

MINUTES
FINAL MILLAGE RATE HEARING,
WORKESSSION MEETING &
REGULAR COUNCIL MEETING
MONDAY, AUGUST 12, 2013
6:30 P.M. & 7:00 P.M.

Present: Mayor Pro-Tem Vince Williams, Councilmembers Shirley Jackson, Angelette Mealing and Brian Jones, City Manager Sonja Fillingame and City Clerk Jacqueline R. Cossey

The meeting was called to order at 6:30 p.m.

1. Council to consider a adoption of the Millage Rate.

Comptroller Tarsha Calloway addressed the Council and stated that this was the final hearing with regards to the 2014 Millage Rate. She then shared calendars for the 2014 Millage Rage and 2014 Budget and stated that the Millage Rate and Budget would be adopted tonight. At this time Mrs. Calloway explained that the amount of the tax bill is based on the fair market value of the property using the millage rate. She then stated that a tax rate of one mil represents a tax liability of one dollar per thousand of assessed value. She continued stating that this year, the City's rollback rate is 10.988. She then explained that the breakdown of that is as follows: general operating is 8.331, debt service is 2.267, for the total of 10.598. Mrs. Calloway stated that the proposed millage rate for 2014 is 15.598. She added that the breakdown is as follows: 13.178 for general operating and 2.420 for the debt service. She further added that this equates to a 41.95% change. At this time Mrs. Calloway shared a slide to show the public how to compute their taxes based on a \$100,000 assessed value. She added that the difference between this year and last year will be \$140.00 with the homestead exemption.

At this time Mrs. Calloway shared an analysis from the Tax's Commissioner's office. She then stated that the information indicated the fair market values from 2009 and 2013 with and without the homestead exemptions. She concluded that she also had a similar analysis reflecting 2012 versus 2013. She then opened the floor for questions.

Mayor Pro-Tem Williams asked the Council if there were any questions.

No one asked questions.

At this time Mayor Pro-Tem Williams asked the public if they had any questions.

Public Hearing opened.

No one came forward.

Public Hearing Closed.

conditions stay within conservation use, but if the Council did not accept the donation; the value for development purposes is virtually gone because of the restrictions on development.

This item was added to the consent agenda.

3. Council to consider revising the Notice of Levy on Land notification.

City Clerk Cossey led this item and stated that the levy on land notification states that the Clerk should be contacted with regards to property taxes. She added that this letter should state that the residents should contact the City Clerk or her designee because she does not have the capability to assist with property tax issues and forwarding all call seems like passing the buck and the residents become frustrated.

Councilmember Mealing asked if the language should be changed.

Mrs. Cossey stated that she would like for the letter to read, the City Clerk or her designee.

Mayor Pro-Tem Williams asked the City Clerk if she had someone in mind as the designee.

Mrs. Cossey stated that she spoke with the City Attorney with regards to who the designee should be in order to make this process more efficient.

City Attorney Davenport stated that whoever has that information available to them in the City should be the designee.

Mayor Pro-Tem Williams stated that it could be the Police Chief.

City Attorney Davenport stated that it could be the Police Chief. He then added that as the City Attorney, his office could be designated. He then added that an outside company performs the tax sales for the City and they could be the designee, but this allows Mrs. Cossey to understand that she is not locked in to being the only person that people call. He added that the law does recognize that position as the one to go to but we believe that adding his or her designee is appropriate under the circumstances.

Mayor Pro-Tem Williams asked if the Clerk needs to identify the designee.

City Attorney Davenport stated that he does not believe that she does.

Councilmember Mealing asked if new language would be added to the letter.

Mr. Davenport stated that the new language would be added to the letter near the bottom with regards to contacting the City Clerk. He added that the new language would state that the individual would contact the City Clerk or her designee because the City Clerk is still responsible, but as far as communicating the information, this will give her the opportunity to have someone else assist the residents.

This item was added to the consent agenda.

4. Council to consider the reappointment of Ms. Sandra Hill to the Zoning Board of Appeals.

Mayor Pro-Tem Williams asked if anyone was aware if Mrs. Hill expressed a desire to serve again.

