He said the sign at Food Depot and CVS has been grandfathered.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment 15TA-008 Section 80-89(m) Highway 29 Overlay District.

Council Member Alderman made a motion to deny the Ordinance: Text Amendment 15TA-008 Section 80-89(m) Highway 29 Overlay District with Council Member Glaize providing the second. **The motion carried.**

9. Ordinance: Text Amendment: 15TA-009 Section 80-35(b) Official Zoning Map

Mayor Avery opened the Public Hearing on the Ordinance: Text Amendment: 15TA-009 Section 80-35(b) Official Zoning Map.

There were no speakers for or against.

Mayor Avery closed the Public Hearing on the Ordinance: Text Amendment: 15TA-009 Section 80-35(b) Official Zoning Map.

Council Member Heath made a motion to approve the Ordinance: Text Amendment: 15TA-009 Section 80-35(b) Official Zoning Map with Council Member Johnson providing the second. **The motion carried.**

10. Ordinance: Comprehensive Plan Amendment: Commercial Land Use and Character Area

Mayor Avery opened the Public Hearing on the Ordinance: Comprehensive Plan Amendment: Commercial Land use and Character Area and ask for those in favor to come forward.

There were no speakers for or against.

Mayor Avery closed the Public Hearing on the Ordinance: Comprehensive Plan Amendment: Commercial Land Use and Character Area.

Council Member Alderman made a motion to approve the Ordinance Comprehensive Plan Amendment: Commercial Land Use and Character Area with Council Member Glaize providing the second. **The motion carried.**

11. Ordinance: Rezoning 15RZ-005- Oakley Industrial Boulevard

Mayor Avery opened the Public Hearing on the Ordinance: Rezoning 15RZ-005-Oakley Industrial Boulevard and ask for those in favor to come forward.

Speakers:

1. David Arnold, West 11<sup>th</sup> Street Austin, Texas spoke in favor of the ordinance. He said these will be the highest quality apartments the City of Fairburn has seen.

2. John Long, 2572 Brookdale Drive, spoke in favor of the ordinance. He said he is one of the partners working on the project. He stated there will be 308 units constructed with 60% of the units being one bedroom and 40% will be two bedrooms. The price range will be between at \$850 to \$1,100. Some of the amenities will include granite, stainless steel, fitness club and a coffee bar.

There were no speakers against.

Mayor Avery closed the Public Hearing on the Ordinance: Rezoning 15RZ-005-Oakley Industrial Boulevard.

Council Member Glaize made a motion to approve the Ordinance for the Rezoning 15RZ-005-Oakley Industrial Boulevard with Council Member Heath providing the second. **The motion carried.**

**X. AGENDA ITEMS:**

## 16. Appointment of Replacement for the GICH Committee

Council Member Alderman made a motion to appoint Olin Presley with Council Member Heath providing the second.

After some discussion, Council Member Alderman amended the motion to appoint Olin Presley and add Ed Wyatt as the #2 person with Council Member Glaize providing the second. **The motion carried.**

## XI. COMMENTS FROM COUNCIL:

Council Member Portis-Jones thanked the residents and Mr. Hughes for coming out.

She announced Pastor Hart of Saint John A.M.E. Church will head up an Evangelism

Program on Tuesday, July 28, 2015 as part of the Six Weeks Evangelism Program.

The

following Pastors and churches will take part in the program:

Reverend Donel Heflin of Mt. Zion Baptist Church

Pastor Justin Terrell of First Baptist

Pastor Reverend Dr. Marcus Dixon of Saint Mark United Methodist Church

Pastor Danita Jones of In His Great Name

Pastor Ingrid Thompson of Harvest Rain

She also thanked Mr. Wyatt for the information pertaining to the Sign Ordinance.

She

said there are conflicts in the ordinance.

Council Member Johnson announced Cabaret will play at the Southside Theatre beginning Friday, July 31<sup>st</sup> to Sunday, August 2<sup>nd</sup>.

Council Member Glaize acknowledged staff. She said that staff is kind and very professional. She said Langston Hughes and Renaissance Elementary School have new

Principals this school year. She announced on Saturday, August 1, 2015 Saint John A.M.E. Church will be hosting a Back to School event. The City of Fairburn's elected

officials, Fire and Police departments, the Berry Foundation and Advance Disposal will

participate in the event. She stated the South Fulton Youth Council Village is coming

together with the support of Pastor Mya Taylor, Sharon Teague, WellsFargo, IBM, Creekside and Banneker High Schools. She also said on Saturday, August 8, 2015



Harvest Rain will host a Back to School event beginning at 9am to 2pm. Council Member Glaize said the Emanuel Faith Riders will ride 300 miles in an event called Engines for Emanuel to deliver a donation of \$90,000 to Emanuel African Methodist Episcopal Church in Charleston, S.C. She thanked everyone for coming out to the meeting.

Council Member Heath said the concert on last Friday night was pretty good. He reminded everyone to come out to Duncan Park on Saturday, August 1, 2015 for the Laser Show. He said there will be limited parking and the show will last about forty-five minutes.

Council Member Alderman had no comments.

Mayor Avery thanked staff for a great job. He asked Mr. Todd and Mr. Wyatt to bring the business to the table. He invited everyone out to the Laser Show on Saturday, August 1, 2015.

## **XII. ADJOURN:**

Council Member Glaize made a motion to adjourn the meeting with Council Member Johnson providing the second. **The motion carried.** The meeting adjourned at 8:55pm.

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Brenda B. James City Clerk

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Mario Avery, Mayor