



**CITY OF FAIRBURN**  
**City Council Meeting Minutes**  
**City Hall**  
**56 Malone Street**  
**Fairburn, GA 30213**  
**Date March 25, 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. ROLL CALL:** All Members of Council were present which constituted a quorum.
- III. INVOCATION:** Provided by Council Member Heath.
- IV. PLEDGE OF ALLEGIANCE:** Was recited in unison.
- V. PUBLIC COMMENTS:**
  1. Horace Cooper, 880 Buckingham Cove, Fairburn GA. said they were able to locate a builder and an investor to develop the lots at the Parks of Durham Lakes. He asked how the moratorium affects new home builders coming into the City, can signs be put on HOA owned property and when would the City lift the sign moratorium for new businesses to put out signs for advertisement.

**VI. ADOPTION OF THE AGENDA:**

Council Member Russell made a motion to approve the Agenda placing items 2, 3, 4, 5, 8, 9, 10, 11, 12, 13 and 14 on Consent Agenda; add item 15, Resolution by the Mayor and Council to Impose a Temporary Moratorium for up to 60 Days on the Acceptance of Site Plans, Development Plans, Permit Applications, Business License Applications and any and all other Approvals for Massage Parlors as defined; tabled item 6 and 7; and items 1

and 15 remained on Regular Agenda. Council Member Hurst provided the second. **The motion carried.**

**VII. APPROVAL OF THE MINUTES: Council Minutes of February 25, 2013**

Council Member Alderman made a motion to approve the Minutes of February 25, 2013 with Council Member Hurst providing the second. **The motion carried.**

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

Council Member Alderman made a motion to approve Consent Items 2, 3, 4, 5, 8, 9, 10, 11, 12, 13 and 14 with Council Member Heath providing the second. **The motion carried.**

2. Approved the Purchase of the Education Campus Parking Lot Lighting Equipment in the amount of \$68,559.00.
3. Approval of the 60 month Lease Agreement with Mail Finance, Inc. for Mailing Equipment in the amount of \$91.00 per month for twelve months and \$137.00 per month for the following 48 months.
4. Approval of the Addition to Residential Sanitation Contract with Waste Industries Atlanta, LLC in the amount of \$30,000.00 for the remainder of the fiscal year with a start date of April 1, 2013.
5. Approved the Coordination of the Parade during the 2013 Fall Festival for a fee of \$6,500.00.
8. Approval of the Request to Change the Agenda Format to Apple iPads and purchase 9 iPads in an amount of \$478.53 per iPad with a total amount of \$4306.77.
9. Approval of the Task Order-NPDES NS4 Inspections with an estimated number of 300 structures to be inspected at \$10 each for a total of \$3000.00 and funding in the amount of \$9,130.00 provided in the stormwater budget for mapping and inspection services.
10. Approval of the Task Order MAAI2013.10 LMIG Resurfacing Program Construction and Project Management Services in the amount of \$13,528.00.
11. Approval of the LMIG Application 2013 to GDOT agreeing to the terms in exchange for \$250,000.00 for the Emergency Bridge Replacement Program, Johnson Road Bridge.

12. Approval of the Task Order-Bohannon Road Water Main Integrated Science & Engineering with \$15,085.00 of additional cost as recommended.
13. Approval of the Task Order-MAAI 2012.05 for Duncan Park Construction Management Services in the amount of \$43,544.00.
14. Approval of the Construction Agreement for Duncan Park Utilities in the amount of \$62,650.00 and authorize an additional \$13,000.00 for an irrigation line to be installed for future use.

**X. APPROVAL OF AGENDA ITEMS:**

**1. Final Adjustments to the Fiscal Year 2012 Budget**

Council Member Russell made a motion to approve the Final Adjustments to the Fiscal Year 2012 Budget with Council Member Vaughan providing the second.

Council Member Hurst asked about the 3 professional items and why they were listed separately. City Administrator, Tom Barber said the Comprehensive Annual Financial Report (CAFAR) has to show a predetermined category of expenses and the budget must be greater than the expenses. He said the professional services are listed as follows:

1310 Professional Service - City Clerk  
2650 Professional Service - Municipal Court  
4100 Professional Service - Public Works

He said they are recommending the City Clerk's professional service item to be decreased by \$20,000 and Municipal Courts professional service item to be increased by \$10,000.00. Council Member Hurst asked about the \$51,000.00 for salaries. Mr. Barber said he had to increase the budget by \$51,000.00 for the Fire Department (3500) because he did not budget enough for the year. Council Member Hurst asked if any firemen were hired. Mr. Barber said yes. Council Member Heath asked where the funds come from when funds are transferred and why account number (5200) was not budgeted. Mr. Barber said it depends on what the budgeted item is; however, these adjustments come from the general fund. He said he did not budget for stormwater. He said they budgeted \$500,000.00 to come from water and sewer to go to the general fund; however, due to the cost of water, they could not fit the bill. He said they pay 10% more water than billed. He said the water bill is based on the volume of water from the 20 meters provided from Atlanta. He also said there have been leaks which are an actual expense and they are greater than the amount budgeted. He said when they refinanced the bonds in 2011, he planned for the Education

Campus to become a cash flow; however, until the Education Campus has completed building and leasing out their facilities, the City have to supplement the funds.