Mrs. Cossey stated that Mrs. Hill has expressed a desire to serve again.

This item was added to the consent agenda.

5. Council to consider approval of the proposed Millage Rate.

This item was added to the regular agenda.

6. Council to consider adoption of the Fiscal Year 2014 Budget.

This item was added to the regular agenda.

VI. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing** to consider a map amendment to the Official Zoning Map for rezoning of 48.02 acres located off of Flat Shoals Road between Interstate 85 and Buffington Road from General Commercial (GC) and Neighborhood Commercial (NC) to Light Industrial (M-1) by Majestic Realty Co.

City Planner Shayla Harris led this discussion and stated that Majestic Realty Co. is expanding subject to a Developments of Regional Impact (DRI) and the DRI has been approved with a few conditions. She added that the petitioner has agreed to comply with the conditions. Ms. Harris concluded that the Planning Commission recommended approval of this request.

Councilmember Jones asked what the conditions were regarding the DRI.

Ms. Harris stated that the State and Atlanta Regional Commission (ARC) had conditions with regards to the road connectivity and the conditions were minor so Majestic agreed to the conditions.

Ms. Harris asked if there were additional questions.

Councilmember Jones stated that he had additional questions, but they were for the petitioner.

Woody Galloway of the Galloway Law Firm approached the Council to answer questions.

Councilmember Jones stated that after reviewing the proposed site map for Flat Shoals and Buffington, he had a few questions. He then stated that there is a need for some type of improvement at the intersection of Flat Shoals and Buffington. He then asked what was the proposed distance for a setback for truck traffic to turn at that intersection.

Mr. Galloway stated that there is a bit of an awkward entrance at that intersection right now when turning from Flat Shoals onto Buffington heading south. He added that the tip of that radius is out into the intersection a little bit and the concept is to smooth that out by taking it back and providing a different radius that would allow a truck to make a right turn on to that and continue within a right turn lane that would enter into the property.

Councilmember Jones stated that as we look at this development for long-term planning, this road is known for having bumps in its current condition. He then asked how soon would the City need to look at repaving or would we set up some type of 50/50, public/private partnership on road improvement.

Mr. Galloway stated that on all of the other developments in Fulton County and Union City, they have installed all of the major road work on the development. He added that they will be installing a continuous right turn lane to allow trucks to enter the site and there will be additional right lanes to reach an employee entrance as well as a three lane section from the intersection of Buffington to the end of Kraft Drive. He concluded that this will take a good bit of traffic off of the Jonesboro exit and onto this exit, but how much traffic is uncertain.

Mayor Pro-Tem Williams stated that he is aware that the name of the development may not be announced yet, but how many jobs would this development bring to the City.

Mr. Galloway stated that this development would bring approximately 450 jobs in the large building. He added that there will also be jobs in the smaller building which will amount to approximately 750 jobs in all.

Councilmember Jones asked if the daycare on Flat Shoals has offered any opposition to the project.

Mr. Galloway stated that they were contacted, but no opposition has been offered so far.

Councilmember Mealing spoke in favor of the project. She then asked if anyone gave opposition during the Planning Commission Meeting.

Mr. Galloway stated that there was no opposition during the Planning Commission Meeting and this went through Atlanta Regional Commission (ARC) and Georgia Regional Transportation Authority GRETA for their review and they both made traffic recommendations including what he has already outlined and they recommended approval. He continued stating that the staff reviewed it and recommended approval and the Planning Commission recommends approval and no one offered opposition during their meeting. He concluded that they have been in contact with the church across the street throughout the process and worked through any issues that they had and they are in support of the project and Dr. Ripley, pastor of The Body of Christ Church International, will be speaking tonight.

Councilmember Mealing asked how soon the name of the business would be announced.

Mr. Galloway stated that he was a little upset because he wanted to announce it tonight, but it should be announced within a week.

Mayor Pro-Tem Williams stated that this was a prime indicator that people are ready for opportunity in Union City. He then stated that the Council will be looking forward to the big announcement.

