

UNION CITY MINUTES
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 20, 2015
7:00 P.M.

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

Directors: Rhonda Jones – Human Resources, Cedric Clark – Public Services, Chuck Odom – Police Chief, Joe Maddox - Fire Chief, Nicole Dozier – Community Development, Lee Blicht – Parks & Recreation and Trey Bennings – Information Technology

Absent: Tarsha Calloway - Finance

The meeting was called to order at approximately 7:00 p.m. by Mayor Williams.

I. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Invocation by Pastor Trey Bennings

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

Public comments were made by the following:

Bonnie Hinton of 6354 Shannon Parkway spoke regarding City Council's response to public comments and Union City police vehicles at Tomorrow World.

Yvonne Barber of 6385 Church Street spoke regarding crime in the City.

Ms. Hilliard of 4205 Jordans Bank spoke regarding emergency provisions for railroad derailment and the capacity of the Etris Community Center.

III. PRESENTATIONS/ACKNOWLEDGEMENTS OF AWARDS AND ACHIEVEMENTS:

Comprehensive Annual Financial Report – Award of Financial Reporting Achievement

This item will be presented in November

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.

David Jeffer, representative of Circle K, of 260 Peachtree Street spoke in favor of the matter.

Mayor Williams asked the gentlemen if they had any prior conversation with their surrounding neighbors including the churches and surrounding residents that may be concerned.

Mr. Jeffer stated that he is not aware of any concerns as no one said anything while they were moving through construction and the licensing, but he and Savio are amenable. He added that they are scheduled to open in approximately two weeks. He further added that they have attended the neighborhood planning meetings regarding the matter.

Ms. Bonnie Hinton of 6354 Shannon Parkway spoke in opposition of the matter.

Ms. Bridgette Cummings of 5701 Rockaway Drive spoke in opposition of the matter.

Mayor Williams asked if the proper signage was posted regarding the meeting.

City Attorney Davenport stated that signage is not required, but we are required to advertise the matter in the newspaper.

Ms. Horne stated that we have met all of our requirements.

Mayor Williams asked for clarity if we advertised the matter in the local organ.

Ms. Horne stated that is correct.

At this time Councilmember Jones stated that he would support his initial decision to deny this request as he did back in May of 2012. He said that his decision is based on the proximity of this property to the churches. He added that in 2012 Pastor Scott, Ms. Hinton and Ms. Cummings were present during the request to annex the property into the City and he supports his initial decision, therefore he will not be supporting this item.

Councilmember Mealing stated that she feels the same as Councilmember Jones. She added that it would have been nice for the petitioner to meet with the close neighbors.

Councilmember Nealy stated that she is not siding, but based on our requirements the petitioner has fulfilled the requirements. She added that our distance requirement is 300 feet and the property is outside of those boundaries therefore when the time comes, she is ready to vote.

Councilmember Robinson stated that she understands the concerns from the public and she would be opposed to it if we had not done our due diligence, but the petitioner has met the distance requirements. She added for the record, she understands the public's concerns and she would be against it but the petitioner has met the requirements. She further added that it would have been nice if the petitioner had met with the surrounding neighbors to obtain some feedback, but it is their business. She concluded that she understands the concerns about alcohol, but if the petitioner is in compliance with the ordinance requirements, she would have to approve the application.

At this time Mayor Williams stated that it is always a good faith effort to meet with the neighbors and with Pastor Hamner away, he feels that it would benefit the petitioner for the Council to table the matter for 30-days, so the petitioner can have an opportunity to speak with

the pastors of both churches and help them to understand what the petitioner is doing and inform them that the petitioner has met the local and state requirements.

Mr. Jeffers stated that he is open to that and for the record, no Circle K in any jurisdiction has lottery machines and they are happy to address any other concerns that the public has.

Public Hearing Closed.

On motion of Councilmember Mealing seconded by Councilmember Robinson and carried, the aforementioned item was deferred for 30-days. The item passed by a three-to-one vote. Councilmember Jones voted in opposition

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing** to consider changes to Article XI Sign Ordinance in order to provide clarity and update the existing text. **(Planning Commission Recommended Approval)**

On motion of Councilmember Jones seconded by Councilmember Mealing and carried, the aforementioned item was deferred to 60-days to allow Mrs. Dozier the opportunity to meet with the City Attorney to review all of our Planning Ordinances. Vote was unanimous.

2. **Public Hearing** to consider annexing 4.5 acres of land on Buffington Road into Union City. **(Planning Commission Recommended Approval)**

Public Hearing Opened.

No one came forward.

Public Hearing Closed.

On motion of Councilmember Mealing seconded by Councilmember Nealy and carried, the aforementioned item was deferred for 30-days. Vote was unanimous.

3. **Public Hearing** to consider rezoning 4.5 acres of land on Buffington road into Union City. **(Planning Commission Recommended Approval)**

Mrs. Dozier led this discussion and stated that the applicant is requesting to rezone 4.5 acres of land located on Buffington Road. She added that the site is located on the northeast side of I-85 and the applicant is proposing a personal care facility. She added that this will entail dormitories and rooms for personal care service as well as an activity center. Mrs. Dozier stated that although she does not have a copy of the proposal, she would forward it to the Mayor and Council; however the site plan is similar to the plan that is in the original applications. She added that the buildings are not being located, but they are being renovated to be reused as a part of this rezoning application.

Mayor Williams suggested, for future reference, that Mrs. Dozier ensures that he and the Council have all of the information.

