



REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 04, 2024 at 7:00 PM
CITY HALL BUILDING
MINUTES

1. CALL TO ORDER

- A. Invocation - Pastor John Bailey - Gospel Nation Christian Fellowship Church
- B. Pledge of Allegiance
- C. Add Items to Agenda

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No action required by Council – See Specific Department Director before a Meeting)

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills
- C. Approve Minutes of Regular Council Meeting

Motion made to approve by Myrick, Seconded by Anderson.
Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Karen Wessel – cover the world orange day on the first Monday of November – awareness – Park at the end of her driveway is not safe. Wants to make a declaration for the city.

Tim Adams – wants to hire a city manager for policy issues, leaf & limb pick up, who will be paying the monthly fee. Letter from citizens- wants in minutes. Someone walking around claiming to work with the PD asking for money for the 501c3. Mr. Adams handed out a letter to mayor and council and asked for it to be put in the minutes.

David Traylor – 11A – how can we charge citizens that do not have trees in their yard for the leaf pickup. Mayor Clemons stated no, if it is contracted then we will not pick up.

Derek Caffé – LCI study, we are lacking on moving forward with the agenda items on there. What are we doing to get on track with that? What is the timeline for the city manager?

Wayne Galloway – Problem on road next to house, sign that says no jake brakes, if there is a sign and if not, can we get a sign put up? Bo Garrison will look to see if there is a sign and if not, they will make a call to see about getting one put up.

6. GAS SYSTEM REPRESENTATIVE

Ollie Clemons

Attorney Kimbrough stated we are a little ahead from 2023 & we are getting gas in the ground for winter.

7. FINANCE REPORT

Valerie Anderson, Chairperson

Denise Lowe, Director

A. Monthly Financial Statements

B. Budget Revisions

See attached.

Motion made to approve by Anderson, Seconded by Elder.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

8. GENERAL ADMINISTRATION

Devon Myrick, Chairperson

Elizabeth Young, Director

A. No Report

9. POLICE DEPARTMENT

Sandra Leverette, Chairperson

Scott Hamilton, Police Chief

A. Stats

B. Significant Events

Case Numbers 24-090129 and 24-090189 V.G.C.S.A.

On 09/15 at approximately 0325 hours, Officer D. Harris observed a suspicious male around Maxham Road and Old Alabama Road. The suspect was able to elude Officer Harris. Later in the day Sergeant Hays and K-9 Onyx located one ounce of crystal Methamphetamine in the area where the suspect ran. On 09/21 FTO Alexander, Officer Seager, and Sergeant Hays located the suspect and took him into custody.

Case Number 24-090150 Assist Another Agency

On 09/18/2024 at approximately 0245, Cobb County Police Precinct 2 requested assistance with searching for a burglary suspect. K-9 Officer Johnson and K-9 Oz located the suspect hiding in an apartment in a cabinet below a sink.

Case Number 24-090236 Train Vs. Tractor Trailer

On 09/26/2024 at approximately 1042 hours, Officer B. Lefever responded to the intersection of Humphries Hill Road and Spring Street for a collision between a train and a tractor-trailer. The

driver attempted to flee the area in the tractor without paying for the tow service. The driver was arrested for theft of services, disorderly conduct, and disregard of a traffic control device.

Case Numbers 24-090261 and 24-100041 Street Takeover

On 09/29 at approximately 0047 hours, Sergeant J. McGhee, Officer S. Tejera, and K-9 Officer J. Johnson were called to the area of Maxham Road and Old Alabama Road for vehicles blocking the roadway. The vehicles started leaving the area when Henson's Wrecker Service arrived on the scene. On 10/04 at approximately 2130 hours, Lieutenant T. Allen, Sergeant D. Corvin, and K-9 Officer J. Johnson were called again to the area of Maxham Road and Old Alabama Road for another event at 141 Maxham Road. There were multiple calls to 911 in reference to loud music and street racing occurring in the area. Cobb County Sheriff's Office deployed a drone to provide real-time intelligence on the incident. Lieutenant T. Allen notified Captain Greg Ethridge with the Austell Fire Department of his safety concerns. Captain Ethridge responded to the incident and issued a Cease-and-Desist Order for the business. (See Attached Photos of 141 Maxham Road from 10/04)

C. First Aid Kit Donations

On October 15, 2024, Austell Police Department received a donation of 25 individual First Aid Kits (IFAK) from Mr. Tim Oneil, founder of the nonprofit, Saving Lives America. Mr. Oneil is a medically retired law enforcement officer who lost part of his left leg in the line of duty. Each first aid kit contains a tourniquet, petroleum gauze, various trauma compress dressing, trauma shears, chemical light, mylar blanket, and bleed stop powder. As well as a high visibility orange military grade nylon molly pouch, which will contain all the first aid supplies. Each first aid kit is valued at \$117. With the total donation being \$2,925.

