



**CITY OF FAIRBURN
City Council Meeting Minutes
City Hall
56 Malone Street
March 23, 2015
Fairburn, GA 30213
7:00 P.M.**

The Honorable Mayor Mario Avery

The Honorable Ron Alderman
The Honorable Elizabeth Hurst
The Honorable Lydia Glaize

The Honorable Alex Heath
The Honorable Marian Johnson
The Honorable Hattie Portis-Jones

City Administrator:
City Clerk:
City Attorney:

Mr. Tom B. Barber
Mrs. Brenda B. James
Mr. Randy Turner

- I. MEETING CALLED TO ORDER: By Honorable Mario Avery.**
- II. ROLL CALL:** All Members of Council were present with the exception of Council Member Hurst which constituted a quorum.
- III. INVOCATION:** Provided by Mayor Mario Avery.
- IV. PRESENTATIONS AND AWARDS:** Let's Move Towns and Counties Program - Department of Health and Human Services

Kate H. Wiedeman, an employee for the US Department of Health and Human Services gave an overview of the Let's Move Towns and Counties Program. She introduced the Deputy Regional Health Administrator Sharon Ricks. Ms. Wiedeman said they were happy to recognize the City of Fairburn for their great success with the Let's Move Towns and Counties Program. She said the program is a component of Michelle Obama's Childhood Obesity Program. She said the Department of Health and Human Services along with the National League of Cities provides support to the elected officials throughout the U. S. to address policy environmental factors that contribute to childhood obesity. She said they are asking local governments to achieve 5 long term goals that will increase physical activities and improve nutrition for children in their communities. She said currently in Region 4 there are only 5 out of 118 Cities who have achieved these 5 gold medals. She said she looks forward to seeing Fairburn become a 5 Gold Medal City. She commended Council Member Portis-Jones and Assistant City Planner Linda Abaray for

their support of the program. Sharon Ricks presented five medals for the Let's Move Towns and Counties Program to the City of Fairburn. They are listed as follows:

Bronze Medals:

- | | | |
|-----------|---------------|--------------|
| 1. Bronze | Medal Goal II | MyPlate |
| 2. Bronze | Medal Goal IV | Food Vendors |
| 3. Bronze | Medal Goal V | Playspaces |

Silver Medal:

- | | | |
|-----------|--------------|------------|
| 4. Silver | Medal Goal V | Playspaces |
|-----------|--------------|------------|

Gold Medal:

- | | | |
|---------|--------------|-------------------------|
| 5. Gold | Medal Goal V | Kids at Play Initiative |
|---------|--------------|-------------------------|

Council Member Portis-Jones thanked her colleagues and said this was a City Wide Program.

V. PUBLIC COMMENTS:

1. Homer Knight, 148 Durham Lakes Parkway, Fairburn, GA. 30213, President of the Durham Lakes Homeowners Association, thanked Mayor, Council and the employees for coming out to support their meeting regarding the build out of Durham Lakes Subdivision. He said they received good comments and they are so proud of the support from the City.
2. Horace Cooper, 880 Buckingham Cove, Fairburn, GA. 30213, said he was informed there was money left over from Duncan Park. He said if we could get that money along with grants from the Ford Foundation and Juvenile for Justice, this would provide more activities for the children. He said he has been pushing for the children to have something to do and would like to put that money in the park.
3. Dr. Danny Allen, 230 Misty Walk, Fairburn GA. 30213, representative of the South Fulton Little League said the last time he spoke to Mayor and Council he thanked the City for the contract with South Fulton Little League. He said he expressed a zeal which was not according to knowledge circumventing the opening activities of the South Fulton Little League by overlooking our Mayor. He said he wants the Mayor to know it was an oversight and invited the Mayor and Council to attend the South Fulton Little League Opening Day. He said initially Opening Day would have been this Saturday, however; in an effort to get other communities involved, it has been rescheduled for April 11, 2015.
4. Rufus Wells, 2057 Broadmoor Way, Fairburn, GA. 30213, Treasurer of

Durham Lakes Homeowners Association, said he wanted to thank the Mayor and Council for coming to the meeting. He said the City's support has driven a buyer for the Golf Course.

5. Onie Lawson, 5985 Landrum Road, Fairburn GA. 30213, said she was pleased to hear about the rezoning on Landrum Road. She said she is concerned about the traffic on Landrum Road. She said this is a residential street, not commercial and those who are traveling should obey signage. She said every type of truck goes down Landrum. She said one individual from Cardinal Waste Station parked in front of her home and when she went out to speak with him, he was extremely rude. She said she has been assigned to Sergeant Bazydlo and she is asking for increased signage, more patrolling of Landrum Road; and the installation of a speed bump.

