



**CITY OF FAIRBURN**  
**City Council Meeting Minutes**  
**City Hall**  
**56 Malone Street**  
**Fairburn, GA 30213**  
**October 14, 2013**  
**7:00 P.M.**

The Honorable Mayor Mario Avery

The Honorable Ron Alderman  
The Honorable Elizabeth Hurst  
The Honorable Jean Barkley Russell

The Honorable Alex Heath  
The Honorable Marian Johnson  
The Honorable Scott Vaughan

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. INVOCATION:** Provided by Council Member Alderman.
- III. PLEDGE OF ALLEADGE:** Recited in unison.
- IV. ROLL CALL:** All Members of Council were present which constituted a quorum.
- V. PRESENTATION:**

Mayor Avery read the following awards into the record.

Award of Excellence to Fire Department

We express our sincere appreciation to the City of Fairburn Fire Department in recognition of your department's commitment, dedication, and performance.

October 14, 2013, the Parks at Durham Lakes Homeowners Association.  
Award of Excellence to Fire Chief Harold J. Weller III

We express our sincere appreciation to the City of Fairburn Fire Chief Harold J. Weller III in recognition of your personal commitment, dedication, and performance.

October, 2013 the Parks at Durham Lakes Homeowners Association.

Award of Excellence to Harvey Stokes

We express our sincere appreciation to Mr. Harvey Stokes, Director of the Building and Permits Department of the City of Fairburn. In recognition of your personal commitment, dedication and performance.

October 14, 2013, the Parks at Durham Lakes Homeowners Association.

Award of Excellence to Rita Fernandes

We express our sincere appreciation to the City of Fairburn Code Enforcement Manager Rita Fernandes. In recognition of your personal commitment, dedication and performance.

October 14, 2013, the Parks at Durham Lakes Homeowners Association.

Award of Excellence to Jeff Burns

We express our sincere appreciation to the City of Fairburn Code Enforcement Officer Jeff Burns. In recognition of your personal commitment, dedication and performance.

October 14, 2013, the Parks at Durham Lakes Homeowners Association.

Rita Fernandes accepted Mr. Burns's award in his absence.

Mr. D'Avante' Parks said plaques were presented to the major sponsors of the Parade and Festival. He presented a plaque to the Parks of Durham Lakes for the Best Float. Mayor Avery said there comes a time in every government whether it is municipal, state, federal, county or school board when a government will make an impact that will be talked about for decades. He said we as a municipality achieved that at the Fairburn Festival. Mayor Avery asked Dr. Parks to stand and said on behalf of the City of Fairburn and the Mayor and Council the following award is presented to Dr. D'Avante' Parks.

Recognition Award presented to D'Avante' Parks.

Thank you for going above and beyond to make the 2013 Fall Festival and Parade a great success. Presented by the Mayor and City Council of the City of Fairburn.

Mr. Parks said this award was not only for him, but for the City's Staff including the Police and Fire Department; and Officer Meg Glantz. He thanked the City Council and extended special thanks to Council Member Russell for allowing him to review her DVD's from the previous Parades and

Festivals. He commended Ellen Samuels, Tiffany Wiggins, Horace Cooper, Andrew Whitmore, Chief McCarthy, David Smith and all who helped. Finally he thanked Fireman Cornelius Robinson who was instrumental in getting the Alabama State Marching Band.

Mayor Avery thanked the Fairburn City Council, Management Staff, every resident and every Homeowners Association for making a mark in this City that will be discussed for decades.

