

MINUTES  
REGULAR COUNCIL MEETING  
TUESDAY, FEBRUARY 21, 2012  
7:00 P.M.

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

Public comments were made by the following:

Bob Croom of 6242 Longino Drive addressed comments made during the January 17<sup>th</sup> Council Meeting regarding the Ariston Waiters incident.

Yvonne Barber of 6385 Church Street brought forth a formal criminal complaint against Officer Prentice Brooks, Polly Miller, Terry Stevens and Sergeant Greg Gross for gross/explicit misconduct, blatant/ flagrant misconduct, false arrest, assault, illegal search and seizure, gross harassment, police brutality, failure to read rights, violation of an oath of an officer, grand theft, theft by taking, cash stolen from license holder, criminal trespassing and corruption surrounding an incident occurring on October 26, 2011. She further stated that she emailed a complaint referencing the harassment to the City Manager, Steve Rapson and he failed to act on it. She then stated that she would like to add a formal complaint for the following: corruption, malice, aforethought, corrupt rough police, Union City Police Department, criminal police misconduct, harassment, racial profiling by Patrolman M. Carvino, badge number 964.

III. ACKNOWLEDGEMENTS OF AWARDS AND ACHIEVEMENTS:

1. Mayor Ralph Moore's State of the City Address

At this time Mayor Ralph Moore delivered his State of the City Address. (See Attachment to official minutes)

2. City Clerk receives Master Clerk Certification on behalf of GMA and the Carl Vinson Institute of Government

Councilman Vince Williams provided the history of the Georgia Municipal & County Clerks/Finance Officers Program. He then presented Mrs. Cossey with her Clerk Masters Completion Certificate followed by a photo.

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 Agenda for separate consideration.*

1. Approval of the minutes: Worksession Meeting, 01/09/2012  
Regular Council Meeting, 01/17/2012
2. Council to consider approval of a Mutual Aid Agreement with the City of College Park to provide mutual aid to each other and render supplemental fire prevention.
3. Council to consider approval of the Dendreon traffic study completed by the Police Department.
4. Council to approve name change for Gladys Knight Lane to Citizens Lane.

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

V. OLD BUSINESS: None.

VI. REGULAR/NEW BUSINESS:

1. **Public Hearing** to consider demolishing the property located at 5148 Hilltop Drive.

Mr. David Mundt, building inspector, addressed the Council and stated that he is requesting to demolish an unsafe building located at 5148 Hilltop Drive. He added that he inspected the residence on November 30, 2011; however, he did not make an entry into the structure and all observations were made from the exterior of the structure and through windows and doors. He further added that the site conditions are not sanitary and debris and garbage are surrounding the exterior structure. Mr. Mundt stated that the building to the right of the structure is failing. He added that the roof is failing and the walls are beginning to collapse. He further added that the eaves of the roof lines have extensive wood rots and there is extensive damage to the roof leaks. Mr. Mundt stated that he found evidence of rodent infestation and windows were broken out. He added that the doors are being used as windows and the structure is not fit for human habitation. He further added that the cost to repair this structure is estimated at \$75,000.00 although the appraised value of the structure is \$35,000.00. Mr. Mundt then stated that this is more than 50% of the appraised value. He then recommended demolition of the structure and all disturbed areas be seeded and grassed. He then shared photos of the structure with the Mayor and Council.

Public hearing opened.

No one came forward.

Public hearing closed.

Councilmember Williams stated that he visited the property and he can do nothing but support Mr. Mundt. He then stated that he would support giving the property owner

30 days to demolish the property and after that the City will take care of it and place a lien on the property.

***On motion of Councilmember Williams seconded by Councilmember Jackson and carried, the property owners were given 30-days to demolish the property.***

2. **Public Hearing** to consider demolishing the property located at 6583 Clayborn Avenue.

