



City of Fairburn
Mayor and Council Meeting
Minutes
September 12, 2022
7:00 pm

- I. The meeting was called to order at 7:00 pm by Honorable Mayor Mario Avery.
- II. Roll call by Brenda B. James, City Clerk, found the following members present:

The Honorable Mayor Mario Avery

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

Also present was Assistant City Administrator Jamila Criss, City Administrator Tony Phillips, City Clerk Brenda B. James, Attorney Rory Starkey, and Assistant Attorney Serena Nowell.

- III. Invocation: The invocation was led by City Administrator, Tony Phillips.
- IV. The Pledge of Allegiance was said in unison.
- V. Presentations and Proclamations: N/A
- VI. Adoption of the Agenda:

Councilman Heath made a motion to approve the agenda as submitted, with the second provided by Councilman Smallwood. **The motion carried unanimously.**

- VII. Approval of Minutes:

Councilwoman Davis made a motion to approve the August 22, 2022, Regular Council Meeting minutes as submitted with the second provided by Councilman Heath. **The motion carried unanimously.**

- VIII. Public Comments:

Lee Walton resides at 43 Greene Street, Fairburn, Georgia. Mr. Walton is representing a small group of residents that live around the courthouse. They sent a letter to the City of Fairburn regarding the fire at the Campbell County Courthouse. He showed great appreciation for the fire department for their tireless efforts in putting the fire out. He thanked Mr. Tony Phillips for his responses to the email correspondence, and for making time to meet with him in person. They are interested in the future plans of the courthouse and is eager to participate.

Ellen Stegall resides at 120 Oak Street, Fairburn, Georgia. Ms. Stegall was concerned about Bay Street being blocked off for Landmark Christian School from 8:30 a.m. to 3:30 p.m. She asked that a four way stop sign be placed at Bay Street and Fayetteville Road, because there are too many accidents happening there. Ms. Stegall stated old trees are falling and asked to have the trees looked at and trimmed on Bay Street, Green Street, and Fayetteville Road. She spoke on speeders and people running the stop sign at Bay and Oak Street.

IX. Agenda Items:

1. Creative Crosswalk Project

Economic Director, Sylvia Abernathy presented this item and asked Mayor and Council to approve the Art Advisory Council and staff recommendation of artists to design and install creative crosswalk murals at four locations within the Downtown Historic Commercial District. A Call for Artists Request for Proposal was conducted in June 2022 and closed out on July 21, 2022. Four artists' proposals were received and reviewed by a committee of staff and the Art Advisory Council. Artists were selected based on experience, concept, artistic merit/quality, and fee proposals. The Art Advisory Council is recommending the artists and site locations; Jason Tetlak at Landmark Christian School, Rod Parker at Campbell Elementary School, and Naila Smith for Fairburn Youth Center and Duncan Park.

Councilman Heath made a motion to approve the proposed art designs and concepts for the Creative Crosswalk Project, with the second provided by Councilman Smallwood.

Mayor Pro Tem Portis-Jones asked for a timeline. Ms. Abernathy stated the timeline for implantation is over the next 30 days.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

2. Mural Installation

Assistant City Administrator, Jamila Criss gave an overview and asked for approval for the installation of a painted mural by John Christian of Go Georgia Arts, Inc. on the side exterior wall of the building located at 41 West Broad Street, Fairburn, Georgia. She stated in October 2019, the City of Fairburn applied for a grant with Go Georgia Arts, Inc. for the creation and installation of a mural in the historic downtown area on City-owned property and the grant was awarded in November 2019 but it was determined that none of the proposed locations for installation of the mural were suitable. Fairburn Pawn Inc., John Christian, Go Georgia Arts, along with City staff deemed the building located at 41 West Broad Street, Fairburn, Georgia, suitable and desirable for the placement of a mural.

Councilman Smallwood made a motion to approve the installation of a painted mural by John Christian of Go Georgia Arts, Inc. on the side exterior wall of the building located at 41 West Broad Street, with the second provided by Councilman Whitmore.

