



**City of Fairburn
Council Meeting Minutes
January 9, 2023
7:00 pm**

- I. The meeting was called to order by the Honorable Mayor Avery.
- II. Roll Call by City Clerk, Brenda B. James found the following members present:

The Honorable Mayor Pro-Tem Hattie Portis-Jones
The Honorable Alex Heath
The Honorable Ulysses J. Smallwood

The Honorable Linda J. Davis
The Honorable Pat Pallend
The Honorable James Whitmore

Also present was City Administrator Tony Phillips, Assistant City Administrator Jamila Criss, Assistant City Attorney Serena Nowell, Attorney Amber Qualls, and City Clerk Brenda James.

- III. The invocation was provided by Pastor Ingrid Thompson, Harvest Rain International.
- IV. Pledge of Allegiance was in Unison.
- V. Presentations and Proclamations:

City Administrator, Tony Phillips gave a presentation on the winter weather event that Fairburn experienced the week of Christmas. He said he began receiving forecasts from Atlanta Fulton County Emergency Management agency earlier in the week that there would be extreme cold temperatures in the teens with wind chills at or below freezing with maximum winds up to 50 miles per hour. According to National Weather Service, that was about 20-35 degrees below normal for this time of year. It was the coldest seen in our area for at least five years. The Governor declared a State of Emergency on December 21st in anticipation of these freezing temperatures. The weather forecast and its impact to aging infrastructure throughout our region for water service led to a regional challenge.

Mr. Phillips stated Fairburn purchases water wholesale from the City of Atlanta Watershed Management and water plants and water treatment processes that provide clean, stable drinking water for residents and businesses is a costly undertaking. The infrastructure that provides most of that water was put in place up to 60 years ago. Fairburn has 24 water meters that are arrayed around the city that connect to the City of Atlanta's water system and after the third consecutive day of subfreezing temperatures, we began receiving initial reports of water service impacts of low pressure and at that time some outages on the evening of Christmas Day. Fairburn staff and utility crews began checking the Fairburn water system for any signs of operational issues or water leaks and reached out to the City of Atlanta because they are our source for water. We

use on average of 1.5 to 1.8 million gallons of water a day. We started looking for flooded streets and busted water mains and found a few small water leaks that we repaired. During that time, we were not able to identify a significant water leak in the City of Fairburn that would clarify where all that water was going. The City of Atlanta did have a series of water main breaks throughout that entire week which they were posting on Twitter and their website. We began issuing communication updates as well as Fire Chief Robinson purchasing 200 cases of water and staff started giving it out to our residents. Over the course of the next four days, we distributed close to 2,000 cases of water to anyone that needed it as well as distributed water to the Manor and Fairburn Health and Senior Care Facility for the residents.

The City of Fairburn was talking with Atlanta Watershed Management on a daily basis and by Wednesday, Mayor Avery intervened. City of Atlanta and Fairburn was on a zoom call at 10:30 pm trying to figure out how to fix the problem. By Thursday as temperatures started to warm up, the city began to see some restoration of water service and moved into the weekend, which we are still experiencing low water pressure in some areas. On Monday evening, we posted updates on all social media platforms to keep our residents informed. Mr. Phillips said staff started responding on Christmas Day and continued through the holiday season, some were working 12-to-15-hour days. They did an outstanding job on being dedicated and committed to respond quickly.

Mayor Pro Tem Portis-Jones asked if there was a determination of the location of the water not flowing and asked about the low water pressure. Mr. Phillips said there is no definitive answer as to what single issue may have caused the water outage and low pressure over the span of those four days, there was a regional impact. The aging infrastructure was one of the existing issues and from conversations from the City of Atlanta, their main transmission line had some valve issues before the weather event so, it was a combination of all those things. Mayor Pro Tem Portis-Jones stated we need to do an assessment of our Emergency Management Plan in terms of preparing to respond. Her biggest concern was the lack of communication to those who are not on social media, and we need to explore ideas and strategies that we need to have in place. She appreciated all the efforts of staff during the holidays.

Councilwoman Davis asked what we learned in reference to the communication between the City of Fairburn and the City of Atlanta. She has lived in Fairburn for 28 years and never experienced anything like this. This has called our attention to what we need to do in advance of crises. She thanked staff for the true exhibit of servant leadership. It was a great display of their duties and how they feel about our citizens.

Councilman Whitmore asked administration to look into robocalls since everyone does not use social media. He recommended finding a way to collect data on the seniors so we can do well checks on them.

Councilman Smallwood echoed everything his colleagues discussed. He was one that did not have water for four days and it was not pleasant. He knew that everything was being done behind the scenes. We are a city that is on top of things, it wasn't perfect, but we

need to go beyond the normal modes for communication. He thanked staff for everything.

Mr. Phillips said it was very stressful on everyone and encouraged citizens to contact him if they had questions.

Mayor Avery stated we now have an open line of communication with the City of Atlanta and said Councilman Whitmore's recommendation was a great suggestion. The Governor declared a State of Emergency on Wednesday night for the whole state. Several cities had to come together despite it being Christmas Day and prepare for anything we could. Mayor Avery thanked staff for everything, they were here 12 to 15 hours a day, this was a crisis that was not just Fairburn. He thanked the City of Atlanta and Mayor Dickins for having their employees showing up at Durham Lakes and Vickers during the water outage.

