

UNION CITY MINUTES
REGULAR COUNCIL MEETING
TUESDAY, JULY 21, 2015
7:00 P.M.

Present: Mayor Vince Williams, Councilmembers Brian Jones, Angelette Mealing and Shayla Nealy, City Attorney Dennis Davenport, City Manager Sonja Fillingame and City Clerk Jacqueline R. Cossey

Absent: Councilmember Joyce Robinson

Directors: Tarsha Calloway - Finance, Rhonda Jones – Human Resources, Cedric Clark – Public Services, Chuck Odom – Police Chief, Nicole Dozier – Community Development, Lee Blich – Parks & Recreation and Trey Bennings – Information Technology

Absent: Joe Maddox - Fire Chief

The meeting was called to order at approximately 7:24 p.m. by Mayor Williams.

I. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Invocation by Mayor Williams

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

At this time Mayor Williams thanked everyone for coming out. He then stated that he wanted to make sure that everyone understands that this elected body must continue to serve the citizens of Union City and conducting orderly business. At this time Mayor Williams read aloud the “Rules for Public Comments” which was adopted by the City Council in 2008. He then stated the following: “It is with humble thanks that this body offers to you for your attendance on this evening. Please know that it has been our deliberate attempt to be accommodating, respectful, and tolerant regarding the very meaningful concerns you have expressed over these past several meetings. Every municipal government has a duty to the municipality that it serves to always serve with the highest level of decorum and with that being stated, this body certainly has done and we thank you for reciprocating and understanding that tonight’s public comments will be in accordance with the rules of the body’s code of conduct pertaining to meetings. Certainly over the past few meetings this has been a very contentious issue that really is based on a great deal of misinformation. Over these past few weeks, I have heard some nasty comments about this City, about members of this body and our staff and what is amazing and deeply unfair is that it is all based on nonexistent fact. It is left up to the authority, Mr. Paul Howard and any other investigatory organization to bring those facts not only to us as a body, but us as a community. If there ever was a time that we needed each other’s strength, if there ever was a time that we needed each other’s love, if there ever was a time that we truly needed each other’s compassion, that time is now. So let’s not fixate our minds on sorcery and witchcraft, seeking a wizard because wizardry won’t prevail. It is only God that can fix this and I am just crazy enough to believe and I know that he will. Thank you and may God continue to bless each of you.”

At this time Mayor Williams began hearing public comments.

Comments regarding the investigation of Ariston Waiters were made by the following:

Pastor Sedrick Hamner of 3725 Flat Shoals Road

Chris Oats of 630 Peoples Street

Regular Public Comments were made by the following:

Helen Turner of 7165 Woodridge Lane spoke regarding the status of Buffington Road

Karolen Mazyck of 5638 Liberty Road spoke regarding code enforcement violations in Wellington Estates

Martha Williams of 8027 Lester Road spoke regarding the development of Lester Point and the lack of a 50 foot buffer which was agreed upon prior to the beginning of the development.

After several outbursts due to a misunderstanding of the rules for public comments Councilmember Mealing thanked everyone for coming out. She then stated that she has no problem with listening to the people that want to speak because this is a public meeting. She further stated for the record that she was not trying to be disrespectful to this Board or this Body, but the people came out to make a statement and they should have that right and the opportunity to verbalize what they want to say. Councilmember Mealing stated that it is not fair to change up now. She then asked Mayor Williams to forgive her because she was not coming from a bad place, but she wanted to put it on record that you cannot just change in the middle of the stream because for the last two months the people were allowed to speak and the rules were suspended and now it is back on and she is confused. She further added that either the Mayor is going to allow the people to speak or not, but it needs to be communicated to the Board if the people will not be allowed to speak. She continued stating that she did not know that the people were not going to have the opportunity to verbalize what they feel. Councilmember Mealing stated that she is an outspoken person and she has to say what is right and this is not right because the people need to have the opportunity to say what is on their mind.

At this time Mayor Williams stated that he shared with Councilmember Mealing and the rest of the Board that he would follow the rules for public comments. He added that he wanted to make sure that we got back on track. He further added that over the past few months the Council allowed the speakers to go over the set limit, out of gracious latitude, which was not normally what we do. Mayor Williams stated that with the agenda that we have tonight, we should get back on track.

At this time another outburst came from the audience which led Mayor Williams to state the following: "We are consistently attacking one another each and every time you turn the corner. If you look over in East Point right now as ministers, but also as leaders what are we doing every day to make sure that our young men and young women lives are not taken by each other."