Mayor Pro Tem Portis-Jones asked how long the mural would last and asked about the maintenance requirements of the mural. Ms. Criss will follow up with the artist for the maintenance outlines and will let them know. Mayor Pro Tem Portis-Jones recommended that art

project painting be considered for the utility boxes located at crosswalks. Ms. Criss stated the Arts Advisory Committee is reviewing their project list and will bring that back to Council in October.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

3. Art Advisory Council Appointment

The Art Advisory Council consist of seven (7) members, nominated and appointed by the Mayor of the City of Fairburn. Mayor Avery would like to appoint Fredrick Harper to replace the current vacancy left by Michael Sawicki. Mr. Harper has experience in the film industry and with non-profit organizations.

Councilman Heath made a motion to approve Mayor Avery's nomination of Fredrick Harper to the Art Advisory Council, with a second provided by Mayor Pro Tem Portis-Jones. **The motion carried unanimously.**

4. Ordinance to Abolish Comp Leave Policy and Authorize Change to Leave Accruals

TaLisha Champagne, Human Resources Director made the presentation. She said the Fire Department's shift personnel are assigned to a 24-hour shift and work a 28-day cycle, and has used comp time leave accrual in lieu of payment for overtime as a method to use accrued comp leave to take time off to care for self, a family member, and a child, or as a method to take vacation due to the low accrual rate within the annual leave and sick leave policy.

Mayor Pro Tem Portis-Jones made a motion to abolish the Compensatory Time Off Policy provision, authorize payout of the Fire personnel current balance of comp time leave, front load 72.0 hours of annual leave to Fire personnel assigned to a 24-hour shift, and authorize a new sick leave and annual leave accrual rate schedule that reflect years of service for all full-time employees, with the second provided by Councilman Heath. **The motion carried unanimously.**

5. Resolution to Adopt the FY2022 Millage Rate

Finance Director, Peterson David stated the City of Fairburn has a public hearing each fiscal year to allow citizens the opportunity to comment on the proposed millage rate. The meeting was held on August 22, 2022, for Mayor, Council and citizens to ask questions and voice any concerns. A millage rate must be set each year. The 2022 mills will be 1.46 mills for General Obligation (G.O.) Bonded Indebtedness and 8.1 mills for the millage rate, for a total of 9.56 mills.

Councilwoman Davis made a motion to approve the 2022 millage rate of 9.56 mills with the second provided by Councilman Heath. **The motion carried unanimously.**

6. Ordinance to Adopt the FY 2022-2023 Budget

Finance Director, Peterson David stated the City of Fairburn has held meetings open to the public to discuss the FY2022-2023 proposed budget. Work sessions were held on August 15th and 16th and a public hearing was held on August 22nd. These meetings allowed Mayor, Council, and citizens to ask questions and voice any concerns about the budget. Each fiscal year a balance

budget must be established for the City. The FY 2022-2023 budget will be \$23,547,873 in general funds, \$39,470,584 in other funds, for a total of \$63,018,457.

Mayor Pro Tem Portis-Jones made a motion to approve the FY 2022-2023 Budget Ordinance in the amount of \$63,018,457. The second was provided by Councilwoman Davis.

Mayor Pro Tem Portis-Jones asked what funds were included in the total of \$39,470,584, other funds. Mr. David stated the following funds were included: Confiscated Fund, American Rescue Act Fund, Grant Fund, Tree Fund, Technology Fund, Hotel/Motel Tax, Capital Projects, Gold Bonds, TSPLOST, Water & Sewer, Stormwater, Water & Sewer Bond, Electric, Sanitation, and the Educational Complex.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

7. GRPA Boost Grant Memorandum of Understanding

Parks & Recreation Director, Chapin Payne Scott presented this item and stated Fairburn Parks & Recreation received a reimbursable award of \$59,000 through the Georgia Recreation and Park Association (GRPA) Building Opportunities Out-of-School Time (BOOST) Afterschool Program Grant. Our city was selected to operate a comprehensive afterschool program to help address the learning loss in Georgia for the 2022-2023 school year.