Councilman Pallend stated he appreciates everything the staff did and thanked them.

VI. Adoption of the City Council Agenda:

Mayor Avery asked for items # 5 and #7 to be switched. Councilman Smallwood made a motion to adopt the agenda as changed with Councilwoman Davis providing the second. **The motion carried unanimously.**

VII. Approval of the Minutes: Regular Council Meeting Minutes of December 12, 2022

Councilman Whitmore made a motion to approve the minutes as written, with Councilman Heath providing the second. **The motion carried unanimously.**

VIII. Public Comments:

Samantha Hudson, resident thanked city staff for the diligent work they did through the water crisis. She stated our city has experienced exponential growth and with growth, change must occur. City ordinances that preserve and protect the quality of life of Fairburn is needed. The recent water crisis coupled with weak infrastructure threatens the quality of life for the residents. You will never know when an emergency will strike our community which is why early preparation, community education, and constant vigilance is essential to keeping citizens safe. One of the most effective ways of preparing our citizens for a possible disaster is to involve them directly in the education, training, and response process. She encouraged the city to develop a Community Emergency Response Team. She prays that Fairburn government take a vested interest in reviewing ordinances and processes to implement the required changes to help improve the safety of our citizens.

Pastor Johnny Rich stated he just moved back from Marietta after being away for 26 years. They found a wonderful piece of property on Fayetteville Road, and they've been treated so warm by all the leadership in the city and is excited about coming back. Mayor Pro

Tem Portis -Jones came by the church on Sunday and represented Fairburn very well. She made us feel we were in the right place. Councilman Whitmore will be at our church next Sunday and the Chief of Police has volunteered to come by and speak. Our desire as a church is to partner with city government. The name of the church is Acts 2 Community Church located at 7915 Fayetteville Road. He also thanked Nell Smith, she has been really instrumental in making sure that we get to meet the right people and we get a warm welcome. He loves the way Ms. Smith loves this city, he knew her years ago and glad she's here. She's made a mark in Fairburn and is looking forward to working with the city. He introduced his wife, Verlene Rich to everyone.

IX. AGENDA ITEMS:

1. Appointment of Mayor Pro Tem for the City of Fairburn

Councilman Heath made a motion to appoint Council Member Linda J. Davis as the Mayor Pro Tem for 2023, with Councilman Smallwood providing the second. **The motion carried unanimously.**

2. Appointment of the Legal Organ for the City of Fairburn

Councilmember Smallwood made a motion to appoint the South Fulton Neighbor Newspaper as the official legal organ for the City of Fairburn for 2023, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**

3. Appointment of the City Attorney for the City of Fairburn

Councilmember Whitmore made a motion to appoint Rory Starkey as City Attorney for the City of Fairburn, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**

4. Appointment of the City Clerk for the City of Fairburn

Mayor Pro Tem Davis made a motion to appoint Brenda James as City Clerk for the City of Fairburn for 2023, with Councilman Heath providing the second. **The motion carried unanimously.**

6. Appointment of Chief Judge for Municipal Court of the City of Fairburn

Councilmember Whitmore made a motion to appoint Judge Monica Ewing as Chief Judge of the Municipal Court for the City of Fairburn, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**

7. Appointment to Planning and Zoning Commission

Mayor Pro Tem Davis made a motion to appoint LaVonne Deavers to the Planning and Zoning Commission for a four (4) year term beginning January 31, 2023, and expiring

January 31, 2027, with Councilman Heath providing the second. **The motion carried unanimously.**

5. Appointment of the Chief of Police for the City of Fairburn

Councilman Whitmore made a motion to appoint Anthony Bazydlo Chief of Police for the City of Fairburn, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.** Mayor Avery administered the Oath of Office to Chief Bazydlo.

I, **Anthony Bazydlo**, do solemnly swear or affirm that I will faithfully and truly perform the duties of **Chief of Police** of the City of Fairburn, and I will support and defend the United States Constitution, the Constitution of the State of Georgia, the Charter and Codes of the City of Fairburn, to the best of my skill and ability and observe all rules and regulations of the Fairburn Police Department. I do further swear or affirm that I am not the holder of any unaccounted-for public money due this State or any political subdivision or authority thereof, that I am not the holder of any office or trust under the government of the United States, any other state, or any foreign state which, by the laws of the State of Georgia, I am prohibited from holding; and that I am otherwise qualified to be a public officer according to the Constitution and Laws of the State of Georgia. I further swear or affirm as the Chief of Police, I will faithfully serve and protect all citizens of this city. I accept the Law Enforcement Code of Ethics of the International Association of Chiefs of Police as my standard code while on or off duty and swear to faithfully abide and defend the same. SO, HELP ME GOD This 9th day of January 2023.

