

5. Council to consider approval of the Certificate of the Mayor for the issuance of revenue bonds by the Housing Authority of the City of Union City for the benefit of TBG Providence, LP.

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

VI. REGULAR/NEW BUSINESS:

1. Council to consider approval of an ordinance regarding vehicle immobilization devices in Union City.

Police Chief Chuck Odom stated that he is seeking an ordinance that will regulate the use of booting devices for businesses operating in the corporate limits of the City. He added that we have had some instances where companies acting as agents for property owners are booting vehicles and he has received complaints from the recipients, some with merit and some without. He added that he is concerned that about the prices so he began to see if there were any State regulations with regards to booting devices and found that there are currently none although other municipalities have adopted ordinances. Chief Odom stated that he has worked with the City Attorney to draft an ordinance which will regulate this activity, not prohibit. He concluded that the regulations are simple as they must have posted signs on the property, be responsive to calls from people who have been booted and sets caps on booting for noncommercial vehicles and commercial vehicles. He added that there is a provision that they cannot monitor the parking lot, but must be called by a member of management or an agent for the property that report an illegal vehicle and they will come and deal with that situation as opposed to them camping out in the parking lots.

City Attorney Davenport stated that for the record, the caps that Chief Odom was referring to were the light passenger vehicle maximum is \$75.00 and the commercial vehicle maximum is \$150.00 which is significantly less than what is being charged right now.

Councilmember Jackson asked if that language will be posted on the signs.

Chief Odom stated that the language in the ordinance would require them to indicate the maximum amount that will be charged as well as the number of the agent or the booting company.

Mayor Williams asked who is required to take care of these signs.

Chief Odom stated that he believes that this is a shared responsibility between the business owner and the owner of the booting companies.

Councilmember Mealing asked why are the booting companies not required to have a business license in Union City.

City Attorney Davenport explained that the entire structure that used to be called business license is now call occupation tax certificates and has been for the last 15 years. He added that the big shift has

been while you could charge for a business license 15 years ago, what you charge a occupation tax certificate for is those businesses that have a location in your jurisdiction and in this instance a company like this has a location in Marietta where they have a occupation tax certificate, but no location in Union City but they have an agent or employees working in the area, but does not have an office here.

Councilmember Jones stated that he had concerns regarding the commercial vehicle fee which is \$150, which means nothing to a truck driver; therefore, he is thinking that the fee is too low and feels that the fee should be higher, but not to exceed \$500.00 for commercial vehicles and \$75 for passenger vehicles. He added that he is also concerned about business owners who have a contract and have shift employees. He explained that if the trucks are illegally parked between 3:00 p.m. and 6:00 p.m. and these are the hours for the shift employees, this could be considered preying. He concluded that they are not there 24 hours a day, but for the shift that the instances are taking place.

Chief Odom stated that if the Council adopts the ordinance as submitted, they will not be allowed to do that.

Councilmember Jackson stated that they would have to be called and not sit and wait for someone to come. He reiterated that they must be called by the business owner.

Chief Odom stated that we have an ordinance that deals with illegally parked commercial vehicles and the Police Department can enforce that ordinance if the property owners wish for them to do so. He added that did not want to get into commercial business, but by the same token if you have a property that does not have a member of management on duty 24 hours a day, and they are concerned about people illegally parking in their lots, they can certainly make sure the drivers know that the business is closed and they should not be there.

At this time Mayor Williams took comments from the audience regarding the matter.

John Page of 5061 Jonesboro Road Union City, Georgia spoke in opposition of the ordinance as one of the major functions of parking enforcement is patrolling.

Attorney Valerie Vie of 5682 Palazzo Way Douglasville, Georgia spoke in opposition of the ordinance as the word preying was mentioned. She added that the property owners have asked for this service as there is also crime and prostitution going on in these vehicles.

On motion of Councilmember Jones seconded by Councilmember Mealing this item was deferred for 30 days.

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing** to consider text amendments to Article VI, Section 6-15 "Town Center Mixed Use (TCMU)" Zoning District.

City Planner Harris stated that during the Planning Commission's October meeting, they discussed the recommendations that were provided through the Livable Centers Initiative (LCI) for the Union

Station Mall area, which she listed in the Council's staff report. She concluded that the Planning Commission recommended that the items be removed, but to leave industrial as is.

Councilmember Jones asked if there were any other foreseeable changes to the Town Center Mixed Use or should this come from this body, the Planning Commission or staff.

Ms. Harris stated that any foreseeable changes should come from all parties based upon the vision for the City. She added that the Mayor mentioned earlier that the entire ordinance is due for some changes.

Councilmember Jones stated that we have already passed a plan, but should have the Mall area with an overlay district so when we make changes it does not affect all Town Center Mixed Use on the Parkway.

Ms. Harris stated that this discussion has come up and she has spoken with the City Attorney with regards to how overlays work and in her opinion, this is not a direction in which the City wishes to go right now.

