



City of Fairburn  
Mayor and Council Meeting- Zoom  
November 8, 2021  
7:00 pm

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

The Honorable Mayor Elizabeth Carr-Hurst

The Honorable Mayor Pro Tem Alex Heath	The Honorable James Whitmore
The Honorable Pat Pallend	The Honorable Hattie Portis-Jones
The Honorable Ulysses J. Smallwood	The Honorable Linda J. Davis

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

City Attorney Randy Turner was also in attendance.

- III. The invocation was led by Apostle LaReese Howell with New Horizons In Faith Church.
- IV. Adoption of City Council Minutes:  
Motion to approve the October 11, 2021, Executive Session City Council Minutes was made by Councilwoman Hattie Portis-Jones and the second was provided by Councilman Smallwood.  
Vote: 6-0: Motion Carried.  
Motion to approve the October 25, 2021, City Council Minutes (Zoom) was made by Mayor Pro Tem Heath and the second was provided by Councilwoman Linda J. Davis.  
Vote: 6-0: Motion Carried.
- V. Mayor Carr-Hurst asked for a motion to approve the City Council agenda.  
Councilman Pat Pallend requested to add a discussion about the Fairburn electoral process with the City Attorney as item # 5.

Councilwoman Hattie Portis-Jones requested to add an item to discuss a possible moratorium of commercial and residential zonings on the Hwy 74 corridor as item # 6.

Motion to approve amending the agenda was made by Councilman Smallwood and the second was provided by Councilwoman Davis.  
Vote: 6-0: Motion Carried.

VI. **Public Hearing:**

1. **Planning & Zoning**

**Ms. Tarika Peeks**

Text amendment ordinance approval to allow special event venues.

The motion to open the public hearing was made by Councilwoman Davis and the second was provided by Mayor Pro Tem Heath.  
Vote: 6-0: Motion Carried.

Mayor Carr-Hurst stated that thirty (30) minutes has been allotted for the public hearing to discuss the ordinance amendment. First, the City of Fairburn presented.

Ms. Peeks stated that staff has received several inquiries from individuals wishing to establish a special event venue or have events at their property as a business venture. Currently, the City's zoning ordinance does not specifically address these types of facilities either commercially or as associated with an existing residence. The use of land and structures within Fairburn for special events presents a valuable opportunity for landowners particularly landowners in the city's commercial and agricultural districts. Event facilities could also increase tourism-related activity within the city. Establishing provisions to allow event facilities conforms with the comprehensive plan's vision statement, which is for Fairburn to be an economically thriving community and a desired destination for residents and visitors of all ages.

The special event venue ordinance provides a permit process and standards for the development and operation of special event facilities, which will reduce the negative impact on surrounding properties. The ordinance provides a detailed permitting process that requires an event management plan and traffic plan to be submitted to the city for review. The permittee will be required to adhere to the city's noise ordinance, parking requirements, and building and fire codes.

Special event venues will be permitted in the following zoning districts:

AG (Agriculture), O&I (Office Institutional), C-2 (General Commercial), M-1 (Light Industrial), and M-2 (Heavy Industrial).

Ms. Peeks stated that the planning and zoning commission reviewed the text amendment on Tuesday, October 5, 2021, and recommended approval. Staff is also requesting the Mayor and Council to approve text amendment 2021-001TA Special Event Venue.

Mayor Carr-Hurst asked for any public questions or comments in favor or opposition of approving the text amendment ordinance to allow special event venues. There were none.

Mayor Carr-Hurst asked Council if they had any questions concerning this text amendment ordinance to allow special event venues.

Mayor Pro Tem Heath asked for some details concerning a special event venue. Ms. Peeks stated that special event venues include such as weddings, baby showers, anniversary parties, etc. This text amendment will not allow concerts, festivals, and things of that nature.

Councilwoman Portis-Jones asked for more detailed information about noise control and alcoholic beverages. Ms. Peeks explained that in 2017, the City created an ordinance, Sec. 8-21, permitting locations for private functions at which alcoholic beverages are served; sales are prohibited. Noise Control standards shall be regulated in accordance with Chapter 65, Article 10. Here, it discusses hours of operation and when noise would be considered a nuisance which is from 11 pm to 7 am.

Councilwoman Davis asked if these special events would be held on city property. Ms. Peeks stated these events would not be on city owned property and could not be in residential areas. The zoning they are proposing would be AG (Agriculture), O&I (Office Institutional), C-2 (General Commercial), M-1 (Light Industrial), and M-2 (Heavy Industrial).



