

MINUTES
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 15, 2013
7:00 P.M.

I. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:

Invocation by Vince Williams

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 racial profiling and public corruption of the Police Department, Solicitor and other members of the staff

III. ACKNOWLEDGEMENTS/PRESENTATIONS:

2013 GMA Health Promotion Grant awarded to Union City (Teaa Allston)

Teaa Allston of the Human Resources Department addressed the Council and announced that Union City received the 2013 Health and Wellness Promotion Grant from Georgia Municipal Association (GMA). She added that the City met the requirements and received the funds in the amount of \$4,000.00 which will be used to spearhead new health and wellness initiatives for all employees. At this time City Manager Fillingame stated that she would like to congratulate Ms. Allston as she spearheaded the project worked with all of the principals involved and she wanted to thank Ms. Allston for all of her hard work and the benefit that it has brought to the City.

VI. OLD BUSINESS: None

V. 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:
Called Council Meeting, 09/04/2013
Called Council Meeting, 09/16/2013
Worksession Meeting, 09/17/2013
Regular Council Meeting, 09/17/2013
2. Council to consider re-adoption of the Local Option Sales Tax (LOST) Certificate.

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

VI. REGULAR/NEW BUSINESS: None.

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing Public Hearing** to consider a map amendment to the Official Zoning Map for rezoning of 38.91 acres of property located along Goodson Road from Fulton County AG-1 to Union City M-1 by IDI, Inc. *Planning Commission recommendation – Approval*

City Planner Shayla Harris led this discussion and stated that she would like to address the rezoning and annexation together. She then stated that the 38.91 acres are located along Goodson Road and is currently zoned as Fulton County AG-1 and the petitioner is requesting a rezoning to Union City M-1. She added that the property has a vacant structure and the petitioner has plans for immediate development. She added that during their September meeting, the Planning Commission recommended approval of rezoning the property. Ms. Harris then stated that with regards to annexation, the request is pursuant to the 100% method of annexation as provided in the Sate code 36-36-20 which requires that the property to be contiguous to the existing municipal boundary by at least 1/8 of the aggregate boundary or 50 feet, whichever is less. She added that the property shares 2461 feet of property within the corporate limits of Union City and meets the 50 feet contiguous requirement of 100% annexation method. She further added that extension of police protection, fire protection and other city services will be provided immediately upon the effective date of annexation, which is November 1, 2013. She concluded that during their September meeting, the Planning Commission approval of this annexation and the petitioner was present for questions.

Public Hearing Opened.

Jay Mitchell of IDI, Inc. spoke in favor of the rezoning and annexation.

Eric Merritt of 3995 Cypress Point asked for clarity regarding the location of the property in question.

Public Hearing Closed

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

2. Mayor and Council to consider annexing the 38.91 acres of property into the corporate limits of Union City by IDI, Inc. *Planning Commission recommendation – Approval*

Mayor Pro-Tem Jackson called for a motion to approve the annexation.

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

VIII. OTHER BUSINESS:

City Manager Reports:

- Fall Festival

City Manager Fillingame informed the Council that the Fall Festival will be held at the Parks and Recreation facility on October 25, 2013 at 6:30 p.m.

- Veterans Day

City Manager Fillingame also informed the Council that the Veterans Day Program will be held in Mayors' Park on November 7, 2013 at 6:00 p.m.

- Jail Update

At this time City Manager Fillingame informed the Council that she received the October payment from Fulton County. She added that City Attorney Davenport and Mr. Williams were heavily involved on working out the agreement with Fulton County. She then stated that our debt service payment is coming up which is scheduled for November and that payment is \$537,726.00. Mrs. Fillingame stated that she recently attended a meeting with the Jail Authority and regarding the status of that payment and the Jail Authority has \$248,624.00 in cash that is available and in addition we have the portion that was allocated for the debt service payment for the month of September and now October which is two payments of \$65,037.00 which makes the total amount available \$378,698.00. She added that we are expecting to receive two additional payments from Fulton County for November and December, but the debt service payment may be due prior to receiving the check from Fulton County. She then asked the Board for approval to pay the balance that would be due for the debt service payment out of our Corrections Fund and once the payments are received from Fulton County for November and December, that money will go back to repay the Corrections Fund.

Councilmember Jones asked when the next debt service payment will be due.

Mrs. Calloway responded, "May 2014"

Councilmember Jones asked if she thinks that we would have received enough money from the County to cover that debt service payment by then.

Mrs. Calloway stated that it depends if the contract is extended.

Mrs. Fillingame stated that right now our current agreement with the County ends December 2013.

City Attorney Davenport stated that if the Council has been following the state of affairs in the newspaper with the Fulton County Jail situation, it is difficult to believe that they will exist without some form of outsourcing and we are the most logical choice.

Mayor Pro-Tem Jackson stated that she cannot see Fulton County pulling any inmates from the Jail.