VI. APPROVAL OF THE AGENDA:

Council Member Heath made a motion to adopt the Agenda placing items 3, 7 and 8 on Consent Agenda with Council Member Glaize providing the second. **The motion carried.**

VII. APPROVAL OF CONSENT ITEMS:

Council Member Johnson made a motion to approve Consent items:

3. Approval of the Resolution to Amend the Participant Contract with Electric Cities of Georgia.
7. Approval of the Task Order 2015.114 with Integrated Science and Engineering - Storm Drain Lining Project for an estimated cost not to exceed \$23,920.00.
8. Approval of the Agreement with Velocity for Pothole Repair in the amount of \$4,600.00 for one day of truck-based pothole repair.

Council Member Heath provided the second. **The motion carried.**

VIII. APPROVAL OF CITY COUNCIL MINUTES: Council Minutes of February 23, 2015

Council Member Alderman made a motion to approve the Minutes of February 23, 2015. Council Member Portis-Jones made corrections on page 13, change the word issues to decisions and add St. John AME. Council Member Glaize said on page 8, first paragraph; change 16 to 60 and on page 14, change the word youths to youth. Council Member Glaize provided the second. **The motion carried.**

IX. PUBLIC HEARINGS:

1. Ordinance to Rezone 1 Parcel at 5780 Landrum Road from O&I to AG-1

Council Member Heath made a motion to continue the Public Hearing to the next Regular Meeting with Council Member Glaize providing the second. **The motion carried.**

2. Ordinance to Rezone 1 Parcel at 5786 Landrum Road from O&I to AG-1

Council Member Alderman made a motion to continue the Public Hearing to the next Regular meeting with Council Member Heath providing the second. **The motion carried.**

X. AGENDA ITEMS:

4. Approval of the 2015 Road Improvement Project List

City Administrator Tom Barber gave an overview of the 2015 Road Improvement Project List. He said he spoke with the Project Officer and he recommended we start with Durham Lakes Parkway, remove Champion Drive and do top coating and patching on Augusta Trail.

Council Member Johnson made a motion to approve the 2015 Road Improvement Project List and remove Champion Drive in an amount of \$90,229; and add Durham Lakes Parkway for \$99,417.00 for a total of \$313,094.64. Council Member Glaize provided the second. **The motion carried.**

5. Approval of an Ordinance Amending Chapter 1, Adding Section 1-16 to the General Provisions of the City Code of Ordinances

Mr. Barber gave an overview of the Ordinance Amending Chapter 1, Adding Section 1-16 to the General Provisions of the City Code of Ordinances. He said this gives the Council the authority to temporarily suspend the Zoning Ordinance

Council Member Heath made a motion to approve the Ordinance Amending Chapter 1, Adding Section 1-16 to the General Provisions of the City Code of Ordinances with Council Member Johnson providing the second.

Council Member Portis-Jones said we had a discussion in Work Session and asked for an explanation as to why we need the Ordinance. City Administrator Tom Barber said right now a food truck cannot be in the right-of-way and cannot be close to a restaurant. He said we could hold 30 or 40 people for

lunch at the stage but we are not doing anything to draw people. He said he spoke to the restaurant owner that would be impacted by the food truck according to the ordinance. Council Member Portis-Jones said she likes the idea of starting a Food Vendor Truck in our community. She asked if Mr. Barber would state for the record the business owner he notified about the food vendor truck. Mr. Barber said yes, he has spoken with Chris Wiley who is the owner of Oz Pizza Restaurant and that will be the only one affected by the truck.

Council Member Glaize said there needs to be a role of support for our downtown businesses and asked would it be possible to have a conversation with all the businesses just out of respect. Mr. Barber said this is a win-win situation because Chick-Fil-A Restaurant took a hit when Hardees first came to the City but they fully recovered. He said he believes that is what will happen downtown, but it will recover over a period of time.

Council Member Heath asked what kind of food will they serve and will they serve alcoholic beverages. Mr. Barber said there will be a broad mix of foods. Mayor Avery said there is a Food Truck that is parked next to Big Daddy's Restaurant in Atlanta and they serve the same type of food as Judy's Restaurant. He said he spoke with one of the restaurant owners and he was told the Food Truck did not affect his business. Council Member Johnson said this is the Metro-Atlanta Food Truck Association and surely they will know what we have here and they will make a choice. Council Member Alderman asked where will the truck be parked. Mr. Barber said the location will be right in front of the stage and we would be the only City in South Fulton County to have a Food Truck. He said we could have an event twice a week and if this works, it will benefit our downtown area.

