



**City of Fairburn
Council Meeting Minutes
August 28, 2023
7:00 pm**

I. Roll Call by City Clerk, Brenda James found the following members present:

The Honorable Mayor Pro-Tem Linda J. Davis
The Honorable Alex Heath
The Honorable James Whitmore

The Honorable Hattie Portis-Jones
The Honorable Pat Pallend

Absent: The Honorable Ulysses J. Smallwood

II. The meeting was called to order by the Honorable Mayor Avery.

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

III. The invocation was provided by Pastor Greta Fowler, St. John A.M.E. Church.

IV. Pledge of Allegiance was in Unison.

V. Presentations and Proclamations:

Walt Brown honored the Fairburn Fire Department for the advancements they made in the last year. The organization awards individual firefighters and/or departments for various things and they look at all thirty-two different fire departments to see what they've done in accomplishments, improvements in training, community development, equipment, and staffing. Two new fire stations are planned to open in the near future and one thing Fairburn Fire Department can be proud of is their insurance rating. ISO rates your insurance and based on that, your insurance rates are lower. Fairburn's ISO rating is one (1), which is one of very few departments not only in the state but in the country that receive this.

Chief Robinson said it is an honor to receive this award. We do a lot of hard work and without the support of the Mayor and Council, this could not have been possible. He thanked his Command staff and the men and women of the Fire Department.

VI. Adoption of the City Council Agenda:

Councilman Heath made a motion to adopt the agenda as presented, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**

VII. Public Comments: N/A

VIII. Approval of the Minutes:

1. Approval of the minutes Regular Council Meeting Minutes of August 14, 2023

Councilman Whitmore made a motion to approve the minutes as written, the second was provided by Councilman Heath. **The motion carried unanimously.**

IX. Public Hearing:

2. Rezoning request from PD (Commercial) to PD (Residential), Durham Lakes – Development Area 5

Planning and Zoning Director, Denise Brookins presented this item and said the applicant presented the application at the last meeting and requested a continuance of the public hearing for the rezoning request.

Councilman Pallend made a motion to continue this rezoning request until the next regular meeting of September 11, 2023. The second was provided by Mayor Pro Tem Davis. **The motion carried unanimously.**

X. Consent Agenda: N/A

XI. Agenda Items:

3. Fiscal Year 2022 – 2023 Final Budget Amendment

Finance Director, Bryan Stephens presented this item and proposed their final budget amendment for 2022 – 2023. He discussed the summary and said it states what each department is requesting, and the Directors are here to answer any questions. Chief Robinson received \$99,000 in grant monies. This budget amendment will fund operational increases in City Administration, Fire, Police, Code Enforcement, Technology, Property Management, Capital Projects, and Grant budgets. The amendment also proposes to reduce the budgets for Streets, Planning and Zoning, and Court Services. The budget amendment will increase the general fund by \$605,800 and other funds by \$3,495,804.00, for a total of \$4,096,604.

Councilman Heath made a motion to approve the final proposed FY 2022 – 2023 Budget Amendment as presented, with Councilwoman Portis-Jones providing the second.

Councilwoman Portis-Jones asked if these budget amendments were from the discussion in the budget hearings. Mr. Stephens said yes, specifically related to

capital projects, which Dana Smith will discuss later in the meeting. Councilwoman Portis-Jones asked about the highlighted area in streets. Mr. Stephens said this is actually a reduction because of job vacancies in the Street Department, we had savings in that department.

Mayor Pro Tem Davis asked for an explanation for the record on the funds of \$3,495,804.00. Mr. Stephens said:

- LCI Implementation Grant \$ 47,853
- AFG Grant \$ 99,344
- Capital Projects \$ 200,000
- Water/Sewer \$1,048,607
- Electric \$2,100,000

City Administrator, Tony Phillips added some additional clarity by saying they have been working on two grants. The \$200,000 is for the generators and for Water/Sewer/Electric there are elevated costs due to our inflationary economy. We received a letter from MEAG last week, giving us a heads-up about the record temperatures across the state, which will elevate uses and costs on the electrical bill.