Councilmember Mealing asked how many inmates were currently housed in the jail.

Police Chief Odom stated that the jail has reached its capacity.

City Attorney Davenport stated that they are able to use as many as 280 beds as long as they leave 45 beds available for Union City and Palmetto. He added that they will make the same payment to us on a monthly basis whether they have one inmate or 280, but either way we will get the same payment.

Councilmember Jones asked if we have begun negotiations with Fulton County for a long term agreement.

City Attorney Davenport responded, "No." He added that Fulton County wanted to survey the facility to determine what exactly they would be purchasing if they entered into a long term lease or a lease-purchase. He added that the end of the year is approaching quickly and that will be the end of the current arrangement so we need some direction as to where we are going to go as of January 1, 2014.

Councilmember Jones motioned to approve staff to use Corrections Funds for the difference needed to pay the debt service payment with the additional monies that come in from Fulton County to reimburse the Corrections Fund. Motion was seconded by Councilmember Mealing and carried. Vote was unanimous.

City Manager Fillingame stated that this decision will also be put in the form of a resolution for the purpose of having it on the record.

- Sanitation Contracts

Ms. Fillingame stated that we currently have two providers, Advanced Disposal and CLM, and she wanted to provide an update to inform the Council of the status of the expiration date for those contracts. She added that she has discussed this with City Attorney Davenport and according to the contract, the term expires December 31, 2014 for Advanced Disposal and with regards to CLM; their contract became effective as of December 31, 2012 with two additional one year renewal terms. She further added that the expiration date would be December 31, 2013 and the Council would need to decide whether to continue that or draft an Request for Proposal (RFP), but we would be cutting is close because the current contract expires December 31, 2013 which is not a lot of time, but she wanted to bring it to the Council's attention.

Councilmember Jackson stated that the Council discussed putting the sanitation contracts out for bid.

Attorney Davenport stated that Advanced Disposal's contract is not up for another year so if the Council wanted to put them out for bid together, the Council would have to renew CLM's contract for one year for residential service. He concluded that Advanced Disposal is commercial and CLM is residential.

After a brief discussion Councilmember Jones requested to place the CLM contract on the November agenda for renewal and place both sanitation contracts out for bid together next year.

Council was agreeable.

City Clerk Cossey requested that the Council provide her with two names as voting delegates for November 16, 2013 National League of Cities conference in Seattle.

Council agreed to list Vince Williams and Angelette Mealing as voting delegates for National League of Cities conference.

IX. REPORTS & ANNOUNCEMENTS FROM THE MAYOR & COUNCIL:

Councilmember Jones thanked the staff for everything that they do for the City everyday.

City Attorney Davenport stated he had the following items for Executive Session: review of the Executive Session Minutes of September 17, 2013.

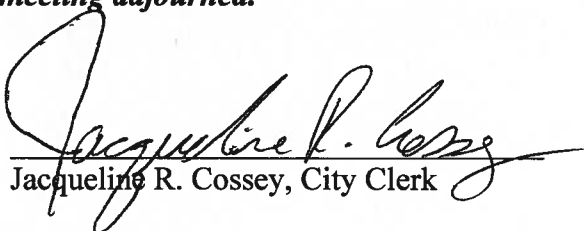
On motion of Councilmember Mealing seconded by Councilmember Jones and carried, Council entered into Executive Session to review the Executive Session Minutes of September 17, 2013. Vote was unanimous.

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

On motion of Councilmember Jones seconded by Councilmember Mealing and carried, the Executive Session Minutes of September 17, 2013 were approved as written. Vote was unanimous.

XI. 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

STATE OF GEORGIA

COUNTY OF FULTON

EXECUTIVE SESSION AFFIDAVIT

Personally appeared before me, Ralph Moore, Mayor of the City of Union City, Georgia, who after being duly sworn says:

1.

I was the presiding officer of a meeting of the Union City Mayor and City Council held on the 15 day of October, 2013.

2.

That it is my understanding that O.C.G.A. § 50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection a of this Code section, the person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

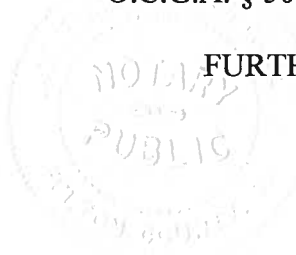
3.

The subject matter of the closed meeting or closed portion of the meeting held on the 15 day of October, 2013, which was closed for the purpose(s) of reviewing the Executive Session Minutes from Sept. 17, 2013 as allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

4.

This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4 (b) that such an affidavit is executed.

FURTHER AFFIANT SAITH NOT.


Shirley Jackson
Shirley Jackson, Mayor Pro-Tem

Sworn to and subscribed before me this
15 day of October, 2013.

Jaqueline R. Long
Notary Public
Notary Public, Fulton County, Georgia
My Commission Expire Feb. 13, 2017