2. **Public Hearing** to consider a map amendment to the Official Zoning Map for rezoning of 73.9 acres located at 1000 Shannon Mall (Union Station Mall) from Regional Shopping Center (RSC) to Town Center Mixed Use (TCMU).

City Planner Shayla Harris led this discussion and stated that this is a City initiated change. She added that this recommendation was provided in the LCI Plan which was recently adopted. She further added that this is the first of many recommendations and staff recommends approval of this item.

At this time Mayor Pro-Tem Williams stated that he would like to move forward into the Regular Council Meeting.

I. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Invocation by Councilmember Brian Jones

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

None

III. ACKNOWLEDGEMENTS OF AWARDS AND ACHIEVEMENTS:

Recognition of City Interns

Human Resources Manager Tracie McCord stated that this is the fourth year for having interns and once again we had a great group. She added that several of the interns were back in school and were unable to attend the meeting, but she wanted to recognize Daniel Wynn who was present tonight.

Daniel Wynn, intern for Parks and Recreation, addressed the Mayor and Council and shared his great summer experience. He then recommended that the Council keep the internship program as the experience was extremely beneficial to him.

Daniel was presented with an award by Teaa Alston, Human Resources Coordinator.

Mayor Pro-Tem Williams stated that it is vital that the young people get an opportunity to see what career choices that they may want to enter and the City is proud to afford them the opportunity. He then thanked Mrs. McCord and Ms. Alston for working with the school to make it happen because it has been beneficial to the City as well.

City Manager Fillingame thanked the Mayor and Council for supporting the program as it has been valuable to the staff. She added that the interns had great attitudes and it was a privilege working with them. She continued thanking the Mayor and Council for supporting the internship program year after year.

Councilmember Jones stated that with next being the fifth year, maybe we should invite the previous interns back to see how the experience helped them.

Mayor Pro-Tem Williams stated that he received a Facebook friend request from a previous intern who is currently attending Savannah State University and she remembers everything that she learned here and she was grateful for the opportunity.

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.

IV. OLD BUSINESS: None.

At this time Mayor Pro-Tem Williams stated that he would like to exercise his executive privilege and remove item number two on the Worksession agenda from the consent agenda. He added that Mr. Ornstein is here and he wanted to bring him up and share some information about the land donation.

The item is as follows:

- Council to consider acceptance a land donation of 17 parcels of land coordinated by Ornstein-Schuler Capital Partners, LLC.

Matt Ornstein of 3805 Beachwood Drive addressed the Council and provided some documentation regarding the land donation. He then stated that He has been working with the investors and member who own property in Union City to try and get consent from the members to donate these properties as additional park land for Union City and he is making good progress and he remains optimistic that he can get the consent approval for the members. He added that he has shared and shown some of these properties to some of the Councilmembers as well as City Attorney Davenport, City Manager Fillingame, City Planner Harris and Code Enforcement Officer Polly Miller. He further added that he was before the Mayor and Council tonight to get a motion and approval from the Council to accept the properties contingent upon him getting consent from the members.

On motion of Councilmember Jackson seconded by Councilmember Mealing and carried, Council accepted the aforementioned land donation contingent upon approval from the members of the LLCs. Vote was unanimous.

V. CONSENT AGENDA

1. Approval of the Minutes: Worksession Meeting, 07/16/2013

2. Council to consider revising the Notice of Levy on Land notification.
3. Council to consider the reappointment of Ms. Sandra Hill to the Zoning Board of Appeals.

On motion of Councilmember Jones seconded by Council member Jackson and carried, the consent agenda was approved. Vote was unanimous.

VI. REGULAR/NEW BUSINESS:

1. Council to consider approval of the proposed Millage Rate.

Comptroller Calloway addressed the Council and stated that that she would like the Council to approve the proposed millage rate of 15.598.

Public Hearing Opened.

No one came forward.

Public Hearing Closed

On motion of Councilmember Jackson seconded by Councilmember Jones and carried, the aforementioned item was unanimously approved.