8. City Council 2023 Meeting Schedule Calendar

Councilman Whitmore made a motion to approve the 2023 meeting schedule, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**

9. Final Plat 2022146FP Andy Anderson Jr. Residential Subdivision

Director of Planning and Zoning, Denise Brookins presented this item and stated the applicant is requesting to subdivide a parcel into three different lots. All the requirements for zoning codes are confirmed, staff has reviewed the request and finds that it adheres to all the subdivision regulations in the code of ordinance such as minimum lot size, setbacks, and buffer standards. The Planning Commission recommended approval of the requests.

Councilman Pallend made a motion to approve the Final Plat for the Andy Anderson, Jr. Residential Subdivision, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**

10. Final Plat 2022161FP Habitat for Humanity Residential Subdivision

Director of Planning and Zoning, Denise Brookins presented this item and stated the plat consists of three residential zone lots that are being combined into two residential lots. Currently, the lots are 0.48 acres, 0.11 acres, and 0.14 acres. The applicant is here, and staff finds that it does conform to all applicable zoning regulations in the code of ordinance such as minimum size, setbacks, and buffers.

Mayor Pro Tem Davis made a motion to approve the Final Plat for the Habitat for Humanity Residential, with Councilman Whitmore providing the second. **The motion carried unanimously.**

X. Council Comments:

Councilwoman Portis-Jones congratulated all the appointees on tonight's agenda, they will continue to have a good group of leaders and specifically shouted out to the new Chief of Police. Bazydlo is one of those individuals that came up through the ranks and one of the few that has grown up here and I am proud that we have an opportunity to grow our own and have him in the position to take on this challenge as Chief of Police. She looks forward to the great work that he will continue to do. She congratulated the new Serena restaurant that is attached to the Cigar Lounge. She expressed her condolences to the City Attorney, Rory Starkey on the loss of his father. She congratulated the University of Georgia, our Georgia Bulldogs who are playing in the National Championship. She discussed the injury that occurred by Demar Hamlin of the Buffalo Bills and stated that was a rude awakening to all of us how dangerous football can be and wanted to continue to keep them in our prayers and support them as they play.

Mayor Pro Tem Davis said Happy New Year to everybody and congratulated Chief Bazydlo. She said she remembered the first time she became a council member and walked in the chambers, he handed her his telephone number and she will never forget that. She is excited to still be a member of this body and to see him as Chief of Police for the City of Fairburn. Prayers has gone out to our City Attorney, Starkey, she did have an opportunity to give him a call to express her condolences and prayers for his loss. She congratulated everybody that has been appointed tonight and special thanks to the mayor and her colleagues for exhibiting the confidence that they have shown in her to appoint her as Mayor Pro Tem.

Councilman Smallwood said Go Dawgs.

Councilman Pallend said another year we shall continue to head in the correct direction which will make this a much more interesting place, Happy New Year.

Councilman Whitmore echoed what his colleagues have said in reference to all the appointees as well as Chief Bazydlo. Many years ago, when he was president of Durham Lakes, Chief Bazydlo came out many occasions to address the residents and he had a lot of information to share in reference to what the city was doing, how to protect ourselves, home watch and he is happy of his appointment. Condolences to Mr. Starkey

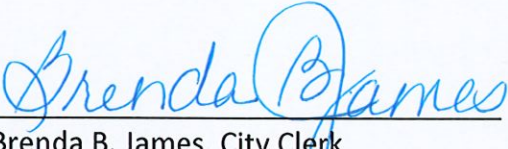
in the loss of his father and he believes that 2023 is going to be a great year because the City of Fairburn is situated to succeed.

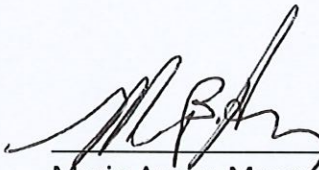
Councilman Heath said he was so glad to see Chief Bazydlo become Chief. When he started work here seventeen years ago, he was Bazydlo's Field Training Officer, he was just out of the academy and had to ride with someone for twelve weeks and he rode with him. He was always very kind and helpful to whoever we had to go out on a call for. He thanked everyone for their patience on the water outage. He prays that 2023 will be a more prosperous time in our city and blessings be bestowed upon every citizen.

Mayor Avery thanked the staff again for what Fairburn endured during the water crisis. He discussed the after-action review so you can determine what you did right or wrong. He publicly thanked the City of Atlanta for the meeting they had in which created major movement. He thanked the City Administrator and the Assistant City Administrator who led the charge that took place with the coordination on the next steps during the crisis. He is excited about the State of the City Address in which they are discussing the date. We are planning another retreat to refine what was talked about and go to the execution phase. Condolences to the City Attorney in the loss of his dad, he and the City Clerk was able to attend the wake, such an awesome family. As we go forward in 2023, we will have hurdles to endure but one thing he is excited about is the City of Fairburn is in better condition in the end of 2022 than it was in the beginning. We are under new management in so many capabilities and thanked all the managers that has been hired this year. His proudest moment is that our city is at 80% staffing. He thanked council for everything as we start 2023.

XI. Adjournment:

Councilwoman Davis made a motion to adjourn the meeting with Councilman Heath providing the second. The meeting adjourned at 8:10 pm. **The motion carried unanimously.**


Brenda B. James, City Clerk


Mario Avery, Mayor