Motion to close the public hearing was made by Mayor Pro Tem Heath and the second was provided by Councilwoman Hattie Portis-Jones. Vote: 6-0: Motion Carried.

A motion was made by Councilwoman Portis-Jones to approve the text amendment ordinance to allow special event venues. A second was provided by Mayor Pro Tem Heath.

Vote: 6-0: Motion Carried.

VII. Presentation:

**Planning & Zoning**

**Ms. Tarika Peeks**

LCI Downtown Master Plan Presentation by KC Krciz, from the Collaborative Firm.

Planning & Zoning Director, Ms. Tarika Peeks advised the Mayor and Council that staff along with the Collaborative firm, and Metro Analytics have been working on the LCI Downtown Master Plan since the beginning of the year and a lot of work has been put into the update, and have held three core team meetings, three community engagement meetings, and developer's roundtable meetings. Ms. Peeks introduced KC Krciz with the Collaborative Firm for a brief presentation on the planning goals, the recommended solutions and implementation strategies of the LCI Downtown Master plan.

Ms. KC Krciz stated they are finishing up on this process that has taken them about a year to complete. The first thing they did was reached out to Council, staff, and the public to find a project vision so we could have a thriving, vibrant historic downtown that provides access to a diverse array of retail, restaurants, entertainment, office, and housing options. The city strives for a walkable and pedestrian friendly downtown with connectivity via all modes of transportation to the surrounding neighborhoods and commercial nodes. The community seeks to leverage the existing quaint, historic character that is uniquely Fairburn by enhancing public art investment and utilizing creative placemaking and design strategies.

We put together a definitive list of project goals and determined catalyst site recommendations to encourage a diversity of residential, employment, shopping, and recreation opportunities in the study area with a focus on capitalizing on local business development. To provide mobility access that's inclusive of a range of travel modes including transit, roadways, walking, and biking. Utilize public art programs, and to improve connectivity to surrounding neighborhoods as well as to create travel environment for pedestrians, bicyclists, and vehicles.

Three specific sites were discussed on what the future potential could be. The first site is in the city's downtown expansion to include the stage and courtyard area, art alley extensions, mural walls, mixed-use commercial, surface parking, multifamily type developments.

The second site is the Education Campus which includes expansion on the existing campus area, extend streetscape and on-street parking, multi-family residential (student and faculty housing), commercial development to include bookstores, cafes, and bakeries. There is also open space that allows connectivity and walkability through the center areas of the campus.

The third site is a tract of land just on the south side of Broad Street neighborhood. We have possibilities to do some future roadway connections and since the city owns property in this area, there are possibilities of creating a community within a community. A mix of single family dwellings and houses that would have different sizes and designs. We also looked at key roadway and safety improvements to include the remaining phases of the Broad Street streetscape project,



pedestrian tables along Broad Street and realignment of W. Campbellton Road and Rivertown Road.

The implementation strategy plan will continually move forward due to the incorporation of a five-year plan that spells out recommendations with actions, specific projects, funding sources, even grants can be awarded. We also included a 100-day action plan which includes no-cost or very low-cost actions and organization steps.

After a brief discussion with Mayor and Council, Mayor thanked Ms. KC Krciz for the presentation.

No Action Taken.

#### VIII. Discussion:

##### Middle Chattahoochee Regional Water & Sewer Authority Update

Mayor Carr-Hurst announced that consultants Laura Benz and Andrea Gray were online to present an update for the Middle Chattahoochee Regional Water & Sewer Authority.

Ms. Benz discussed the highlights since the August city council meeting. The preliminary Engineering study was conveyed to EPD on June 15, 2021, after EPD requested a copy for their review so they could officially respond. The EPD submitted their written correspondence on August 31, 2021, with about sixteen items they wanted addressed. On October 12, 2021, we submitted responses to EPD with an updated report. On November 3, 2021, we received an acknowledgement from EPD stating that fifteen of the responses were adequate and had a question for the one remaining. Krebs Engineering clarified that response the next day on November 4, 2021

The authority applied for a \$25 million grant from the governor's office which we are waiting to hear if we will be interviewed the week of November 29<sup>th</sup>. The award announcements are expected the first week of January 2022.

For the GEFA funding update, the authority is working with GEFA to process its application for \$25 million at its May 2022 board meeting. In the meantime, the authority is working through the process of selecting an owners engineering firm.

Mayor Carr-Hurst stated that she keeps getting asked, how much will this water cost us?