Due to an additional outburst Mayor Williams called order to the meeting and asked the public to settle down. He then called for the last speaker for public comments.

Reverend Jeffery Bendoit of 971 Evans Road

III. PRESENTATIONS/ACKNOWLEDGEMENTS OF AWARDS AND ACHIEVEMENTS:

1. Fulton County School Board Member Catherine Maddox to introduce the new Principal of Banneker High School, Dr. Duke Bradley III and Interim Fulton County School Superintendent Kenneth Zeff

At this time Mayor Williams introduced Fulton County School Board Member Catherine Maddox.

Ms. Maddox introduced Dr. Duke Bradley III, Principal of Banneker High School and Kenneth Zeff, Interim Fulton County School Superintendent to the Council. She stated that each gentleman would provide a little of their backgrounds and take any questions from the Mayor and Council.

Councilmember Jones asked Mr. Zeff if we would continue under the same vision set forth by Dr. Avossa to improve our scores or if he had better ideas to obtain double digit improvement in the schools.

Mr. Zeff stated that the School Board holds the vision for Fulton County Schools. He added that his job as a leader and staff is to execute. He further added that in addition to introducing more choices for parents, he is excited about strategic staffing where they are paying some of the best teachers to come and work with Banneker to provide leadership because he is aware that Banneker has too many new teachers and the best and brightest are not always attracted to this area which is why they are investing in that area. Mr. Zeff stated that he is proud of the progress in discipline as there were issues three years ago with over 50,000 absences for out of school suspension and that has been reduced to a little over 30,000 this last year because he is aware that kids need to be in school. He added that kids need to know that there are consequences for their behavior, but that consequence does not mean being sent home because being in the building and doing something constructive has a better outcome.

Councilmember Nealy asked if the Junior Magnet Program has a stem focus or if it would be more of an accelerated stem. She also asked, with a studio with television and film coming to Union City, if there would be a focus to assist the students with opportunities in that area.

Mr. Zeff stated that Junior Achievement Magnet Program allows businesses to come in and there will be a four week case study, inner disciplinary, so they will pick a topic and the kids will study a case over those four weeks. He added that there could be a marketing component or a language arts component with a writing piece, but the entire idea is that when kids drop out, education is not relevant for them, so the opportunity breathes life into it and we will have an executive from that organization at the end of that period and talk about what really happened in that scenario. He concluded that there are a lot of stem focused programs at Tri-Cities High School.

Mayor Williams asked how much of a voice will the parents have in what we do for our kids with regards to the programs that are being offered.

Mr. Zeff stated that, across the system, it is all based on parent involvement. He added that the myth that parents do not care is not true. He concluded that in every opportunity where parents could be involved, they have done so. He then asked Dr. Bradley to speak regarding his vision for Banneker.

Dr. Bradley stated that job one is graduation rate and the graduation rate has increased over the past couple of years. He added that with regards to the voice of the student and parents, Ms. Wilson, Fulton County Assistant Superintendent, was adamant about making certain that the School Governance Council played a prominent role in his selection and his responsibility at Banneker is to make sure that they are intimately involved in many of the decisions that will be made.

Mayor Williams stated that one of the things that concerned everyone on the Southside is there was information disbursed a few months ago regarding the top schools in Fulton County and none were South Fulton County Schools. He then asked what we are going to do about that because he is almost certain that the kids are utilizing the same books.

Dr. Bradley stated that Banneker is on the State priority list. He added that we are several weeks away from the beginning of school, but he will bring their teachers in for a week long professional development session prior to their mandated four days of pre-planning. He added that he will be honest about where Banneker is as a school and the State priority list means that they are in the bottom 5% of all schools with similar demographic profiles. He added that this does not tell the entire story, but they have work to do and it is a reality check about where they are. He concluded that they are going to begin by investing in their staff.

2. Presentation of a Proclamation Recognizing Red Ribbon Week (Staff Sergeant Emma Hartley)

At this time Mayor Williams read aloud the Proclamation in recognition of Red Ribbon Week, followed by a photo with the entire Council.

3. Presentation by Georgia Tech Students regarding the Baseball Redevelopment Project

Public Services Director Cedric Clark stated we did not get to choose the students, but they chose to do their project in Union City. He then introduced ELMC & Associates, Inc.