**After much discussion, the motion passed for Final Adjustments to the Fiscal Year 2012 Budget.**

6. The Modification of the Pavilion Rental Fees at Duncan Park.

**This item was tabled.**

7. The Annex Facility Rental Agreement

**This item was tabled.**

15. Resolution by the Mayor and Council to Impose a Temporary Moratorium for up to 60 Days on the Acceptance of Site Plans, Development Plans, Permit Applications, Business License Applications and any and all other approvals for Massage Parlors as defined

Council Member Russell made a motion to approve the Resolution by the Mayor and Council to Impose a Temporary Moratorium for up to 60 Days on the acceptance of Site Plans, Development Plans, Permit Applications, Business License Applications and any and all other approvals for Massage Parlors as defined. Council Member Johnson provided the second. **The motion carried.**

## **XI. PRESENTATIONS AND AWARDS:**

Mayor Avery acknowledged Cub Scout Leader, Anthony Brown and 4 students from Renaissance Elementary School Cub Scouts. Mr. Brown said they are working on a service project which requires them to assist in cleaning up the neighborhoods in the City of Fairburn.

Keona Frances, representative of the South Fulton Little League Baseball Team, commended Mayor and Council for attending their opening event this year. She presented City Administrator, Tom Barber a plaque thanking him for his exemplary leadership and for being a humble and passionate individual who cares about the City of Fairburn. She said the season started off wonderfully and gave a special thanks to the City of Fairburn for their support.

## **XII. COUNCIL COMMENTS:**

Council Member Vaughan had no comments.

Council Member Johnson had no comments.

Council Member Russell apologized for not attending the opening event for the South Fulton Little League Baseball Team. She said she and Council Members Johnson and Heath joined Mayor Avery at a Fulton County Commissioners Meeting regarding the HB541. She complimented the Mayor for taking a stand in opposition of the HB541. She said this bill is trying to raise the homestead exemptions and this is not good news for the City. She encouraged everyone to be aware of this bill and please call your Senators.

Council Member Hurst said the Council attended a NLC Conference in Washington D. C. and they had a fantastic meeting. She said the seminar on immigration reform was great. She said Senator John McCain spoke to the group about immigration reform and said this is an issue that has to be addressed. She congratulated Mayor Avery on doing a fantastic job with the City of Fairburn. She also congratulated the City Administrator, Tom Barber for his award today and said he was doing a fantastic job.

Council Member Heath spoke about the opening at the South Fulton Little League and said it made him remember when he was growing up and playing on the ball fields. He said he had lunch with his former Little League Coach today and his Coach was someone he wanted to be like. He said he is in total support of the youths. He said the Easter Egg Hunt was great. He said the Mayor and Council wants everyone to feel important and a part of the City. He thanked everyone for attending the meeting. He said they attended a meeting at Fulton County and the HB541 will affect a lot of people. He asked if everyone would please contact their Georgia Representatives. He said Fulton County provides funds to the library and senior citizens. He said Grady Hospital is also funded by Fulton County and if the funds are cut a lot of people will suffer.

Council Member Alderman spoke about the Mayors opening pitch at the South Fulton Little League opening. He said he grew up at Duncan Park and was head of the Little League. He said he had a great time. He announced the opening of Quiznos Restaurant located on Senoia Road. He said the First Baptist Church of Fairburn will have a Sunrise Service this Sunday at 7:30 a. m. He said Jesus was buried on Good Friday and rose from the grave on resurrection Sunday. He said he was very excited about the resurrection.

Mayor Avery thanked the representatives of Renaissance Elementary School Cub Scouts and South Fulton Little League for attending the Council Meeting. He said the NLC Conference provided great information. He said several Council Members in the Metro-Atlanta area asked how Fairburn City Council works so well together. He said the Council may have their differences; however, they work together. He said HB541 is a detriment to local City

Government. He encouraged everyone to call their Senators and voice their opinions. He said there were 1600 eggs at the Easter Egg Hunt last Saturday. He thanked Melody Barnes, James Berry and D' Avante Parks for all their hard work. He also commended Mr. Barber for doing an outstanding job.

**XIII. ADJOURN COUNCIL MEETING:**

Council Member Heath made a motion to adjourn the Council Meeting at 7:45 p. m. with Council Member Alderman providing the second. **The motion carried.**

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Brenda B. James City Clerk

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Mario Avery, Mayor