## **VI. PUBLIC COMMENTS:**

1. Andrew Whitmore, 25 Somerset Hills, Fairburn, GA. 30213, said he enjoyed working with D'Avante' Parks, hearing the vision and seeing the vision. He said Mr. Parks did a great job with the event and he hopes to get the opportunity to work with him again next year. He said there was a couple who moved to Tyrone Georgia who said they enjoyed the Festival and Parade so much they are considering moving back to Fairburn. He said during the last City Council meeting there was a discussion concerning the Councils Travel Policy. He said Council Members Hurst and Alderman received their Diamond Level from the NLC and he applauds their accomplishments and appreciates them.
2. Horace Cooper, 880 Buckingham Cove, Fairburn, GA. 30213, said he really enjoyed the Parade and it was great. He said the kids enjoyed the event and suggested starting it on Friday night. He spoke on the Awards of Excellence that was presented to Harvey Stokes, Rita Fernandes and Chief Jody Weller. He said after the builders left their subdivision it was an island and without the assistance from the Building, Code Enforcement and the Fire Departments they would not have made it and he appreciates their assistance.
3. Hattie Portis Jones, P. O. Box 271, Fairburn, GA. 30213, spoke on Duncan Park. She said she was echoing Council Member Vaughan's sentiment regarding Duncan Park and what is going on there. She said she has heard from numerous citizens who are extremely pleased and excited about a pool.

She said there is a hydrant near the base of the steps leading to the football field and it is very muddy in that area. She also inquired about the trimming of the trees along the road at the park. She said the park looks as though it is not maintained and it is a little scary to walk up to the VFW. She said the Fairburn Festival was fantastic and people said they had a good time.

## **VII. APPROVAL OF THE AGENDA:**

Council Member Russell made a motion to approve the Council Agenda placing items 5 through 12 on Consent Agenda and add item 13; Award Bid for Air Refill Station for the Fairburn Fire Department with Council Member Heath providing the second. **The motion carried.**

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

Council Member Vaughan made a motion to approve Consent Items 5 through 12 with Council Member Hurst providing the second. **The motion carried.**

5. Approval of the Final Plat; Coventry Phase IA.
6. Approval of the Agreement-Fulton County CDBG 2013 Project in the amount of \$53,750.00.
7. Approval of the Change Order #2-Duncan Park Improvements Project in the amount of \$33,065.00.
8. Approval of the Fairburn Education Campus-Tenant Finishes-South Tree Enterprises in the amount of \$150,975.36.
9. Approval of the Lease Agreement at the Fairburn Education Campus with Homer Knight of A-Knight's Traffic School for a three-year period in the amount of \$1,000.00.00 per month beginning January 1, 2014.
10. Approval of the Lease Agreement at the Fairburn Education Campus with Abigail Lewis of New Hope Learning Center for a three year period in the amount of \$1,000.00 per month beginning January 1, 2014.
11. Approval of the Professional Services Agreement-Burns & McDonnell Task Order 2013-01 (Redundant Water Supply Evaluation) in the amount not to exceed \$26,165.00.
12. Approval of the Fireworks display on Saturday, November 23, 2013.

#### **IX. APPROVAL OF CITY COUNCIL MINUTES:** Council Minutes of September 23, 2013 and Special Called Meeting of September 30, 2013 Council Member Vaughan made a motion to approve the City Council Minutes of September 23, 2013 with one correction made by Council Member Hurst, on page 2, under Public Comments; change the name Glaze to Glaize. Council Member Russell provided the second. **The motion carried.**

Council Member Vaughan made a motion to approve the Minutes of September 30, 2013 with Council Member Johnson providing the second. **The motion carried.**

**X. PUBLIC HEARING:**

**1. Z-2013-Text Amendment- Z2013-20: Sign Definition**

Mayor Avery opened the Public Hearing and asked to hear from those in opposition of the Z-2013-Text Amendment-Z2013-20: Sign Definition.

**Spoke in Opposition:**

No one came forward.

Mayor Avery asked to hear from those in favor of the Z-2013-Text Amendment- Z2013-20: Sign Definition.

**Spoke in Favor:**

No one came forward.

Hearing no comments, Mayor Avery closed the Public Hearing.

Council Member Russell made a motion to approve the Z-2013-Text Amendment- Z2013-20: Sign Definition with Council Member Vaughan providing the second. **The motion carried.**

**2. Z-2013-21-Text Amendment-Z2013-21: Temporary Storage Pod**

Mayor Avery opened the Public Hearing and asked to hear from those in opposition of the Z-2013-21-Text Amendment-Z2013-21: Temporary Storage Pod.