Councilman Whitmore had questions regarding the memo from MEAG Power that the Vogtle Unit 1 tripped and lost capacity, whereas Vogtle Units 2 and 3 are operational. He wanted to know when Unit 1 would be up and running. Utilities Director John Martin said they are still working on it and have not forecasted a repair date and that Unit 3 is almost at capacity. Councilman Whitmore asked if there was a backup plan. Mr. Martin said yes, coal is still operational, we would be getting our sources from steam and natural gas until it goes back online.

Mayor Avery asked about the load management that was mentioned in the memo where it talked about unexpected increases and/or peaks. Mr. Martin said that is like the experiences that we have had this past week, those unexpected spikes come due to climbing which is unforeseeable circumstances and hopefully that is the last of the surges that we have. They look at the load management and try a mixture to balance off so it wouldn't be extreme. Councilwoman Portis-Jones asked what the other alternatives are. Mr. Martin said they could use water, steam, or gas as a source of energy, and they use forms of coal. Mr. Phillips said that is a source of generated power that we didn't purchase from MEAG. They generate power through nuclear coal, steam, and other sources. As Vogtle 1,2, and 3 have come online, more of the power is generated through those nuclear efforts but when one goes down, then they have to use coal or the other sources to generate power. Load management is also an effort to work largely with some of our industrial customers to ask them to manage their power usage, their load management during peak hours so we can manage that load more efficiently.

Councilman Whitmore said it was his understanding that industries are being asked

to conserve energy during peak times and what indicators would we have to ask the same thing from our citizens during peak periods. Mr. Martin said that is an option and we could put out bulletins on energy conservation during those surges. Councilman Whitmore wanted to ensure Utilities and City Administration we were in close communications with MEAG on getting on-time information so we can prepare. Mr. Phillips said he can absolutely assure Mayor and Council that we have almost daily communications. Mayor Pro Tem Davis said she noticed in our newsletters that we do give ideas to residents on how to conserve energy and thinks they are doing a great job on that part. After discussion, **the motion was carried unanimously.**

4. Emergency Generator for 149 West Broad Street Property

Building Operations Director Dana Smith presented this item and said it is a follow up on our conversations at the Budget Workshop. The next three agenda items are the emergency generators that was discussed for a few facilities in the city infrastructure. This will provide backup generator power for the Youth Center, Fire Station 22, and Fire Headquarters as a whole complex. The company is asking for half, so the agreement and the agenda item is the whole amount. We're asking for this fiscal year to pay half for them to order the generator and the automatic transfer switch to begin the process. The lead time on these generators is about 18 to 24 weeks out.

Councilwoman Portis-Jones made a motion to approve the purchase and installation of an emergency generator for the facilities located at 149 West Broad Street in an amount not to exceed \$116,435.93. The second was provided by Councilman Pallend. **The motion was carried unanimously.**

5. Emergency Generator for 314 West Broad Street Property

Building Operations Director Dana Smith presented this item and said the reason we are ordering three generators is because these are emergency generators. In case of emergencies like the water crisis, Hurricane season, and other crisis that occur whereas we lose power, we will have automatic backup generation power and provide services for the city. This generator is for the new Administrative Building on the Fairburn Educational Campus.

Councilman Whitmore made a motion to approve the purchase and installation of an emergency generator for the facilities located at 314 West Broad Street in an amount not to exceed \$183,159.04. The second was provided by Councilman Heath. **The motion was carried unanimously.**

Councilwoman Portis-Jones wanted our citizens to know why we are purchasing these generators. Mr. Smith said we purchased the generators so we can deliver service and respond to them in the event there is loss of power. He also stated when city buildings lose power, that inhibits us from performing several functions;

we lose IT networking infrastructure capabilities, the phones are down, we cannot process payments. It affects our Recreation Department, Municipal Court, Planning and Zoning, our Police Department and Utility Department.

Councilman Whitmore said this would be an investment for the city to continue to provide services within our government buildings as well as reaching outside of those buildings. Mr. Smith said yes.

Councilman Heath asked what kind of fuel they will be using for the generators. Mr. Smith said all three generators will be using diesel.

Mayor Avery said back in January 2022 during his State of Address, he discussed an assessment in every department to the maintenance of buildings that were not operable. This is the process of analyzing the data that was brought in by consultants. He was adamant on the Emergency Management Plan when he hired City Administrator, Tony Phillips. When you have a crisis like we've had this year with the weather, neighboring cities sometimes have to call in for mutual aid and we've had to step in and help the City of South Fulton when a tree fell in the road to prevent residents from getting hurt.