2. Council to consider adoption of the Fiscal Year 2014 Budget.

Comptroller Calloway stated that staff recommends approval of the Fiscal Year Budget for 2014 in the amount of \$33,225,236 for the City's budget and the Jail Authority in the amount of \$2,191,262

Public Hearing Opened.

No one came forward.

Public Hearing Closed

On motion of Councilmember Mealing seconded by Councilmember Jackson and carried, the aforementioned item was unanimously approved.

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

3. **Public Hearing** to consider a map amendment to the Official Zoning Map for rezoning of 48.02 acres located off of Flat Shoals between Interstate 85 and Buffington Road from

General Commercial (GC) and Neighborhood Commercial (NC) to Light Industrial (M-1) by Majestic Realty Co.

City Planner Harris addressed the Council and stated that the Planning Commission met July 29, 2013 to discuss matters with regards to rezoning 48.02 acres located off of Flat Shoals between Interstate 85 and Buffington Road. She added that this was subject to a DRI and it has been approved with conditions. She further added that during their July 29, 2013 meeting, the Planning Commission recommended approval.

Public Hearing Opened.

Woody Galloway, representative of Majestic Realty Co. spoke in favor of the rezoning.

Dr. Joseph Ripley of The Body of Christ Church International spoke in favor of the rezoning.

Public Hearing Closed.

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

4. **Public Hearing** to consider a map amendment to the Official Zoning Map for rezoning of 73.9 acres located at 1000 Shannon Mall (Union Station Mall) from Regional Shopping Center (RSC) to Town Center Mixed Use (TCMU).

City Planner Harris led this discussion and stated that during the Planning Commission Meeting on August 9, 2013 the Commission recommended approval to rezone Union Station Mall from Regional Shopping Center (RSC) to Town Center Mixed Use (TCMU). She added that this item was a recommendation that was mentioned in the LCI. She concluded that there are several other recommendation mentioned in the LCI and staff would like the Council to consider providing some direction. She then added that the Planning Commission recommended approval of this item during their meeting on August 9, 2013.

Public Hearing Opened.

Jack Shepherd with Unclaimed Freight at 4700 Jonesboro Road spoke in favor of the rezoning. He also requested to know if he would be able to sublease the tire center to a tire service company under the new rezoning.

City Attorney Davenport stated that item 22 in the list of TCMU uses is a matter of interpretation of Union City with respect to that language and that specific use. He added that there is a laundry list of various retail type uses, one of which is a gasoline station and miscellaneous store retailers and non-store retailers. He further added that there are general merchandise stores. He then stated that it is a retail operation and whether it is safe to say that a tire store would fit into that is up to the department's interpretation. Mr. Davenport stated that the City needs to make sure that the department's vision of this type of use is interpreted consistently, so that it is applied across the board.

The Council agreed that they had no problems with the tire center adjacent to Sears remaining a tire service center as long as it is done so neatly, not an eyesore or distracting future business.

Public Hearing Closed.

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

City Manager Reports: None

VIII. OTHER BUSINESS:

IX. REPORTS & ANNOUNCEMENTS FROM THE MAYOR & COUNCIL:

Councilmember Jones thanked the staff for getting through the budget. He added that it has been tough but the decisions that were made were done so to keep Union City operational. He then reminded the residents and staff of the Labor Day concert.

City Attorney Davenport stated that he had three items for Executive Session. He added that these items consisted of the Executive Session Minutes from July 16, 2013, one item of pending litigation and one item of threatened litigation.

Mayor Pro-Tem Williams stated that before entering into executive session, he had something that he would like to share with everyone. He then stated that would like to take this opportunity to express to the citizens of Union City how much he enjoyed his time as a Councilmember. He added that the job has been challenging, but extremely fulfilling and he has expressed his intention, from urges from citizens as well as his ability to hear from above, to take this opportunity to seek the office as Mayor of Union City. He further added that he looks forward to the necessary time to discuss the important issues on the minds of the citizens of Union City; therefore, he deems that it is best for him to resign as Mayor Pro-Tem of Union City to entrust the running of the City to his dear friend and colleague who has been on the Council for over 20 years, Councilmember Jackson. He then stated that if this meets Councilmember Jackson's acceptance, he would like to formally move to nominate her as Mayor Pro-Tem of Union City.