Councilmember Jackson stated that she agrees with the recommendation from the Planning Commission.

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.

VIII. OTHER BUSINESS:

City Manager Reports:

- Union City Holidays

City Manager Fillingame stated that the holidays are upon us and we have two holidays scheduled for the 24th and 25th of December and she would like for the Council to consider adding December 23rd as an additional day as we have encountered fiscal difficulties and have not been able to do many things that we used to do in the past. She added that it would go a long way with staff to spend that extra day with their families.

Mayor Williams stated that he agrees with Mrs. Fillingame as we have had opportunities in the past to have Christmas gatherings and Christmas bonuses and they have all been removed because of financial difficulties. He added that this is a fantastic olive branch as well as an

incentive to let staff know we are concerned about them and this is the time to spend extra time with their families.

Mrs. Fillingame stated for clarity that this recommendation was for 2013 only, she then asked that the recommendation be placed in the form of a motion.

On motion of Councilmember Jackson seconded by Councilmember Jones and carried, December 23, 2013 was added as an additional holiday for Union City employees.

- Annual Tree Lighting

At this time Mrs. Fillingame reminded the Council that the Christmas Tree Lighting is scheduled for December 2, 2013 at 6:30 p.m. in Mayors' Park. She added that this information has been placed on the City's Facebook page and the website.

IX. REPORTS & ANNOUNCEMENTS FROM THE MAYOR & COUNCIL:

Councilmember Robinson thank everyone for their support and she intends to be a very active member of the Council and she wants to make Union City the best place to be and shares all of our needs, wants and achievements.

Councilmember Mealing welcomed Councilmember Robinson to the Council and thanked everyone for their support and she looks forward to working with the new Board. She praised the cheerleaders for their efforts. She added that Union City has one of the greatest Park and Recreation Programs. She then wished everyone a Happy Thanksgiving.

Councilmember Jackson welcomed Councilmember Robinson to the Council.

Councilmember Jones welcomed Councilmember Robinson to the Council and congratulated all of his newly elected colleagues. He then stated that he is looking forward to getting to work as there is a lot of work to be done. He added that he is supporting "No-Shave" November and all monies saved while not shaving will be donated to cancer research. He concluded by thanking the staff for all that they do. He then praised the Public Services Department for the cleanliness of the parkway.

At this time Mayor Williams stated that he wanted to thank his wife publicly for her support over these past few months, but he always knew that he was coming back. He added that there is much work to do, but as a member of this body; this Board will be an example for the citizens to let them know that a Mayor and Council can work together because what starts here emanates and flows down, so we are going to work together and do our best to make sure that Union City is the best City that it can be. Mayor Williams stated that we have great department heads and many people who can give advice including former Councilmembers and Community leaders. He added that this is not about Vince Williams, Joyce Robinson, Angelette Mealing, Shirley Jackson or Brian Jones, it is about this City of Union City. He thanked everyone and stated that he welcomes their ideas as he does not know it all. He stated that Proctor and Gamble is coming to Union City.

At this time Mayor Williams presented Councilmember Jones with a silver certificate from National League of Cities (NLC) and Councilmember Mealing with a gold certificate. He then introduced newly elected Councilmember, Shayla Nealy and the new Assistant City Clerk, Ricky Clark Jr.

Mr. Ricky Clark stated that he comes to Union City with nine years of governmental experience and is happy to be a part of the Union City Family.

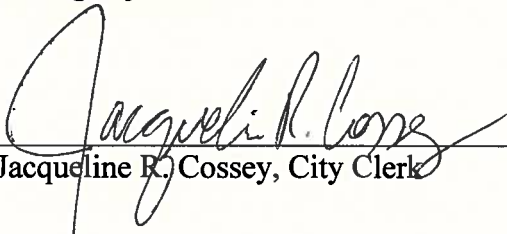
City Attorney Davenport stated he had one item regarding threatened litigation for Executive Session.

On motion of Councilmember Mealing seconded by Councilmember Jones and carried, Council entered into Executive Session to discuss one item regarding threatened litigation. Vote was unanimous.

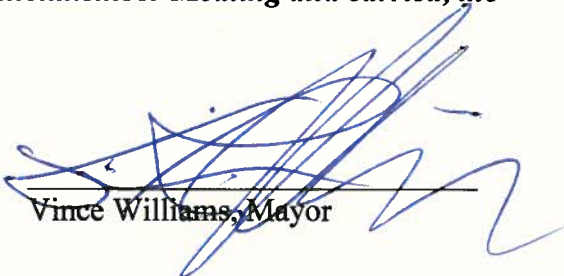
On motion of Councilmember Jones seconded by Councilmember Jackson and carried, the Council reconvened to Regular Session. Vote was unanimous.

XI. ADJOURNMENT:

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



Jacqueline R. Cossey, City Clerk



Vince Williams, Mayor