Mr. Mundt also led this discussion and stated that he inspected this residence located at 6583 Clayborn Avenue on December 14, 2011 and the exterior is missing siding on the left side in the back. He added that the roof eaves are showing signs of wood rot and the porch rail and steps are not to code and need support. He further added that the rear porch is showing signs of wood rot and the basement is not secure which allows for pest and rodents to enter the structure. Mr. Mundt continued stating that the plumbing has severe problems with the drainage system and the water distribution. He added that there are also electrical problems. He stated that the appraised value of this home is \$75,600.00 and the cost to repair this structure is close to \$51,000.00. He added that this amount is more than 50% of the appraised value; therefore, his recommendation is to demolish the structure and all debris cleaned and disturbed areas be seeded and grassed.

Public hearing opened.

Naveda Arnold Folts spoke on behalf of the property owner, her mother. She spoke in opposition of demolishing the property as some of the issues have already been addressed and repaired.

Councilmember Mealing asked which items were repaired.

Mrs. Folts stated that the roof has been repaired and the yard is clean.

Councilmember Jackson asked if anyone was currently living there.

Mrs. Folts stated that no one is living there, as her mother is visiting her in Hawaii, but her sibling are looking after the place.

Public hearing closed.

At this time Mayor Moore recommended granting 120 days. He stated that the property must be secured within 30 days and the Council must receive a written report from code enforcement stating that the property has been secured and once that has occurred there will be an additional 90 days to bring the property to code.

***On motion of Councilmember Williams seconded by Councilmember Jones and carried, the aforementioned recommendation was unanimously approved.***

3. **Public Hearing** to consider demolishing the property located at 6586 Clayborn Avenue.

Mr. Mundt stated that he inspected the property located at 6586 Clayborn Avenue on November 30, 2011. He added that the site conditions were not sanitary, trash and debris were all around the structure, there were changes daily because people were coming and taking things and bringing some things back in the yard. He further added that this structure is being used as the neighborhood hangout. Mr. Mundt stated that he observed people going in and out while he was there. He added that the exterior of the structure is not protecting the structure. He further added that the decks and porches are dangerous for anyone to enter. Mr. Mundt stated that the windows and doors are not secure and are missing the proper latches and screens and the siding is not installed properly. He added that the electrical service is not up to code and extension cords are running from one structure to another. He further added that the roof is leaking and there is evidence of rodents in the structure and it is not fit for human habitation. He then concluded that the structure could not be brought up to code without being demolished and the cost to rebuild the structure is about \$54,000.00. He added that the appraised value is \$10,100.00 which is more than 50% of the appraised value; therefore, he recommends demolition of the structure.

Councilmember Mealing asked if anyone was living in the structure.

Mr. Mundt stated that it was hard to tell.

Councilmember Jones stated that it looks like somebody was trying to fix it up.

Mr. Mundt stated that he went on two separate days and there were materials there one day that were not the second day so it was hard to tell because people were coming and going and it looked to be some kind of a hang out.

Public hearing opened.

Emanuel Miley of 6586 Clayborn Avenue spoke in opposition of demolishing the property although it is in foreclosure.

Public hearing closed.

Councilmember Williams stated that he has seen the property and in light of all of the code violations and the fact that it is already going through foreclosure, he would recommend giving the owner 30-days to demolish the structure or the City will do so and place a lien on the property.

***On motion of Councilmember Williams seconded by Councilmember Jackson and carried, the aforementioned recommendation was unanimously approved.***

4. **Public Hearing** to consider application submitted by Gwendolyn Yvonne Jenkins Reese for a license for a license for package sales of malt and vinous liquors for Yasmins on 29 located at 6715 Roosevelt Highway, Union City, GA.

City Planner Ann Lippmann led this discussion and stated that this is the first request that she has received for an alcoholic beverage license at this address. She added that it is a grocery store. She further added that the application was submitted in December of 2011 and has been reviewed by our City Attorney's office and found to

be in proper legal form. Mr. Lippmann stated that the annual license fee will be \$2,500.00 and staff recommends approval of this request. She concluded that the petitioner was present for any questions

Public hearing opened.

No one came forward.

Public hearing closed.

***On motion of Councilmember Williams seconded by Councilmember Mealing and carried, the aforementioned recommendation was unanimously approved.***

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION: None.