Councilmember Jackson stated that she would be proud and honored to accept the nomination.

On motion of Councilmember Williams seconded by Councilmember Jones and carried, Councilmember Shirley Jackson was named Mayor Pro-Tem of Union City. Vote was unanimous.

Councilmember Williams stated that the City owes a debt to Councilmember Jackson and he is sure she will do well. He added that Mayor Pro-Tem Jackson has been extremely faithful to the City in good times and bad as well as a living testament of what public service is all about. He further added that Mayor Pro-Tem Jackson is a quiet spirit, but she gets the job done and he thought that she would be the best person to foot the bill. Councilmember

Williams stated that he appreciates everything that Mayor Pro-Tem Jackson has done over the years as she is a wealth of knowledge and information. He then thanked Mayor Pro-Tem Jackson again.

At this time Councilmember Williams asked Mayor Pro-Tem Jackson if he could have a few extra moment to speak.

Mayor Pro-Tem Jackson was agreeable.

Councilmember Williams stated that his desire is to run for the job of Mayor of Union City. He added that he understands that under State law that when he qualifies to run for the Mayor's seat, he must vacate his Council seat and should he wait to vacate his Council seat until the day that he qualifies for the Mayor's seat; it would be too late to add the special election for the unexpired term of his Council seat on the November 5th ballot and with that being said the City would be forced to bear the cost of a special election in the Spring of 2014 which does not make since to him. Councilmember Williams stated that if he resigns from his Council seat with sufficient time for the unexpired term of his Council seat to be placed on the November 5th ballot, the City will not have to bear the cost of an additional special election; therefore, at this time he resigned as City Council of the City of Union City effective immediately. He then read the following aloud.

"This day of 2014, I Vince R. Williams, hereby tender my resignation as Councilmember for the City of Union City, Georgia, effective immediately."

He then presented his letter of resignation to the City Clerk and took a seat in the audience.

At this time Mayor Pro-Tem Jackson stated that she would like to thank Mr. Williams for his service over the last six years. She added that he has done a great job and he will make a great Mayor and she wishes him all of the luck in his race. She then added that she is aware that we will have to have a special election on November 5th. She then asked for a motion to order a special election on November 5th, 2013.

On motion of Councilmember Jones seconded by Councilmember Mealing and carried, Council issued an order for a special election on November 5th to fill the unexpired term of Vince Williams. Vote was unanimous.

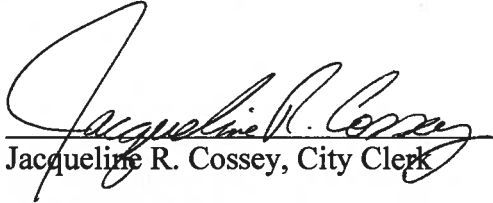
On motion of Councilmember Mealing seconded by Councilmember Jones and carried, the Council entered into executive session to discuss the Executive Session Minutes from July 16, 2013, one item of pending litigation and one item of threatened litigation. Vote was unanimous.

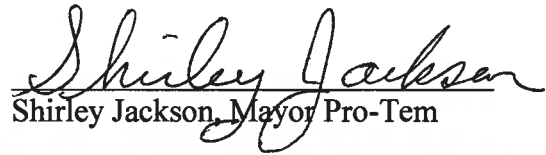
On motion of Councilmember Jones seconded by Councilmember Mealing and carried, Council reconvened to Regular Session. Vote was unanimous.

On motion of Councilmember Jones seconded by Councilmember Mealing and carried, Council approved the Executive Session Minutes from July 16, 2013.

X. ADJOURNMENT:

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


Jacqueline R. Cossey, City Clerk


Shirley Jackson, Mayor Pro-Tem