Tony Phillips said in the city with 225 employees across thirteen departments and multiple facilities, three generators is not an extravagance, it's a necessity. When we have outages and crisis, our citizens have a rightful expectation that their government will be positioned to continue to maintain core services even when we're in the midst. These three generators were located to ensure that critical functions and connectivity can be maintained even if power is out in the rest of the city. We can help seniors that may be in distress, and we will be able to talk to people who have emergencies. Mr. Smith was able to get three generators for the cost of two, we're saving money while providing the necessary infrastructure to keep residents safe.

Councilwoman Portis-Jones said they've had two retreats and talked about investing in infrastructure. The things you don't see have a huge impact on the quality of life in the city. Another thing the mayor talked about in his inaugural address is that we had a major security breach and had to deal with IT, which was another item that we continued to push down the road. She emphasized to the citizens how the city must spend money on infrastructure.

Mayor Pro Tem Davis said from a personal note, she is thinking about purchasing a generator because she is total electric, you lose food, electricity, and air. It's a personal decision in reference to your household. She commended Mr. Smith for pursuing purchasing the generators and the mayor, which established that from the beginning, and for getting the discount.

Councilman Whitmore said generators for our house covers refrigeration, a couple of electrical outlets and asked if these generators will encompass the entire building.

Mr. Smith said the backup generators backup the emergency circuits such as emergency lights, refrigerator, HVAC, and things of that nature. We do something a little different for our public safety buildings and try to back up the whole building, these are name brand Generac generators. Mayor Avery asked where the generators would be installed, and Mr. Smith said they are installed outside the buildings on concrete pads.

6. Emergency Generator for 106 Howell Avenue Property

Building Operations Director Dana Smith presented this item and said this generator will be housed at our Fairburn Utilities and Streets Department.

Mayor Pro Tem Davis made a motion to approve the purchase and installation of an emergency generator for the facilities located at 106 Howell Avenue in an amount not to exceed \$93,194.74. The second was provided by Councilwoman Portis-Jones. **The motion was carried unanimously.**

XII. Reports:

7. Finance Director Monthly Report:

Finance Director, Bryan Stephens presented this item and said he is presenting the finance report for the month ending July 31, 2023. The City of Fairburn's general fund concludes its 10th month of 2023 operation with \$7.8 million in net cash flow. The general fund has generated \$22.6 million in revenue with \$14.8 million in expenditures. The city has collected 94% of its year-to-date revenues and has spent 64% of its budget. Property and Local Option Sales Tax Revenue represents the city's General Fund primary source of operating resources.

The City of Fairburn's enterprise fund concludes its 10th month of 2023 operation with roughly \$2.3 million in net cash flow. To date the enterprise fund has generated \$17.1 million in revenue with \$14.8 million in expenditures. The city has collected 72% of its budgeted revenues and expensed 62% of its budget.

8. City Administrator's Monthly Report:

City Administrator, Tony Phillips presented this item and began by sharing an update on our Utility Assistance Program that started this morning at 9 a.m. and thanked Mayor and Council for approving our American Rescue Plan Act funding plan which included \$250,000 to help Fairburn residents with utility assistance. We partnered with the Georgia Micro Enterprise Network, otherwise known as GMEN to help facilitate the applications and distribution of utility payments. When we opened the doors, there were probably forty people already here at City Hall and throughout the day we helped over 130 residents with utility assistance. There is a maximum of up to \$350 for all our seniors 65 and older and up to \$250 for all of our residents. We had an in-person session today to have someone walk them through the process and

tomorrow. We will go live tomorrow at 5 p.m. with the online application process. This was put out a week in advance on all our platforms, on social media, website, emails, also made three Robo calls to people that were in our utility database. We had a very successful day for residents to come in and get the assistance they needed. He personally thanked Quakita Lane from our Utilities Department, Jenny Montoya from our Finance Department who is bilingual, and Jamila Criss from City Administration for working with our residents all day. If you have a relative, a friend, or someone you know in Fairburn that might benefit from this opportunity, please let them know they can go to the cities website for more details and information.

