



**CITY OF FAIRBURN  
City Council Meeting Minutes  
City Hall  
56 Malone Street  
Fairburn, GA 30213  
February 11, 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: Provided by Honorable Mario Avery.**

**II. ROLL CALL:** All Members of Council were present with the exception of Council Member Hurst which constituted a quorum.

**III. INVOCATION:** Provided by Mayor Mario Avery.

**IV. PLEADE OF ALLEGEANCE:** Recited in unison.

**V. PUBLIC COMMENTS:**

1. Andrew Whitmore, 25 Somerset Hills, Fairburn, GA. spoke on traffic calming and asked if they could put together an Adhoc Committee. He said some of the Homeowner Association Communities are having problems with speeding. He said traffic is coming with excessive speed on Durham Lakes Parkway. He said he knows there are pros and cons regarding the speed humps; however, he believes they can work out a resolution.

**VI. APPROVAL OF THE AGENDA:**

Council Member Russell made a motion to approve the Agenda placing items 3, 4, 5 and 6 on Consent Agenda; and items 1, 2, and 7 will remain on the Regular Agenda with Council Member Johnson providing the second. **The motion carried.**

**VII. APPROVAL OF CONSENT ITEMS:**

Council Member Alderman made a motion to approve Consent Items 3, 4, 5 and 6 with Council Member Vaughan providing the second. **The motion carried.**

3. Approval of the Agreement between the City of Fairburn and South Fulton Little League for the use of the Fields and Facilities at Duncan Park during the 2013 Spring and Fall seasons.
4. Approval of the Personal Service Contract with Pat Pallend for Economic Development, Marketing, Public Relations and Special Events in an amount of \$15,600.00 for one-year.
5. Approval of the Resolution and Supplemental Contract for Engineering Services from Electric Cities of Georgia for \$6,900.00.
6. Approval of the Agreement with Utility Service Partners for their Service Line Warranty Program within the City of Fairburn for one year.

**VIII. APPROVAL OF COUNCIL MINUTES: City Council Meeting of January 28, 2013**

Council Member Russell made a motion to approve the Minutes of January 28, 2013 with Council Member Heath providing the second. **The motion carried.**

**IX. PUBLIC HEARING:**

1. Ordinance for Text Amendment Z2013-02 Planning and Zoning Commission

Mayor Avery opened the Public Hearing and asked to hear from those who were in favor of the Ordinance for Text Amendment Z2013-02, Planning and Zoning Commission.

**Spoke in Favor:**

No one came forward.

Mayor Avery asked to hear from those who were in opposition of the Ordinance for Text Amendment Z2013-02, Planning and Zoning Commission.

**Spoke in Opposition:**

No one came forward.

After hearing no comments, Mayor Avery closed the Public Hearing.

Council Member Alderman made a motion to approve the Ordinance for Text Amendment Z2013-02, Planning and Zoning Commission with Council Member Heath providing the second. **The motion carried.**

**2. Ordinance for Text Amendment Z2013-01 Highway 74 Overlay District**

Mayor Avery opened the Public Hearing and asked to hear from those who were in favor of the Ordinance for Text Amendment Z2013-01, Highway 74 Overlay District.

**Spoke in Favor:**

No one came forward.

Mayor Avery asked to hear from those who were in opposition of the Ordinance for Text Amendment Z2013-01, Highway 74 Overlay District.

**Spoke in Opposition:**

No one came forward.

After hearing no comments, Mayor Avery closed the Public Hearing.

Council Member Johnson made a motion to approve the Ordinance for Text Amendment Z2013-01, Highway 74 Overlay District with Council Member Russell providing the second.

Council Member Russell said she would like to explore the possibility of preventing additional drive-thru restaurants in the area and focus on a more diverse retail base. She said they should consider whether there could be a process to provide more clarification for Massage Parlors prior to issuing a business license. She said she would like for her comments to be considered for future planning.

Mayor Avery asked the City Attorney, Randy Turner if Attorney, Valerie Ross would provide more clarification regarding this issue. Attorney Turner said he has informed Attorney Ross and they will look into the matter and come back to Council. Mayor Avery said for clarity purposes item number 4, page 1; Heavy Repair Shop and Trade Shop is defined as Heavy Automotive Repairs; and item number 8, page 5; Dumpsters are a

minimum of 6ft and they could request for them to go higher.

**After discussion, the motion passed to approve the Ordinance for the Text Amendment Z2013-01, Highway 74 Overlay District.**

**X. AGENDA ITEMS:**

**7. Discussion of Rental Rates for the Youth Center and Other City Facilities**

City Clerk, Brenda James gave an overview of rental facilities and other recreational activities. She said she compared the charges of rental facilities in the City of Fairburn with the charges for the rental facilities within some surrounding cities and smaller cities. She said some of the cities pavilions are rented only to City residents and some require reservations. She said most of the comparisons have residential and nonresidential fees. She said a lot of the cities charge for use of the pools and some cities charge an activity fee for both residential and nonresidential. She spoke about the sports activities and said some sports activities are run by the Recreation Associations and some by a Recreation Department, however; the funds are controlled by the City. She also said Elected Officials would pay to use the facilities and this would protect them regarding the gratuity clause. She said she was told there was a Policy adopted by the City and when she locates it, she will make sure the Recreational Advisory Committee and Council has a copy of the policy.

Mayor Avery spoke about the Boys and Girls Club of America and said he was going to ask for a group of individuals to serve on the Recreational Advisory Committee. He said the board would consist of Coach James Berry, Horace Cooper, Chief Stephen Hood, Council Member Vaughan and Council Member Johnson. He asked Council Member Alderman to provide him the information needed for the Boys and Girls Club. He said the board would come to Council and provide recommendations.

**XI. COUNCIL AND MAYOR COMMENTS:**

Council Member Vaughan had no comments.

Council Member Johnson had no comments.

Council Member Russell had no comments.

Council Member Heath thanked everyone for their support and said he was glad to be on the Council during the time all these projects and events are taking place. He said there are many wonderful things coming to the City such as jobs and many venues for our children and young adults to have something

to do around Fairburn. He announced there will be a Home Safe Act Program hosted by DCA, scheduled at the Fairburn Youth Center on February 23, 2013 between the hours of 9:00 a.m. until 4:00 p.m. for those individuals who need assistance with their house payments.

Council Member Alderman thanked Ms. James for the information she put together regarding the discussion of Rental Rates for the Youth Center and other City Facilities. He also said he appreciates everyone who is serving on the Recreation Advisory Committee.

Mayor Avery introduced a new consultant, Jahnee Prince from the Collaborative Firm. He said Ms. Prince brings a wealth of knowledge to the City. He thanked the Planning and Zoning Chairman, Ms. Elise Stoney for attending the Council Meeting. He commended the Code Enforcement Department for a great summary regarding the vacant lot issue. He announced there will be a Valentine Dance hosted by Ms. Melody Barnes for youths between the ages of 10 through 15 years old, located at the Fairburn Youth Center on February 16, 2013 from 6:30 p.m. until 9:30 p.m. He said this is a City event.

Council Member Alderman made a motion to recess the Council Meeting at 7:30 p.m. for Executive Session to discuss a litigation matter with Council Member Heath providing the second. **The motion carried.**

**XII. ADJOURN COUNCIL MEETING:**

Council Member Russell made a motion to come out of Executive Session and return into workshop with Council Member Alderman providing the second. **The motion carried at 7:50 p.m.**

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Brenda B. James City Clerk

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Mario Avery, Mayor