Mrs. Scott stated the Fairburn Parks & Recreation Department has developed an afterschool program designed to support students in building a stronger academic foundation. We will focus on bridging the educational gap through literacy enrichment, health and wellness, and STEAM programming. The BRIDGE Afterschool Program will include the following focus areas academic reinforcement, learning acceleration, health and wellness, character and leadership development, exposure, and innovation. This will allow us to continue to reengage youth by connecting them to opportunities that are critical needs. These focus areas will be led by certified instructors and qualified recreation staff.

Councilman Heath made a motion to approve the 2022-2023 Georgia Recreation and Parks Association BOOST Program MOU, with the second provided by Councilman Smallwood.

Mayor Pro Tem Portis-Jones asked if \$59,000 was the total cost of the program. Mrs. Scott stated they have additional money in the Parks and Recreation budget to support supplies and will utilize the current staff, but the recreation dollars will support additional hiring of any staff members from local school systems and getting teachers from our feeder schools.

Councilman Heath asked if there would be programs offered for adults like ceramic classes, canning classes, quilting and art classes. He asked Mrs. Scott to get cost associated with those types of classes. Mrs. Scott stated they just concluded their Sensational Summer Senior Program which was a twelve-week program where we offered daily classes through arts and crafts, and other programs like candle making, jewelry making, we also had Senior's walking every Monday and Wednesday and they walked 713 miles. Resident, Ms. Honi Williams stated they offered chair exercising, cake decorating, made bags, planted flowers, water aerobics, learned how to cook with their canes, and walking. Mrs. Scott stated Fairburn Police Department led a senior women's self-defense class. Councilman Heath asked if there were a lot of

participation from the Seniors. Mrs. Scott stated yes, we have maxed out and wished we had more spaces available and thanked Mayor and Council for supporting their first Sensational Summers Program for seniors.

Councilman Whitmore asked Mrs. Scott to help identify the need for a community center in Fairburn. Mrs. Scott stated our community has a need for a large community space. Our Parks Master Plan includes staff engagement, Mayor and Council engagement, and community engagement to help develop a space that everyone can come to. It is focused on youth, seniors and the community. We want classroom space to teach life skills. Our outdoor swimming pool has been a blessing to our community and would like to add some type of indoor aquatics activity.

Mayor Avery thanked Council and stated we still have a few things we must address and still grow as a city. He is excited about Duncan Park and would like to see a park on the other side of Hwy 74.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

8. Resolution for 2022 Fulton County Multi-Jurisdictional Hazard Mitigation Plan

Fire Chief, Cornelius Robinson stated the Federal Disaster Mitigation Act of 2000 (DMA) provides the legal framework for (FEMA) mitigation, planning requirements for state, local and tribal governments as a condition of mitigation grant assistance. It has been determined the best interest of the citizens of the City of Fairburn is for the city to adopt the 2022 Fulton County Multi-Jurisdictional Hazard Mitigation Plan revised by AFCEMA based on the hazard mitigation assistance planning.

A motion was made by Councilman Heath to approve a Resolution authorizing the City of Fairburn adoption of the 2022 Fulton County Multi-Jurisdictional Hazard Mitigation Plan, with the second provided by Councilwoman Davis. **The motion carried unanimously.**

9. Portable Modular Building for Temporary Fire Station on Bohannon Road

Fire Chief, Cornelius Robinson stated due to the major growth of the city and the extended response times of fire and rescue apparatus, we have an emergency need to put a fire station in place on the eastside of the city for better service and fire protection for our citizens and businesses. The 56 x 56 modular building built by Satellite Shelters Inc. will serve the eastern side of the city as a temporary location while Fire Station 23 is under construction. This will greatly improve our fire service response times.

Councilman Pallend made a motion to approve the purchase and installation of a portable modular building for a temporary fire station on Bohannon Road in the amount of \$274,571, with the second provided by Mayor Pro Tem Portis-Jones.

Councilwoman Davis asked how long the temporary building would be in use once Fire Station 23 has been completed. Mr. Robinson stated it is hard to say when the new Fire Station will be completed, but we are hoping within 10 to 12 months. City Administrator, Tony Phillips, stated we must bid out the architectural design which is already underway and there's other contractual

things we must bid out and then with the construction process itself, weather delays and things of that nature. Chief Robinson said this modular unit can be repurposed, so it is not a one-time use. We are growing as a city and if we continue to grow at the rate since the last census, the likelihood is by the time we finish Fire Station 23, it will be time to talk about Fire Station 24. This modular unit can be relocated as we need to deploy it to ensure we have adequate fire safety across the city, so it's not a singular investment for this instance, but will be useful to the city moving forward which will also help us to maintain our ISO rating.

