

MINUTES
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 16, 2012
7:00 P.M.

Present: Mayor Ralph Moore, Councilmembers Shirley Jackson, Brian Jones, Angelette Mealing and Vince Williams, City Attorney Dennis Davenport, City Manager Steve Rapson, City Clerk Jacqueline R. Cossey and Assistant City Clerk Tameca White

I. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:

Invocation by Councilmember Shirley Jackson

II. MEETING OPEN TO THE PUBLIC TO DISCUSS ITEMS NOT ON THE AGENDA: (2 MIN.)

Comments were made by the following:

Yvonne Barber of 6385 Church Street spoke regarding her displeasure with the Police Department. She then submitted documentation to the clerk to support her allegations.

Sandra Grant of 8064 South Fulton Parkway spoke regarding her displeasure with the Police Department.

III. ACKNOWLEDGEMENTS/PRESENTATIONS: None.

IV. CONSENT AGENDA:

All matters listed on the Consent Agenda are considered routine by the Council, and will be approved by one motion. No separate discussion will take place on these items. If discussion of any Consent Agenda item is desired, the item will be moved to the Regular Meeting Agenda for separate consideration.

1. Approval of the minutes: Worksession Meeting, 09/10/2012
Regular Council Meeting, 09/18/2012
2. Council to consider approval of a contract with the Georgia Department of Transportation for plant mix resurfacing on various streets in Union City, Contract ID No. C38911-12-000-0, the "Project".

On motion of Councilmember Jones seconded by Councilmember Mealing and carried, the consent agenda was unanimously approved.

V. OLD BUSINESS:

At this time Mayor Moore requested a motion to bring the old business to the table.

On motion of Councilmember Williams seconded by Councilmember Mealing and carried, the aforementioned item was brought to the table for discussion. Vote was unanimous.

1. Council to review Planning Commission priorities for action from the City of Union City Quality Growth Audit prepared by the Atlanta Regional Commission.

City Planner Ann Lippmann led this discussion and stated that she provided the Mayor and Council with a list of priorities from the Quality Growth Audit Matrix from the Planning Commission to get their feedback. She concluded that she does not need any action from the Council until they provide her with their priorities so she can compile their feedback, otherwise, she will send friendly reminders to the Mayor and Council.

Councilmember Mealing asked how soon Ms. Lippmann needed the information.

Ms. Lippmann responded, "In the next couple of weeks."

Councilmember Williams asked if it was fine to submit the information electronically.

Ms. Lippmann responded, "Yes."

This item was deferred to the November Council Meeting.

VI. REGULAR/NEW BUSINESS:

1. Council to consider approval of the Huntington Homes land donation.

Mr. Rapson led this discussion and stated that these were the five parcels that were to be donated to the City as they are adjacent to Dixie Lake. He concluded that the Mayor and Council discussed this during the Work Session last week.

Mayor Moore stated that he believes that the Council decided not to take any action on this item.

Councilmember Jones stated that the Council had a discussion regarding not accepting the donation at this time.

Councilmember Williams stated that there was a discussion.

Attorney Davenport stated that officially, they have offered and signed quit-claim deeds, but just because they signed them does not mean the Council has accepted. He concluded that the Council has to accept before this can become City property. He then asked the Council what they would like for him to communicate back to the property owner.

Mayor Moore replied, "Not at this time."

Councilmember Williams stated that this is not his pleasure. He added that he just wanted to be clear.

Councilmember Mealing asked Councilmember Williams if he wanted to accept the property.

Councilmember Williams responded, "Yes."

Mayor Moore asked if the Council wanted to vote on the matter.

Councilmember Williams stated that he would like to provide his reasoning. He added that the aim of this land donation, as most land donations, is an open invitation particularly for the City to partner as well as assist with determining the community's goals and objectives for additional open space and recreational amenities. He further added that this is an opportunity to work together and identify existing open space access how they are used and gives us the opportunity to identify where additional park facilities or recreational programs are needed and recommend how to best meet the needs of our community. He then stated that he certainly respects the Mayor's recommendation to hold off on the donation, he does not feel that it is the best option at this time. Councilmember Williams stated that his reasoning is, if this donor is ready to donate, and we have had questions about assisting with upkeep in this area in the past, this is our opportunity to extend an olive branch to partner side-by-side with our neighbors and should we put this off he thinks we may lose a unique joint collaborative effort to enhance our attraction to the City. He then added that we all know that one of the most attractive tools that any city can have is natural greenspace. He concluded that should we pass on the opportunity at this time, we run the risk of another recipient or the current landowner to start the tree cutting process, which would greatly diminish much of this area's obvious beauty which was its intent when developed.