D. Introduction of New Police Employees

The following individuals have been recently hired by the Austell Police Department and we would like to welcome them to our team. They are as follows:

1. Sgt. Jeremy McGhee
2. K-9 Bear (Sgt. Hays)
3. Detective Arnold Perry
4. Ofc. Daniel Harris
5. Ofc. Rachel Seager
6. Ofc. Derrick Henderson
7. Ofc. Ernie Green

10. FIRE DEPARTMENT

Meredith Adams, Chairperson

Brandon Merritt, Fire Chief

- A. Monthly Run Report

11. PUBLIC WORKS DEPARTMENT

Marlin Lamar, Chairperson

Bo Garrison, Director

- A. Adoption of the Leaves, Limbs, Yard Waste and Bulk Trash Removal Fees

The Public Works Department proposes \$15.00 for the removal of leaves, limbs, yard waste, and the bi-annual household bulk trash. These fees will be billed once per month, for the next 12 months, for those residents who live within the city limits. Presently, the residents are not being charged for the services. The Public Works Department also recommends moving the bi-annual

clean-up months from April and October to February and November. Charging for these specific services would help to balance the Public Works Department budget and allow the department to allocate its resources more effectively, while ensuring that waste management is sustainable and efficient. Effective November 4, 2024.

Motion made to approve by Lamar, Seconded by Adams.

Voting Yea: Anderson, Myrick, Elder, Lamar

Voting Nay: Adams

- B. Adoption of the New Contract between City of Austell and Waste Pro Industries
See attached.

Motion made to approve by Lamar, Seconded by Myrick.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

- C. Memo C. Adoption of the Solid Waste and Recycling Fees Increase
See attached.

Motion made to approve by Lamar, Seconded by Adams.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

- D. Memo D. Intergovernmental Agreement between City of Austell and the Cobb County Water System

It is the recommendation of the Public Works Department to accept and approve the Intergovernmental Agreement between City of Austell and the Cobb County Water System. The purpose of this agreement is to set a cost-effective way and provide resources to the community to comply with the Separate Storm Sewer System (MS4) under the county's National Pollutant Discharge Elimination System (NPDES) permit No. GAS000108 and City of Austell NPDES permit No. GAS000103. The county has offered for many years, and is willing to continue offering during the permit cycle (June 2029) the following but not limited to county-wide programs to citizens: a. Recycling and Household Waste Collection Programs b. Public Education seminars and workshops c. Keep Cobb Beautiful This agreement is set for five (5) and if the City Permit and the County Permit are reissued without changes in June 2029, this IGA shall automatically renew for an additional five years.

Motion made to approve by Lamar, Seconded by Myrick.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

- F. Memo E. Final Presentation of City Agriculture Plan

Food Well Alliance, Inc., in conjunction with the Atlanta Regional Commission, will be awarding Community Affairs and Public Works Department \$75,000 City Agriculture Grant. The funds are instrumental in aiding the City with its community garden program and the beautification of selected areas throughout the city. As a part of our commitment to transparency and collaboration to the Council, Mayor, and residents of Austell, on Wednesday, October 28, 2024, Food Well Alliance presented the city with a presentation of the proposed City Agriculture Plan. This plan provides a roadmap for the community and city to achieve its vision of creating a vibrant and sustainable community food system over the next 5-10 years and aids the city in

developing strategies for spending the grant funds. We look forward to keeping the city officials and residents informed about the progress and outcomes of the City Agriculture Program.