Mr. Phillips presented a summary of the City's monthly administrative activities for July 2023. We've had another successful summer music festival, featuring Glenn Jones, Jody Mayfield, and other Jazz and R & B artists. He acknowledged Economic Development Director, Sylvia Abernathy who's done a superlative job with that concert series. We've hired a new Fire Marshal and wrapped up our new summer camp. Chapin Scott and her staff did an outstanding job. It was an eight-week summer camp and serviced over 274 youth during the summer. Our Code Enforcement Division is growing by leaps and bounds in their processes and efficiency, making sure businesses are in compliance with their current business license. We have completed the spatial planning for building # 2 on the Fairburn Education Campus and are on track to complete the renovations by the end of the calendar year.

XIII. Council Comments:

Mayor Pro Tem Davis said she had the privilege of being here during our Utility Assistance Program and the process was excellent. She was impressed on how smoothly it went for our citizens, it was phenomenal.

Councilman Whitmore congratulated the Fire Department for the well-deserved award they received. He attended the Utility Assistance Program and thanked city staff and administration on how they handled the citizens that came in, it was handled very professional and was a great idea that the City of Fairburn offered their residents this kind of assistance. He sent kudos to Mr. John Martin Utilities Director and his staff for their response time and hard work.

Councilwoman Portis-Jones welcomed Pastor Greta Fowler to Fairburn. She sent overwhelming congratulations to the Fire Department. She sent kudos to Chief Robinson for withstanding it all, seeing the vision, and hanging in there. She congratulated Chief for getting all the grants for the Fire Department, allowing the department to grow and to get the equipment that we needed, it is long overdue but well deserved. She thanked Mr. Walt Brown for recognizing the work this Fire Department has been doing. The ISO rating is a big deal for our residents. She talked about how the National League of Cities helped get Federal dollars sent directly to the cities and was proud to be on the Board. She thanked Mr. Phillips and Mrs. Criss and all the staff for working on the Utility Assistance Program and for the outreach to spread

the word to all our citizens.

Councilman Pallend said Ms. Jones stole his speech. The Fire Department was on display today. We are very fortunate to be here with the folks that are here, this is a good place to be.

Councilman Heath said he remembered our Volunteer Fire Department when Mr. Brown was our Fire Chief and how things have changed with the fire stations and the fire equipment that we now have. Mr. Brown has been a very dedicated person to the City of Fairburn and emphasized how much he appreciated everything he has done. We have people here now that have excelled to a point that is indescribable compared to what it's been. He's been on Council for fourteen years and has never seen a program to help residents with their utility bills, that's what a city should be like to help their neighbors. Mr. Phillips and Mrs. Criss have done a wonderful job. He said kudos to our Police Chief, and our Fire Chief for the leaders they have become and is glad to see the pay has improved.

Mayor Avery thanked all the HOA Presidents that he has talked to in the last 72 hours for talking to their seniors and their neighborhoods about the Utility Assistance Program. He thanked Nancy Sanchez as she played a major role by reaching out to the Hispanic community and was properly communicated with about this program. He publicly thanked the city staff that played a major role that took place here two Fridays ago at the Regina Belle concert, he has gotten comments about that from church to Fulton County government. There were so many people here and they talked about the level of excellence that staff performed.

The month of September is Hispanic Heritage month, and he has visited different restaurants in Fairburn to invite them to one of the biggest Hispanic Heritage events that we have had on Third Friday. We are excited about our Fairburn Fall Festival scheduled for October 7th. He thanked different staff members that play a huge role in this event, we've got seven marching bands and it's going to be a great show. As Mayor rode through the city this weekend looking at the sidewalks and all the new paving, he thanked Lester Thompson who led charge of all the new paving in eight subdivisions.

Mayor Avery thanked the Recreation Department for the 274 youth that attended summer camp and for all the different activities they are offering our senior citizens. Labor Day will be the last weekend the pool will be open.

He thanked Mr. Walt Brown for the award celebrating our Fire Department. His father was a retired Atlanta Firefighter, so this holds a special place in his heart for firemen and police. He thanked and welcomed Pastor Greta Fowler to the city.

XIV. Adjournment:

Councilman Heath made a motion to adjourn the meeting at 8:30 pm, with Mayor Pro Tem Davis providing the second. **The motion carried unanimously.**



Brenda James, City Clerk



Mario Avery, Mayor