At this time Mayor Moore called for the vote.

On motion of Councilmember Jones seconded by Councilmember Jackson and carried, the aforementioned land donation was not accepted at this time by a voted of 3-to-2 (three-to-two). Councilmembers Jones, Jackson and Mayor Moore voted not to accept the land donation at this time. Councilmembers Williams and Mealing voted in opposition of the motion.

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

VIII. OTHER BUSINESS:

City Manager Reports:

Mr. Rapson reported the following:

- Fulton County Sewer Capacity

This item was to appear on Fulton County's October 17th agenda, however, it does not. Larry is going to look into it and Mr. Rapson will keep the Council informed of the status. All of the details for that contract have been worked out and everybody is on the same page.

- LOST Negotiations

Mr. Rapson met with the consultant and a committee was formed to include himself, Bob Regus as well as the Chief Financial Officer (CFO) of the City of Atlanta. The numbers will be revised and this will be ongoing until December when it is settled.

- Ornstein-Schuler land donation

Mr. Rapson spoke with Mr. Ornstein and the land donation and Mr. Ornstein has the approval for three of five tracts. Mr. Ornstein is having an issue on one of the tracts where Department of Natural Resources (DNR) is requesting a letter or notification from the City with regards to our willingness to do some type of improvements. Mr. Rapson will research as to why it is for that one tract as opposed to all of the tracts and he will report back to the Council. If a letter is required we may need a Called Meeting before the next Council Meeting in November and time is of the essence.

- CID

The City has to appoint a member to the Community Improvement District (CID) Board and it must be someone who owns a parcel. They have recommended Bill Davenport from Georgia Power. Mr. Rapson asked for a vote from the Council to appoint Bill Davenport to the CID Board as Union City's representative.

On motion of Councilmember Jackson seconded by Councilmember Jones and carried, Council appointed Bill Davenport to the Community Improvement District (CID) Board as the City's representative. Vote was unanimous.

- Stone Point Colony Update

Stone Point Colony has a \$48,000 water and sewer bill and has gone off of their payment plan. When they went off of their payment plan, they brought an investment firm in who bought one of the houses and that investment firm wants to buy all of the houses. They are in the process of acquiring eight other homes and have agreed to pay the City \$8,000 up front and pay another \$20,000 when they acquire the other eight at the end of this month and once they have bought fifteen of the homes, they will pay off the balance.

At this time City Attorney Davenport stated that he had three items for Executive Session, one to review the Executive Session Minutes from September 18th and two items regarding threatened litigation.

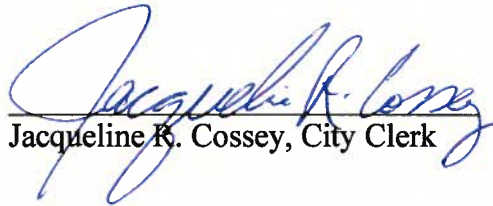
On motion of Councilmember Williams seconded by Councilmember Mealing and carried, Council entered into Executive Session to review the Executive Session Minutes from September 18, 2012 and two items of threatened litigation. Vote was unanimous.

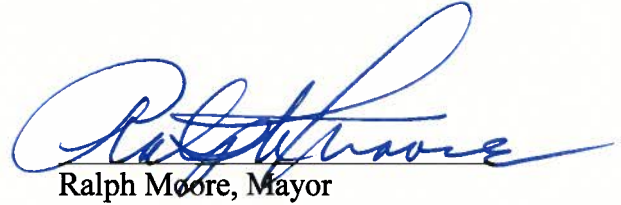
On motion of Councilmember Mealing seconded by Councilmember Jones and carried, Council reconvened to Regular Session. Vote was unanimous.

On motion of Councilmember Williams seconded by Councilmember Jones and carried, Council approved the September 18, 2012 Executive Session Minutes as written. Vote was unanimous.

X. ADJOURNMENT:

On motion of Councilmember Jones seconded by Councilmember Williams and carried, the meeting adjourned.


Jacqueline R. Cossey, City Clerk


Ralph Moore, Mayor