Motion made to approve by Lamar, Seconded by Myrick.
Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

12. PARKS DEPARTMENT

Devon Myrick, Chairperson
Darrell Weaver, Director

A. Veterans Day Ceremony

On November 11, 2024, the Parks & Recreation Department will prepare Veterans Park for the City's Veterans Day Ceremony, with Guest speaker Rev. Dr. Sharon Adair - Harden (Retired MSgt–Air Force). Also, in attendance, Bob Shaw Commander of our local American Legion Post 216. Malcolm Lewis will give the reading for POW/MIA/Fallen Solder. Colors will be presented by South Cobb High School JROTC.

B. Holiday Decoration, Tree Lighting and Parade

The Parks Department will start the city's transformation into the holiday spirit as decorations will be installed throughout downtown. Lights will be installed on downtown businesses as well as enhancements on light poles and ground gateway locations. Our much-celebrated decorative downtown Christmas tree has also been assembled near the Post Office. Christmas Tree lighting and Parade will take place on November 22, 2024 at 6:00 p.m.

13. COMMUNITY AFFAIRS

Melanie Elder, Chairperson
Darrell, Weaver, Director

A. October 2024 Code Enforcement Report

B. 5760 Harrison Ave SLUP request by FLS Cremations to continue operations as a crematory facility. The property is currently zoned Light Industrial.

Mr. Kimbrough asked the applicant to come forward & swore him in. Mr. Fernando Sims stated they would continue the crematory business as usual. There was no one to speak in opposition.

Ms. Elder made a motion to close the public hearing. Seconded by Mr. Lamar.
Motion passed. 5-0

Motion made to approve by Elder, Seconded by Lamar.
Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

14. HUMAN RESOURCES

Melanie Elder, Chairperson
Michelle Page, Director

A. October Stats

B. 2025 Medical Insurance Proposal

While health costs continue to rise, we decided to explore options to control cost. A request for proposal (RFP) was issued to secure providers for our medical and prescription drug plans and we received five (5) responses. After discussing all options, the city will offer Anthem Blue Cross Blue Shield's POS fully insured plans. Their plans will provide cost savings as well as a better plan design than our current options.

Motion made to approve by Elder, Seconded by Adams.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

15. ATTORNEY, DUPREE & KIMBROUGH

A. Cobb County Inmate Housing Intergovernmental Agreement

Motion made to approve by Elder, Seconded by Anderson.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

16. MAYOR'S REPORT

A. No Report

17. ADJOURN

Motion made to adjourn by Myrick, Seconded by Adams.

Voting Yea: Anderson, Myrick, Adams, Elder, Lamar

Mayor

Mel El Mayor Pro Tem

Attest

Elyse Upree

Date

12/13/24

Mayor and City Council,

Allow this letter to serve as a formal request to have the city appoint a qualified person or board to complete an independent investigation into the Austell Police Department as it relates to the tremendous amount of attrition that has occurred since the appointment of Scott Hamilton as Police Chief.

Background:

The city of Austell's budget for the police department prior to Hamilton's appointment was approximately 2.4 million dollars. The year of his hire it was 2.7 million dollars. Since that time the budget has increased each year (3.9 million, 4.3 million and now 4.5 million) and yet we continue to see extraordinary numbers of police officers resign their positions.

A look of comparison to area police departments shows that attrition numbers are in the area of 5-10% on average. Austell has over 115% of attrition since Hamilton took office. As much as 11 times the average in our area.

Results of High Attrition:

The Mayor and Council should be aware that the cost involved in replacing 30 police officers over the time of two years is a tremendous expense and a significant toll on the city budget. Area leaders within the police community estimate that it takes anywhere from \$10,000-\$20,000 each to replace a police officer. When you do the math, that averages to be \$450,000 in replacement expenses over these two years.

The Mayor and Council should be aware that the community is dynamically affected by the replacement of police officers. When we lose a tenured officer, we lose a connection with the community they serve. We also lose the knowledge they have gained about the community, area geography and crime trends for our neighborhoods.

Facts to Consider:

The police department's budget was nearly the same as the fire department budget when Hamilton took over. Since that time, we have witnessed the police department's budget increase by 80% (from 2.4 to 4.3 million) while the fire department's budget only saw an increase of 45% (from 2.4 to 3.5 million).

During the period in question the police department has lost 30 officers to attrition while the fire department has lost 3 firefighters.

Leadership from the police department has been replaced with officers from outside the department more times than from within the department. The fire department maintains a culture of promoting from within the department.