Ms. Gray responded and stated that at the August meeting, the financial analysis was prepared by Raymond James, who is the authorities' financial consultants. They are estimating that the rates would be about the same as what you're paying now, which will possibly decrease over time. The rates would start high because you've got to pay for a large project based on the current users, but you're building a project for users into the future.

Councilwoman Portis-Jones asked if there was a Plan B if the grant was unsuccessful. The authority stated that they have many backup plans. First, they would apply for additional GEFA funding at the excellent interest rates, or another option would be when the next round of Cares Act funding comes about.

Councilwoman Portis-Jones asked about the operational timeline. Ms. Benz stated that Krebs Engineering had recommended that there be certain positions filled while moving through the detailed design so there could be an employee input as to the features as things are being built out.

The board members were a bit hesitant to take on a full-time employee role as we are still moving through the detailed design. Therefore, we are working on an RFP for an owners engineer so that could essentially serve that function until they could hire full time personnel.

After a brief discussion with Mayor and Council, Mayor thanked the authority for the update.

No Action Taken.

IX. **Public Comment:** There were no public comments.

X. **Agenda Items**

1. **Police Department**

**Deputy Chief Anthony Bazydlo**

For Mayor and Council to approve the reservation of vehicles for purchase and outfitting later this year for six (6) Ford Explorer police vehicles.

Chief Stoney Mathis presented this item and stated the police department is requesting approval to reserve vehicles for purchase and to outfit six (6) Ford Explorer police vehicles in the amount of \$289,617.00. The repair costs for the Chargers is significantly high and it's hard to keep them on the road, that's why we are asking for the Ford Explorers. He stated how difficult it is getting vehicle parts and the chips that go in the vehicle. There's a lot of police departments around the country that won't get cars. I'm asking for 2021 vehicles because the 2022 vehicles are extremely hard to get right now.

I'm also a couple of officers down right now because other jurisdictions are paying a lot more money. I can't compete with that but can compete with good quality training and good quality equipment. Later in the year, I plan to come back and ask for an additional car. Some of our cars have up to 200,000 miles. Our police officers are doing a wonderful job out there. Officer presence is the main strategy to reduce the crime rate.

Chief Mathis stated that we lost one of our own police officers, Marquis Grant, he had been here since 2014, I just ask you pray for him and his family. We do not have any arrangements yet, but we are working with the family very closely and will keep you posted.

After a brief discussion, Councilman Smallwood made a motion to approve the reservation of six (6) Ford Explorer police vehicles and the motion was seconded by Councilman Whitmore.

Vote: 6-0: Motion Carried.

2. **Planning & Zoning**

**Ms. Tarika Peeks**

For Mayor and Council to adopt by Resolution the City of Fairburn's Livable Centers Initiative (LCI) Downtown Master Plan.

Planning and Zoning Director, Ms. Tarika Peeks stated this is a follow-up agenda item to the presentation that was on the agenda tonight. Staff is asking for Mayor and Council to adopt by Resolution the City of Fairburn's Livable Centers Initiative (LCI) Downtown Master Plan.

Councilwoman Portis-Jones made a motion to adopt the Resolution for the City of Fairburn's Livable Centers Initiative (LCI) Downtown Master Plan. The second was provided by Councilwoman Davis.

Vote: 6-0: Motion Carried.



### 3. Utilities

**Mr. John Martin**

For Mayor and Council to approve Task Order # 146 with Integrated Science and Engineering, Inc. (ISE) for the project management, request for proposal, bid phase, and construction management for the fire hydrant replacement project for an amount not to exceed \$23,980.00

Mr. Martin stated on June 14, 2021, City Council voted to approve eligible projects for the American Rescue Act funding. The requirements were for investments to be for water, sewer, and broadband infrastructure. The City of Fairburn has had fire hydrants that will need to be upgraded to 8" pipelines and are 2-way instead of 3-way LDH connections. 18 fire hydrants were identified by the Fire Department. The new fire hydrants will increase water pressure for fire emergencies.

After a brief discussion, a motion as made by Councilman Whitmore to approve Task Order # 146 with ISE as presented. The second was provided by Mayor Pro Tem Heath.

Vote: 6-0: Motion Carried.

### 4. Utilities

**Mr. John Martin**

For Mayor and Council to approve Task Order # 147 with Integrated Science & Engineering, Inc. (ISE) for the project management, manual and construction drawings, bid phase, and construction management for the pump station improvements for an amount not to exceed \$38,395.00.