OTHER BUSINESS:

City Manager Reports:

At this time City Manager Steve Rapson provided the following updates:

- Chief John Mansch is undergoing surgery tomorrow
- He opened an internal investigation regarding Ms. Barber's complaints, but found the allegations to be warrantless
- Informal gathering in the break room on behalf of Councilmember Jones and Williams

VIII. REPORTS AND ANNOUNCEMENTS BY MAYOR AND COUNCIL:

Councilmember Jackson stated that she was glad that Councilmember Williams and Jones were back in office.

Councilman Williams thanked Union City, staff and the Mayor. He concluded that he does not know where we would be without Mayor Moore's leadership and vision.

Councilmen Jones thanked staff for everything that they do every day for the City and its' residents.

Mayor Moore stated that in trying times, the cream rises to the top and he is looking for a great 2012 and he can see it in the eyes of the staff as they are excited and they are ready to make 2012 much better than 2011.

IX. ADJOURNMENT:

***On motion of Councilmember Williams seconded by Councilmember Mealing and carried, the meeting was adjourned.***

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Jacqueline R. Cossey, City Clerk

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Ralph Moore, Mayor

## 2012 State of the City Address

Madame Mayor Pro Tem, Council members and citizens, an annual address of the state of our city is required by charter brings much joy to me as I stand before you to state that our fiscal house is in order. That our community enjoys a standard of living comparable to any community in the United States.

Our administration and staff continues to provide elected officials with sound advice and options to ensure that political aspirations are made with sound logic to minimize political motivation that can often include personal agendas. I salute the man and woman that come to work every day with the professional ambition – how to make what happens in Union City better. This could not happen unless administrative leadership nurtures the process for assertive and independent thinking within the organization. For providing this fertile ground for staff participation and innovation, I salute the City Manager, Steve Rapson.

Even during our economic down turn, we are able to maintain a workforce level necessary to continue a delivery of service that can be truly and honestly stated is take no second place. I will note some of our accomplishments providing a snapshot of what we do in Union City.

*17 million*  
Our ~~\$50.495~~ budget was met without any disruption in city services or severe cut backs in service level. Our individual department heads met their budget expectation and stayed within those fiscal parameters. When asked to even tighten their belt more they did without whimper or excuses. The city was able to save 2.8 million dollars in hard costs and over 2 million dollars in soft costs.

During the reporting period beginning on January 1, 2011 and ending on December 31, 2011, the Police Department issued 15,006 written citations, 3,873 warning citations, made 2,437 physical arrests, and completed 7,236 incident reports. During the same time period, the Police Department Communications Centre issued 20,639 incident numbers for calls for service. These incident numbers reflect instances wherein police officers completed an incident report,

issued a citation, or made a physical arrest. The Communications Centre also issued 82,173 event numbers. These event numbers reflect instances wherein police officers responded to calls for service or conducted self initiated filed activity. During 2011, the Police Department responded to approximately 225 calls for service per day which reflects 9.37 calls for service per hour.

During 2011, the Police Department responded to 2,553 alarm ringing calls, 411 calls involving vandalized property, and 377 instances wherein a residence or business was burglarized. The officers also responded to 33 armed robberies involving businesses or pedestrians, 1,111 instances involving theft, and 221 situations involving a domestic dispute

*to  
OCU  
Prison*

The average daily population continued to decline in FY2011 to 136 inmates. Although aggressive marketing initiatives were presented to potential confining jurisdictions, we failed to obtain any new housing contracts.

Given the economic climate experienced by a number of confining jurisdictions, population decreases continued across the board our city prison continues to seek ways to meet our challenges. Confining jurisdictions continued to explored alternative methods to house inmates. Fairburn houses inmates at the facility in Pelham, Georgia. The U.S. Marshall Service continues to reassign all but their worst offenders to the facility in Lovejoy.

In an effort to offset revenue losses, the department closed the entire west side of the facility cutting staff and overhead expenses accordingly.

Due to these efforts, the department managed to operate under FY2011 budget projections by approximately \$64,000. The city did however have to subsidize Jail Authority housing revenue shortfalls by approximately \$405,000 in order for the Authority to meet bond obligations and other overhead expenses.