It is not a coincidence that the police department's budget and the impact from the replacement of so many officers (millions of dollars) coincide with a citywide budget shortfall. A 2.1 million dollar budget increase over the period of Hamilton's leadership tenure seems to be the cause of this shortage.

Even with citizens and council member requesting exit interviews be conducted, the Austell HR Director, Michelle Page, communicated she does not conduct exit interviews, she provides a survey and if responses are given, they are shared with the department head. No effective efforts have been made to study or correct the attrition problem within the police department.

When requested to cut the budget to help with the shortfall, Hamilton submitted adjustments that were less than 1/2% of the current budget. Typical budget reduction requests in government often require a minimum of 5%.

Hamilton also has a non-profit organization currently canvassing the Austell business community explaining that the police department does not receive the money it needs from the city council to maintain a needed workforce to provide adequate service to the community. (A "Sky is Falling" approach being used to solicit money) Keep in mind that the state average for police officer per capita is 2.4 police officers per 1,000 citizens. That would be 19 officers for a city the size of Austell.

Conclusion:

Sadly, countless requests to the mayor and council have fallen on deaf ears. In fact, the above facts and discussion is often mocked by the mayor and some members of the council. As an example, Councilwoman Sandra Leverette continues to praise the performance of Hamilton's performance in nearly every public meeting of council.


It is the job and responsibility of the mayor and council to provide proper leadership and accountability to the people they were elected to serve. For this reason, it is required that the city mayor and city council answer the call for this investigation.

Sincerely,

The Citizen's Of Austell

Scott Gishom


Tim Adams


Jani Parker

Shelby Lullway

David Grayson



Wayne Selby

Jonathan Fink

Account Id	Department Description	Account Description	FROM	TO	CHANGE	Description
100-0000-38-3000	Revenue	REIMBURSEMENT OF DAMAGED PROPERTY	-	120,000	120,000	Record Damages to property and filed with insurance.
100-0000-39-3500	Revenue	CAPITAL LEASE PROCEEDS	-	275,000	275,000	Record police cars received in 2023-24 Fiscal Year.
100-0000-38-9000	Revenue	Other	50,000	80,000	30,000	Record budget for Miscellaneous Revenue.

Account Id	Department Description	Account Description	FROM	TO	CHANGE	Description
100-1510-57-3101	Finance Department	BAD DEBT	-	70,000	70,000	Record bad debt expense for Penalty/Interest prior to 2016.
100-1110-52-1201	Governing Body	ELECTIONS	6,500	42,000	35,500	Record Election Expense
100-4260-53-1250	Streetlights	ELECTRICITY	150,000	200,000	50,000	Adjust for increase in electricity rates and new subdivisions.
100-6210-53-1230	Parks Administration	ELECTRICITY	25,000	40,000	15,000	Adjust for increase in electricity rates.
100-3210-52-1320	Police Administration & Patrol	FLOCK SYSTEM	-	40,000	40,000	Record FLOCK System
100-3510-51-2100	Fire Administration	GROUP INSURANCE	335,000	375,000	40,000	Adjustment for more employees on group insurance.
100-6210-51-2100	Parks Administration	GROUP INSURANCE	85,000	103,000	18,000	Adjustment for more employees on group insurance.
100-7210-51-2100	Protection & Inspection	GROUP INSURANCE	12,000	35,000	23,000	Adjustment for more employees on group insurance.
100-4900-52-1200	Community Garden	PROFESSIONAL	1,000	15,000	14,000	Record grant expenditures
100-6190-52-1200	Special Events	PROFESSIONAL	22,000	27,000	5,000	Record additional special events contributions.
100-1565-52-2205	General Government	REPAIR & MAINTENANCE	-	120,000	120,000	Record Damages to property and filed with insurance.
100-6210-52-2200	Parks Administration	REPAIR & MAINTENANCE	30,000	50,000	20,000	Adj for unexpected repair and maintenance costs.
100-3210-54-2200	Police Administration & Patrol	VEHICLES	-	275,000	275,000	Record police cars received in 2023-24 Fiscal Year.