**Spoke in Opposition:**

No one came forward.

Mayor Avery asked to hear from those in favor of the Z-2013-21-Text Amendment-Z2013-21: Temporary Storage Pod.

**Spoke in Favor:**

No one came forward.

Hearing no comments, Mayor Avery closed the Public Hearing.

Council Member Johnson made a motion to approve the Z-2013-21-Text Amendment-Z2013-21: Temporary Storage Pod with Council Member Russell providing the second. **The motion carried.**

3. Text Amendment-International Property Maintenance and Existing Building Codes-2006

Mayor Avery opened the Public Hearing and asked to hear from those in opposition of the Text Amendment-International Property Maintenance and Existing Building Codes-2006.

**Spoke in Opposition:**

No one came forward.

Mayor Avery asked to hear from those in favor of the Text Amendment-International Property Maintenance and Existing Building Codes-2006.

**Spoke in Favor:**

No one came forward.

Hearing no comments, Mayor Avery closed the Public Hearing.

Council Member Hurst made a motion to approve the Text Amendment-International Property Maintenance and Existing Building Codes-2006 with Council Member Heath providing the second. **The motion carried.**

4. Z-2013-Zoning Modification - Cleckler Road/John Taylor

Mayor Avery opened the Public Hearing and asked to hear from those in opposition of the Z-2013-Zoning Modification-Cleckler Road/John Taylor.

**Spoke in Opposition:**

No one came forward.

Mayor Avery asked to hear from those in favor of the Z-2013-Zoning Modification-Cleckler Road/John Taylor.

**Spoke in Favor:**

No one came forward.

Hearing no comments, Mayor Avery closed the Public Hearing.

Council Member Johnson made a motion to approve the Z-2013-Zoning Modification-Cleckler Road/John Taylor with Council Member Russell providing the second. **The motion carried.**

## **XI. AGENDA ITEMS:**

### **13. Award Bid for Air Refill Station for the Fairburn Fire Department**

Council Member Heath made a motion to approve the Award Bid for Air Refill Station for the Fairburn Fire Department with Council Member Vaughan providing the second. **The motion carried.**

## **XII. COUNCIL COMMENTS:**

Council Member Vaughan commented about the Fairburn Festival. He said he had doubts and reservations in the beginning about Mr. Parks however; he delivered and did a fantastic job. He said moving the Festival behind the main street was a good idea and everyone had a good time. He said Creekside High School had a great Homecoming last Friday night and the next home game is against McIntosh on Friday, October 25<sup>th</sup>. He said the Football Team has a 7-0 record and are number 6 in the State of Georgia. He encouraged everyone to come out and support their High School Team.

Council Member Johnson said she agrees with everything that was said about the Parade and Festival; and she thanked the staff who helped make it a success.

Council Member Russell thanked the Parks at Durham Lakes for handling the forum in such an orderly and professional manner. She gave kudos to the Parks at Durham Lakes and thanked them for assisting with Asbury Parks. She said she was sorry she could not attend the Fairburn Festival and Parade; but she had to work the Parade downtown. She said Bear Creek Middle School marched in that Parade and they did a great job. She said because of what Durham Lakes and the Parks at Durham Lakes have gone through, she would like to find a way to alert communities who have vacant lots when builders come in order to ensure that quality work being is done.