At the end of FY 2011, negotiations to regain a housing commitment with Fulton County proved successful. To date however, the daily population from Fulton County has yet to reach expectations of 200 inmates. Through December, the Jail's current average daily population was approximately 220 (up 63% over FY2011) but only 110 Fulton County inmates are included. The jail facility remains



at only 69% of capacity. Fulton County continues to assure us their housing goal is a minimum of 200 inmates.

The Planning Department assisted the Planning Commission with review of nine rezoning petitions (one Text Amendment and eight Map Amendments including two annexation requests). Changes to the text of the Zoning Ordinance included adding provisions for incomplete landscape work and requiring cash deposit equal to 110% of the cost of incomplete work be provided for 18 months. An important annexation was the inclusion of Banneker High School into the City limits. The annexation allowed the School System to use Union City's urban development powers to issue revenue bonds and save taxpayers millions. The new 339,617 square foot facility is designed to accommodate 1,900 students within the main building and includes a new stadium and sports plaza. The Zoning Board of Appeals held hearings for five variance requests.

Notable commercial projects initiated in 2011 include the Banneker High School Rebuild project, conversion of the former Cracker Barrel site to a Kroger Fuel Center and MBA Waste which contains a state of the art sorting system to separate materials that are being recycled as well as a "reduction grinder" to prepare materials for other end uses. The owners were able to use a \$2.1 million SBA 504 Development Loan to finance their new recycling facility in south Fulton County which created 25 new jobs.

The reduction in residential development that began in 2008 and continued in 2011 only is a reflection of the general economy. In 2011 only 6 permits for new construction were issued. Construction on Woodbridge at Parkway Village Senior Apartments was opened in May 2011.

Occupational Tax Permits for 98 new businesses were issued. New businesses of note include: new restaurants Legends Sports Bar, Sergio's Pizza Bar and Southern Buffet & Grill, the reopening of the bowling alley – Citizens Lanes, and a warehouse for Eglo USA, Inc. an Austrian based lighting manufacturer who is one of the world's most successful provider of home decorative lighting. Real Estate and Personal Property taxes were billed on time in 2011.

Our Code Compliance personnel coordinated a Spring and Fall Clean-Up event which collected 600 tires and 77.31 tons of trash

Sponsored two "Hands On Saturday" events with litter walks, planting of trees and flowers around city signs and at Ronald Bridges Park. Code compliance staff worked with citizen volunteer Geneva Hight to keep plants at the flower beds on Highway 29 and Highpoint Road.

Trash Trooper Program collected recycled metal which generated \$4,600 for beautification projects. The city received State award from Keep Georgia Beautiful for Operation Clean-Up Program. Chief Code Enforcement Officer Polly Miller was a guest speaker at two Atlanta Regional Commission events regarding the Operation Clean-Up program.

The Code Compliance Department received Exceptional Rating from State for Erosion and Sediment Control program –only jurisdiction on the south side to receive this rating.

Our able public works staff removed over 2,000 signs from the right-of-way, cleaned up 14 properties with the Clean & Lien program, carried out nuisance abatement at four locations and had 151 court cases which resulted in fines to non-complying offenders.

Our effort to remain consistent in a high quality of service delivery is a daily challenge and we may not be perfect, but we strive toward perfection. When we fall short we grow taller. Our pursuit in bringing closer our vision of community to reality is unyielding and non-compromising. We will prevail regardless of what external forces attempt to halt this movement. It is often the internal forces more committed to lowering the bar of success under the mantra of openness. That song is neither in tune with community building nor is it in harmony with truth, a melody we attempt to voice on a daily basis.

For many that believe they have been ordained to tell or seek the truth has represented a level of demagoguery that has surpassed what is real and what is known. They only represent themselves and not the facts. A true vision will line up much closer to community reality than a bad dream of self justice.

In spite of our challenges ahead, we have a staff that is resilient and a community that has an understanding of truth and protocol. Union City is a leader in the metro-area and not a surrogate of those who have no vested interest in our

community. It is better to stand alone with truth than to stand in company with myopic illusions.

So as we leave 2011 we will continue to provide the best services your tax dollars can afford. This is our calling, this is our duty, this is our ministry and above all this is our Union City. May God bless this country, this state and Union City. Thank you.