Councilman Whitmore asked if there would be a fire truck housed with the modular building and if it was big enough to enclose the fire truck. Chief Robinson stated yes, a fire truck will be housed there and would need to ask Mr. Dana Smith for more details. Mr. Phillips stated there is an adjacent structure there to cover the fire truck.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

Mayor Avery asked Mr. Phillips to comment on the old Campbell County Courthouse. Mr. Phillips provided an update on the fire at the Campbell County Courthouse along with steps that have been taken. He acknowledged and congratulated our fire department; they did an outstanding job over a 24-hour period. We immediately responded as soon as we were aware of the fire and contacted a fire mitigation vendor. Within 24 hours, we had the facility boarded, fenced and had onsite a generator to power dehumidifiers. We wanted to quickly stabilize the building, there were thousands of gallons of water poured into that structure and we had to dry that out quickly. We've engaged with our fire marshal along with the State Fire Marshal, which has launched an investigation as to the cause of the fire. We have engaged Travelers Insurance, so the claim process is underway. We have not changed anything because of the fire investigation and the insurance claim, you can't go in and start moving things around until the investigation is complete. We've made an intentional effort along with the fire staff to be responsive to the community. The Campbell County Courthouse has a long 151-year history in the city and have a lot of residents who are deeply connected. We don't know what the future of the facility will be, but we will provide elected officials a full assessment of the structural integrity of the building. We've engaged through a task order with Atlas to have structural engineers come on site to do a complete assessment. You will see in the near future a full report on the status of the building, to see if it structurally sound, can it be renovated and if so, what does a path forward look like. We will continue to be transparent for the residents that immediately surround the Campbell County Courthouse.

X. Council Comments:

Mayor Pro Tem Portis-Jones stated she appreciates the work and effort of the fire department regarding the old Campbell Courthouse fire and was devastated to learn of the damages. She was very happy to know that the neighbors around the building and the community at large want to work with us to do everything possible to restore that building. She thanked staff and Mr. Peterson David for the outstanding budget process.

Councilman Whitmore had no comments.

Councilman Pallend had no comments.

Councilman Heath thanked everyone for coming out tonight and asked if there were grants with the State of Georgia available for historical sites so they could renovate the Campbell Courthouse.

Councilman Smallwood thanked everyone for coming out tonight and thanked the Art Council for bringing beauty to the city. He mentioned the concern of speeders and feels it is a concern and wants that looked into. There are a lot of bus stops and kids, so the presence of the police department is needed.

Councilwoman Davis thanked the Chief of Police for looking into the speeders on Hwy 92 and wanted them to know they are doing a great job.

Mayor Avery congratulated Chapin Payne Scott on her recent marriage, she had a beautiful wedding ceremony. He asked for prayer for one of our employees that will have surgery tomorrow and asked for prayers for the two officers and their families that lost their lives in the City of Marietta. We are three Saturdays away from the biggest event in the city, the Fairburn Festival, please go to the website and look at the times, we are hoping to make a mark for decades to come.

XI. Executive Session:


Councilman Pallend made a motion to go into executive session to discuss litigation with the second provided by Councilman Smallwood. **The motion carried unanimously.**

Councilwoman Davis made a motion to exit Executive Session with the second provided by Councilman Smallwood. **The motion carried unanimously.**

Councilman Smallwood made a motion to approve the authorization request regarding Fairburn vs. Greenland to increase the settlement by \$100,000 for the Howell Avenue extension project on condemnation negotiations to Attorney Jack Hancock. The second was provided by Councilwoman Davis. **The motion carried unanimously.**

XII. Adjournment:

Councilwoman Davis made a motion to adjourn the meeting with Councilman Heath providing the second. The meeting adjourned at 8:30 p.m. **The motion carried unanimously.**


Brenda B. James, City Clerk


Mario Avery, Mayor