Council Member Hurst said the Parade and Festival were phenomenal. She said Mr. Parks and Ellen Samuels did a fantastic job. She said she knew it was a lot of work and said the Friday night before the Parade they worked at the Fairburn Youth Center until 4:00 am the next morning. She said she was proud of the Alabama State Marching Band and said they brought a lot of people in from Montgomery and anytime a band bring in their own State Troopers they must be really great. She said the 911 Band was really fantastic. She said she saw the City Clerk Brenda James and other City Staff having a good time. She said she hopes with the help of her colleague they can vote and get Mr. Parks to come back next year; and he can start planning the event now. She said it will probably take a year to plan for next year because there will probably be 10,000 people. She said she think it was a great idea to move the Festival because this allowed people to continue to make purchases on the

main street and the business owners were happy. She said she stayed at the event until 5:30pm and talked to people and everyone had a great time. She said she cannot believe there were no arrests. She said the Magic Show was great and she still wants to know the secret to the disappearing act; however, Mr. Parks will not tell her. She said next year she will invite more people from Montgomery Alabama.

Council Member Heath said he was impressed with how wonderful the Parade and Festival was. He said the people in the City asked him if Fairburn was actually getting a college band and they were very impressed. He said he sent a video to his daughter who lives in Chattanooga Tennessee and she could not believe we had an event of that sort. He said the Petting Zoo was great and the children could not believe there were camels, kangaroos; and all kind of animals. He said some food vendors ran out of food which was a wonderful thing. He gave kudos to everyone in the City. He also thanked Harvey Stokes for blocking the streets off and keeping everything clean. He thanked all department heads for doing an outstanding job. He said the event was a wonderful day in Fairburn that people will remember for years to come.

Council Member Alderman said he has been in Fairburn since 1968 and he has been involved with Parades; but he was impressed by the variety of the Fairburn Parade with the bands and music. He said he enjoys good music and has been singing since he was very young. He said Alabama State Band provided excellent music and they put a lot of action into their music. He said the Parade was excellent and appreciates all the work Mr. Parks did. He said he knows collecting the donations from the sponsors could not have been easy. He said the staff did a great job, everyone worked well together and the City did something that everyone could be proud of. He said the event brought a lot of people into the city and people had mentioned to him the different aspects of the Fairburn Festival and these things should bring them back next year.

He said the Parade had been falling off in the last few years with less and less people coming and being involved. He said he believes this is a good start and something the City can build on. Mayor Avery congratulated Creekside High School Football Team for being undefeated. He said for those who attended the Creekside Football Game on Friday night there was a helmet displayed and the same helmet was displayed in a float at the Fairburn Festival. He said Mr. Andrew Whitmore was responsible for the display of the helmet in recognition of the young football player who recently passed away. He said this is an indication that we care about our own. He thanked everyone who was a part of preparing the Tre Tre Float for the Creekside Football Player. He said the players God Mother approached him at the event and said she could not imagine her son being honored to that degree. He commended the City Employee's, Sponsors, CSX, Owens Corning and other organization for making the Parade and Festival a success. He said the City was very blessed



with their donations. He said the diversity was great. He said every single ethnicity group walked away from Fairburn feeling like they were a part of it. He said most of the vendors did great at the Festival and some of them sold out of their supplies. He thanked Fireman Cornelius Robinson who is an alumnus of Alabama State for getting the marching band to participate in the event. He said the Fairburn Festival and Parade were awesome and he commended everyone who was a part of the event. He thanked the City Council for approving funds to assist in making the event a success.

Council Member Russell made a motion to recess and go into Executive Session at 7:50 pm to discuss pending litigation with Council Member Heath providing the second. **The motion carried.**

### **XIII. EXECUTIVE SESSION:**

Council Member Russell made a motion to come out of Executive Session and reconvene the Meeting with Council Member Alderman providing the second. **The motion carried.**

Council Member Heath made a motion to approve the Resolution of the Mayor and City Council of the City of Fairburn, Georgia to submit a voluntarily negotiated Local Option Sales Tax Certificate of Distribution to be filed with the Commissioner of the Georgia Department of Revenue; to authorize the execution and ratification with Council Member Russell providing the second. **The motion carried.**

### **XIV. ADJOURN COUNCIL MEETING:**

Council Member Russell made a motion to adjourn the Meeting at 8:25 pm and go back into Council Workshop with Council Member Heath providing the second. **The motion carried.**

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Brenda B. James City Clerk

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Mario Avery, Mayor