The presentation was delivered by the following: Natalia Stanley, Clay McElwin, Weston Landis, and Felicia Escobar. The students proposed the following for the current baseball fields in the City: Demolish Existing Structures, Re-grad Site and Fields, 2 Baseball and 1 Softball-Baseball Hybrid, Redevelop Parking Lot Area, Include Additional Amenities and Overall Beautification and Revamping of Site. The total cost associated with the proposed plan is \$2,762,641.

Mayor and Council thanked the students for a job well done.

Mayor Williams thanked the students for providing the Council with a true vision as to what needs to take place and what it should look like after completion.

4. Council to consider approval of a Resolution to adopt an application fee for right-of-way encroachment permits, to adopt a rate sheet for the calculation of cash bonds pursuant to right-of-way encroachment permits.
5. Council to consider approval of a request for a change order in the amount of \$26,323.75 regarding the Oakley Industrial Boulevard Project to extend the proposed asphalt overlay 268 feet in order to address inadequate pavement striping along Oakley Industrial Boulevard. (Addendum to the original agreement with the City of Fairburn Attached.)
6. Council to consider an amendment to the Personnel Policy Manual to include an Access Card Replacement Fee in the amount of \$8.10.
7. Council to consider approval of a Resolution to participate in and support the South Fulton Economic Development Partnership.
8. Council to consider approval of a request to designate The Collaborative Firm, LLC to serve as its Planning Consultant to provide services on an as needed basis in the event that such services are requested by the City.

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

V. OLD BUSINESS: None.

VI. REGULAR/NEW BUSINESS:

1. Council to consider approval of an Ordinance to amend the Zoning Ordinance for the City to revise provisions pertaining to rezoning fees and provisions pertaining to a schedule of fees.

Community Development Director Nicole Dozier led this discussion and stated that this is just a housekeeping matter to amend the zoning ordinance to reflect the Council's approval of the new Community Development fees.

Public Hearing Opened.

No one came forward.

Public Hearing Closed.

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

2. Council to consider approval of a new Zoning Fee Schedule.

Ms. Dozier also led this discussion and stated that we are re-approving the previously approved Community Development fee schedule.

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

3. Council to consider approval of a Resolution to allow the Housing Authority of the City of Atlanta (AHA) and the Housing Authority of Fulton County (HAFC) to operate within the City Limits of Union City.

On motion of Councilmember Jones seconded by Councilmember Mealing and carried this item was deferred for 30-days. Vote was unanimous.

4. **Public Hearing** to consider approval of an Alcoholic Beverage License application submitted by Syed Shah for on-premise consumption of malt, vinous and spirituous liquor for Fusion Daiquiri Bar located at 5851 Buffington Road.

Accounting Technician Britney Horne led this discussion and stated that this is a request for approval for an on-premise consumption license of malt, vinous and spirituous liquor with Sunday sales for Fusion Daiquiri Bar located at 5851 Buffington Road. She added that the property was once housed by Legends Sports Bar and their license expired December 31, 2014. She further added that the request serves as a change of ownership and new license issuance. She concluded that all administrative requirements have been met and staff recommends approval.

Public Hearing Opened.

No one came forward.

Public Hearing Closed.

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

5. Council to consider approval of a request from Jay Parmar, owner of the Microtel Hotel, to waive penalties on his tax bill.

Councilmember Jones explained that earlier he was not ready to make a decision on this item, but he has since changed his opinion and is ready to vote as opposed to deferring the item for 30-days.

On motion of Councilmember Jones seconded by Councilmember Nealy and carried, the aforementioned request by Mr. Parmar to waive the penalties and interest associated with his tax bill was denied. Vote was unanimous.

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION: None.

City Manager Reports:

City Manager Fillingame reminded the Council of the following updates:

- Back to School Rally at Ronald Bridges Park, August 1st from 10:00 to 12:00
- Luncheon for the 2015 Summer Interns at the Green Manor, July 23rd at 12:00

VIII. OTHER BUSINESS:

IX. REPORTS & ANNOUNCEMENTS FROM THE MAYOR & COUNCIL:

Councilmember Mealing spoke regarding the following:

- Many thanks were given to the 2015 Summer Interns
- Thanks were given to the Georgia Tech students for an outstanding project
- Thanks were given to The Collaborative Firm to filling in the gap in Community Development
- Thanks were given to the South Fulton Ministerial Coalition for giving fans to the senior citizens in the City
- Thoughts and prayers were with Councilmember Robinson as she left the meeting due to illness

Councilmember Nealy spoke regarding the following:

- Thanks were given to the residents for attending another spirited meeting
- Thanks were given to staff for their response to inquiries made regarding the resurfacing along Oakley Industrial Boulevard
- She noted that Buffing Road would open in September and this information was disclosed in May, residents were asked to be patient during the process
- A warm welcome was given to Banneker's new principal and Fulton County's interim Superintendent
- Thanks were given to the Union City 2015 Summer Interns
- Thanks were given to the Georgia Tech Students for a great presentation
- Thank were given to the public for their comments, the Council will move accordingly

Councilmember Jones spoke regarding the following:

- Thanks were given to the Union City 2015 Summer Interns
- Thanks were given to the Georgia Tech Students for an outstanding presentation
- An inquiry was made regarding grant opportunities for Parks and Recreation
- He noted that the new judge may assist with the Code Enforcement issues
- He noted that he is concerned that Sunrise Development is encroaching on the 50 foot buffer
- Congratulations were extended to Dr. Bradley for his new position as principal at Banneker
- Congratulations were extended to the interim Fulton County School Superintendent, Mr. Zeff
- He noted that consideration could be given to change the name of Mall Boulevard as the mall in no longer existing

At this time Mayor Williams spoke regarding the following:

Mayor Williams thanked the public for coming out. He then stated that often time we get agitators who come and visit our community and where are they now. He added that when he spoke of the tragedy that took place in the City of East Point, there was an outburst as if that did not matter. He further added that all lives matter because that fourteen-year-old that was shot and killed yesterday was just a child doing nothing. Mayor Williams stated that certainly as men and women of the clergy and men and women that are leaders in the community should start doing something about our crime that we are committing upon one another each and every day. He added that we can pick up any newspaper around the country and see what we are doing to ourselves. He further added that if we cannot put ourselves in check how can we put anything or anyone else in check. Again he thanked everyone for coming out. Mayor Williams concluded that he was taught as a child to always be respectful in any setting that you may be in. He added that it disturbs him to see the many adults that are misrepresenting the leadership that they are embolden to. He further added that we are supposed to be an example for our youth and we are losing sight of that because our youth are running rampant and we have to make sure that we do our job. Mayor Williams stated that as we continue to move forward in Union City, we understand that all lives matter.

At this time City Attorney Davenport stated that he needed to enter into Executive Session to discuss one item regarding threatening litigation and review the Executive Session Minutes from June 16, 2015.

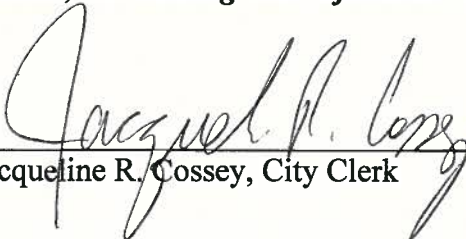
On motion of Councilmember Mealing seconded by Councilmember Nealy and carried, Council entered into Executive Session to discuss one item regarding threatening litigation, and review the Executive Session Minutes from June 16, 2015. Vote was unanimous.

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

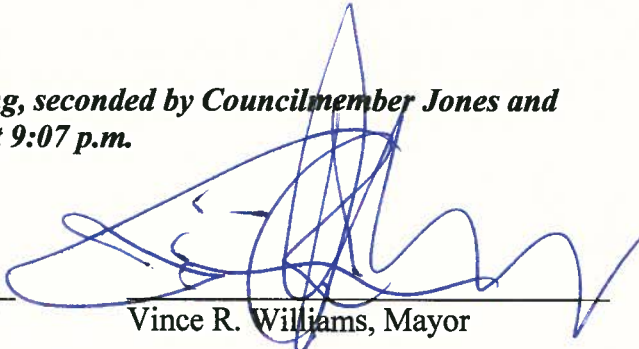
On motion of Councilmember Mealing seconded by Councilmember Nealy and carried, the Executive Session Minutes from June 16, 2015 were unanimously approved.

X. ADJOURNMENT:

On motion of Councilmember Mealing, seconded by Councilmember Jones and carried, the meeting was adjourned at 9:07 p.m.



Jacqueline R. Cossey, City Clerk



Vince R. Williams, Mayor

STATE OF GEORGIA

COUNTY OF FULTON

EXECUTIVE SESSION AFFIDAVIT

Personally appeared before me, Vince Williams, 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 21 day of July, 2015.

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 21 day of July, 2015, which was closed for the purpose(s) of One (1) item regarding threatening litigation + review/Executive session Minutes from July 16, 2015 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.


VINCE WILLIAMS, Mayor Pro-Tem

Sworn to and subscribed before me this
21 day of July, 2015.


Notary Public