Council Member Alderman said he reads the Metro Section of the newspaper and all the other cities have different programs in their downtown area. He said we have taken a great step in putting money in this park downtown and this is an opportunity to do something with it. Council Member Portis-Jones asked for clarification as to why we are going with a temporary suspension rather than proposing a permanent change to the Ordinance. City Attorney Randy Turner said this is a good time to talk about the relationships of items number 5 and 6. He said item 5 is an enabling Ordinance which permits Mayor and Council to adopt future Resolutions that contain specific recognition of City events and sets forth parameters. He said if item 5 is approved you have the option of approving item 6 by establishing the Food Truck Event and set the parameters that would govern that event. He said there would be no more than 2 trucks, the times, dates, location and the operator must obtain a permit. Council Member Portis-Jones said she does not understand why it is not a permanent language. Attorney Turner said the intent of this Ordinance is to allow Mayor and Council to sponsor City Events and how temporary it is would be at the discretion of Mayor and Council. He

said the Ordinance is temporary because it is limited to two days a week for a certain span of months. Mr. Barber said the Ordinance for item 5 is a permanent Ordinance and the Resolution is establishing a temporary event. He said the Ordinance is giving Council the authority to create an event.

Council Member Glaize said when they were in Austin, Texas they went to a Food Court Park and the food was so different and it was good. **After discussion, the motion carried.**

6. Resolution Authorizing a Downtown Food Truck Lunch Event

Council Member Alderman made a motion to approve the Resolution authorizing a Downtown Food Truck Lunch Event with Council Member Heath providing the second.

Council Member Portis-Jones said since we are being recognized for trying to become a healthy City, she would like to have one healthy food choice. **After discussion, the motion carried.**

XI. MAYOR AND COUNCIL COMMENTS:

Council Member Alderman announced that First Baptist Church in Fairburn is having an Easter Sunrise Service, Sunday, April 5, 2015 at 7:00 a.m. He invited everyone to attend. He said breakfast will be served after service.

Council Member Heath made no comments.

Dr. D'Avante' Parks announced an Easter Egg Hunt will be held on Saturday, March 28, 2015, from 1:00 p.m. until 3:00 p.m. at Duncan Park.

Council Member Glaize thanked the residents for coming out to the meeting. She said it is great to see staff and we must continue to support them. She said Council Member Elizabeth Hurst is ill and we are praying for her to have a complete recovery. She asked those who knew her to pray for her and those who did not to continue to lift her up in prayer. She thanked her colleagues and said serving with them is an honor; and it is an honor to serve in the City.

Council Member Johnson announced there will be Easter Sunrise Service at Holly Hills Memorial Park at 7:00 a.m. on April 5, 2015.

Council Member Portis-Jones thanked Mayor and Council for becoming a Let's Move City. She said she is excited about the work we have done and will continue to do at Duncan Park. She said her prayers go out to Council Member Hurst and asked if everyone will pray for her as well. She said hopefully Council Member Hurst will be back with us very soon. She said she

is excited about the City of Fairburn starting the Farmers Market. She said to all the residents and farmers who are excited about us restarting this market that she will do everything to make sure the market is open, successful and sustained. She said she truly believes that she will have the support of this City Government in order to make that happen. She said the opening for the Farmers Market is June 6, 2015.

Mayor Avery congratulated Chief Hood as the new official Fire Chief for the City of Fairburn. He thanked Durham Lakes Community especially the Homeowner's Association President and the entire staff for an outstanding presentation. He also thanked the City staff for doing a great job to help bring the project to fruition. He said the Homeowners Association did a great job and he commended the City Council and Department Heads for the support of the project. He asked that we continue to pray for Council Member Hurst and thanked the City Council and the Department Heads for going beyond the call of duty expressing any assistance that is needed for Council Member Hurst. He congratulated Sylvia Vaughan who will become the City Clerk for the City of Riverdale. He said this is another great notch that one of our troops is being considered for a top job in another Government. He commended the City Administrator Tom Barber and everyone who put together the Leadership Training that commenced last Thursday. He said it was a great opportunity for our managers to go through and a critical move 4 or 5 years from now because this will allow them to step up and move on. He commended Council Member Portis-Jones for the Let's Move Program.

Mr. Barber introduced Tom Ridgeway the new Utility Director and said he has 18 years of experience from the City of Griffin. He also introduced Lester Thompson the new City Engineer who was formally an employee with Moreland and Altobelli.

Council Member Glaize said there is one announcement for Macosh Healing Network. She said they will be hosting a Workshop on Domestic Violence from 10:00 a.m. until 5:00 p.m. at the Wolf Creek Library at 3100 Enon Road SW Atlanta, GA.

XII. ADJOURN COUNCIL MEETING:

Council Member Alderman made a motion to go into Executive Session and adjourn the Council Meeting at 8:15p.m. to discuss a potential pending litigation matter with Council Member Heath providing the second. **The motion carried.**

Brenda B. James City Clerk

Mario Avery, Mayor