Mr. Martin stated on June 14, 2021, City Council voted to approve eligible projects for the American Rescue Act Funding. The requirements were for investments to be used for water, sewer, and broadband infrastructure. The City of Fairburn will need improvements to the four existing pump stations: Fireside, John Rivers, Evergreen, and Shaw. The improvements will include components such as a guide rails, vault access, safety grates, vent screens, yard hydrants, lights, pumps, mixers, and a SCADA system. The project will find an optimal solution to an existing manhole at 2045 Broadmoor Way that has a history of flooding.

After a brief discussion, a motion as made by Councilman Whitmore to approve Task Order # 147 with ISE as presented. The second was provided by Councilman Smallwood.

Vote: 6-0: Motion Carried

### 5. Electoral Process

Councilman Pat Pallend requested this item to be added to the agenda to discuss with Attorney Randy Turner.

Mr. Turner stated that a question came to him on the day before election and on the morning of the election, what we would require for a runoff in this election if no one got 50.1% of the votes. He stated that he monitored the election results election night and went to the office on Wednesday morning and looked in the City Charter and the City Code and found that there is in fact a provision within the City Charter that says that the election of mayor shall be governed by the provision contained in Title 21, Section 2-285.1 of the OCGA and the same provision is also contained within the municipal code for the City of Fairburn. It states that if no candidate in such nonpartisan election receives a majority of the votes, there shall be a nonpartisan election runoff between the candidates receiving the two highest numbers of votes.

Mr. Turner stated that Candidate Hudson received 16% of the vote, Mayor Carr-Hurst received over 35% of the votes and Former Mayor Avery received just under 50% of the votes. We had a three-person race for Mayor, and no one received a majority of the votes, making it necessary to have a runoff. The third candidate, Ms. Hudson received a significant number of votes at 16%, and that is what created this runoff. Early voting will be held from November 17<sup>th</sup> to November 24<sup>th</sup>, including the weekends from 9 am to 6 pm. Fairburn's early voting will be held at New Beginnings Senior Center.

6. Moratorium for Hwy 74 Corridor

Councilwoman Portis-Jones requested this item be added to the agenda.

Councilwoman Portis-Jones stated she is presenting this idea to Mayor and Council so we can discuss and approve a moratorium for 90 days regarding the highway 74 corridor. She stated that there are various documents that reference that area seems to have some conflict, like the highway 74 overlay, the comprehensive plan, and our zoning ordinance. We need time to do the due diligence and reconcile all these documents to ensure that we are properly identifying the vision that we have for the area. She wants to impose a moratorium on commercial and residential zonings, annexations, rezoning's, and building permits for a period not to exceed 90 days on the highway 74 corridor, while the city considers changing its zoning ordinance.

The City Attorney, Randy Turner stated he would prefer to see some interaction between our office and Ms. Tarika Peek to identify exactly where those conflicts are at so that we can be sure that a moratorium being put in place is no broader than it absolutely must be.

Everyone agreed to defer this item to the December 13, 2021, city council meeting so they can research the information as discussed. No action taken.

**XI. Council Comments:**

Mayor Pro Tem Heath had no comment.

Councilman Whitmore had no comment.

Councilman Smallwood wanted to say thank you Fairburn for another four years.

Councilwoman Portis-Jones wanted to thank the citizens of Fairburn for participating in the electoral process and for re-electing her with such overwhelming support.

Councilman Pallend stated, when you go to the poles, give it a long serious consideration and on we go.

Councilwoman Davis had no comments but wanted to say congratulations everybody.

**XII. Executive Session – N/A**




**Mayors Comments:**

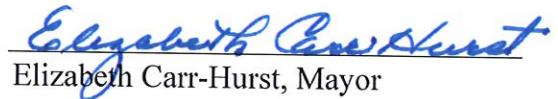
Mayor Carr-Hurst stated that our sign on Hwy 138 has been hit again. It was hit last Thursday night and she left the scene to come back with a tow truck. We have already notified the sign group that did it last time to go ahead and reorder the bricks and signage. She had insurance, so we will go ahead and repair it and not have to wait 2-4 months for an insurance company to pay.

**XIII. Adjournment:**

A motion was made by Councilwoman Davis to adjourn. A second was provided by Councilman Smallwood. The meeting adjourned at 9:06 pm.

Vote: 6-0: Motion Carried.

  
Deannia Ray, City Clerk

  
Elizabeth Carr-Hurst, Mayor