Public Works
 5000 Austell-Powder Springs Road
 Suite 133
 Austell, Georgia 30106
 770.944.4325

MEMORANDUM	11B
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TO: Mayor Ollie B. Clemons, Jr., and City Council

FROM: Marlin Lamar, Committee Chairman

RE: Adoption of the New Contract between City of Austell and Waste Pro Industries

Date: November 4, 2024

The City has received three contract renewal options from Waste Pro Industries. The following options are:

	<u>Renewal Term</u>	<u>% Increase</u>	<u>Current</u>	<u>Proposed</u>	<u>Additional Cost to City</u>
Option 1	(1) 5-Year Term	3%	\$744,645.76	\$766,985.13	\$22,339.37
Option 2	(2) 5-Year Terms	2.5%	\$744,645.76	\$763,261.90	\$18,616.14
Option 3	1-Year Term	3.5%	\$774,645.76	\$770,709.40	\$26,062.64

Costs for this service over the past 12 months \$744,645.76

It is the recommendation of the Public Works to accept and approve option 2 for recycling and solid waste removal from the city with Waste Pro Industries.

<u>SERVICE</u>	<u>OLD MONTHLY RATE</u>	<u>NEW MONTHLY RATE</u>	<u>DIFFERENCE</u>
96 -Gal. Garb. Can	\$16.82	\$17.24	\$0.42 per month
Recycling Can	\$10.50	\$10.76	\$0.26 per month
1- Extra -96 -Garb. Can	\$12.62	\$12.93	\$0.31 per month
1-Extra –Recycle Can	\$4.50	\$4.61	\$0.11 per month

With rising urbanization, rapid industrialization, and ever-increasing consumption, the global scale for the disposal of solid waste is steadily increasing.

Effective November 4, 2024

Motion to approve.



Public Works
5000 Austell-Powder Springs Road
Suite 133
Austell, Georgia 30106
770.944.4325

MEMORANDUM **11C**

TO: Mayor Ollie B. Clemons, Jr., and City Council
FROM: Marlin Lamar, Committee Chairman
RE: Adoption of the Solid Waste and Recycling Fees Increase
Date: November 4, 2024

The Public Works Department proposes a new rate increase for recycling and solid waste removal from the city. The increase is as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Additional Cost to Residents</u>
Solid Waste Rate (1 st bin)	\$16.82	\$20.00	\$2.76 per month
Solid Waste Rate (1 extra bin)	\$12.82	\$16.00	\$3.89 per month
Recycling (1 st bin)	\$10.50	\$12.00	\$1.24 per month
Recycling (1 extra bin)	\$12.82	\$16.00	\$11.39 per month

This would be billed through the Finance Department for all residents within the city limits.

Since providing the city’s residents with curbside residential pick-up in 2019, the city billed residents the same amount as their cost for Waste Pro Industries with no mark-up. The rate above would cover the city’s administrative cost.

Effective November 4, 2024

Motion to approve.



Human Resources
5000 Austell Powder Springs Road Ste 220
Austell, Georgia 30106

MEMORANDUM

TO: Mayor Ollie B. Clemons Jr. and City Council
FROM: Melanie Elder, Committee Chairperson
RE: 2025 Medical Insurance Proposal
DATE: November 4, 2024

While health costs continue to rise, we decided to explore options to control cost. A request for proposal (RFP) was issued to secure providers for our medical and prescription drug plans and we received five (5) responses.

After discussing all options, the city will offer Anthem Blue Cross Blue Shield’s POS fully insured plans. Their plans will provide cost savings as well as a better plan design than our current options.

Bi-Weekly/Monthly Premiums – Anthem POS Base Plan

	Employee B/W Cost	Employee Pays Monthly	City Pays Monthly	Total Monthly Premium
Employee Only	\$21.87	\$47.38	\$1,005.47	\$1,052.85
Employee + Spouse	\$141.84	\$307.33	\$1,903.65	\$2,210.98
Employee + Child(ren)	\$144.98	\$314.12	\$1,738.94	\$2,053.06
Family	\$143.76	\$311.49	\$2,899.70	\$3,211.19

Bi-Weekly/Monthly Premiums – Anthem POS Buy Up Plan

	Employee B/W Cost	Employee Pays Monthly	City Pays Monthly	Total Monthly Premium
Employee Only	\$50.70	\$109.84	\$977.71	\$1,087.55
Employee + Spouse	\$280.39	\$607.51	\$1,676.35	\$2,283.86
Employee + Child(ren)	\$269.17	\$583.20	\$1,537.52	\$2,120.72
Family	\$384.62	\$832.85	\$2,952.83	\$3,785.68

Motion to approve.