Councilmember Jones asked if a site plan would come back before the Mayor and Council or the Planning Commission.

Mrs. Dozier clarified that the site plan would come before staff; however she will forward a copy to the Mayor and Council so they can see that the layout of the site is similar to what is already there. She added that it is the applicant's intention to reuse the existing building.

Councilmember Robinson stated that Mrs. Dozier did not inform the Council during the Worksession that the buildings were preexisting.

Mrs. Dozier added that there are currently four preexisting buildings on the site. She added that this information was in the application packet if you review the original site plan, it has four structures on the property.

Councilmember Robinson stated that she was not aware of what those square objects were, but she would appreciate it if Mrs. Dozier would be more specific in the future.

Mrs. Dozier stated that the four squares indicate the four structures on the site and the petitioner is requesting this particular zoning because he needed to have four residential units permitted on the lot and the R-1 Zoning is one dwelling unit per acre. She added that being that he has four acres, it would be appropriate for him to have that zoning to maintain all four structures at that particular location.

Mayor Williams asked for clarity if this was transitional housing.

Mrs. Dozier responded, "This is not transitional housing".

Councilmember Mealing stated that we will have a senior complex on Buffington Road.

Mrs. Dozier explained that this will be a personal care service facility for seniors only.

City Attorney Davenport asked for clarity. He asked for clarity if the request is to rezone the property to R-1 and there are total of three parcels and four structures with two structures on one parcel.

Mrs. Dozier stated that she believes that one of the parcels may have an accessory structure.

Attorney Davenport stated that if it is an accessory structure then this is not an issue, but if it is a principle structure, she would need to add a condition to the annexation that the petitioner subdivides the property sufficiently so that there will not be more than one principle structure per parcel.

At this time Councilmember Robinson suggested that Mrs. Dozier should be more specific with the material in the future because this was time consuming. She added that this could affect Council's consideration.

Attorney Davenport stated that he is reviewing the map and he can see the three parcels and it appears that the most southern parcel is very small. He then asked Mrs. Dozier if that parcel comports with the requirements for the R-1 Zoning District for Union City.

Mrs. Dozier stated that she would have to check.

Attorney Davenport stated that he would suggest that to the extent that any of the parcels do not meet the minimum requirements of R-1 the petitioner, as a condition of the annexation, would change the boundary line to make sure that the minimum requirements are met; otherwise, she would be bringing in a lot that is smaller than required and it will be grandfathered in.

Mrs. Dozier stated that the applicant still has to present a replat with regards to the overall project and at that time she would make sure that all of the lots associated are compliant.

Attorney Davenport stated that if she does not make it a condition of the annexation, it would be automatically grandfathered in.

At this time Mayor Williams suggested that the Council table this item as well as the annexation for 30-days.

On motion of Councilmember Mealing seconded by Councilmember Nealy and carried, the aforementioned item was deferred for 30-days. Vote was unanimous.

City Manager Reports:

- Breast Cancer Awareness 5K Run, October 24 from 8:00 a.m. to 10:00 a.m.
- Union City Arts and Crafts Festival, October 24 from 11:00 p.m. to 6:00 p.m.
- Veterans Day Event, November 10
- Police Department Vehicle Update

Mrs. Fillingame informed the Council that during the budget process \$200,000 was allocated towards the purchase of police cars. She then asked Police Chief Odom to address the matter.

Police Chief Odom stated that this Board adopted the budget with \$200,000 allocated for the purchase of police cars. He added that he has gone through the bidding process and General Motors has a GSA contract for the Federal Government procurement which he will piggyback because of other grants that he has. He further added that he will choose eight cars which will leave them with some funds to do the up fitting. He concluded that he is trying to meet a tight deadline which is approximately three days from now.

VIII. OTHER BUSINESS: None.

IX. REPORTS & ANNOUNCEMENTS FROM THE MAYOR & COUNCIL:

Councilmember Nealy spoke regarding the following:

- Thanks were given to residents and Board Members for attending the meeting
- Thanks were given to staff
- Special recognition was given to the coronation and Coach Blitch
- Recognition was also given to Coach Blitch and Ms. Buffy for a great Homecoming
- Recognition was given to Breast Cancer Awareness 5K Run in Union City
- Recognition was given to the upcoming Arts Festival
- An invitation was extended for more children to attend the Arts Festival
- Awareness was brought to the Regional Leadership Institute Conference that she attended on behalf of the City (Helping to find solutions to the challenges that regional leaders face such as education, transportation, housing and collaboration)
- Recognition was given to the Stop the Violence Parade
- A reminder was given regarding the upcoming election, November 3, 2015
- Best wishes were extended to all candidates

Councilmember Jones spoke regarding the following:

- A request was made regarding the status of VC3
- Thanks were given to staff
- Recognition was given to staff for a great turn out while hosting the South Fulton Municipal Association Meeting this month
- A special thanks was given to Nicole Dozier for doing a great job in Community Development
- A special thanks was also given to Coach Lee Blitch for a great Homecoming and Cheer Dad Breakfast
- Recognition was given to the new Wal-Mart Commerce Building located in Union City

Councilmember Mealing spoke regarding the following:

- Recognition was given to Coach Blitch for a great Homecoming and Cheer Dad Breakfast
- Recognition was given to the Stop the Violence Parade
- An announcement was made that the bridge on Buffington Road is open
- Thanks were extended to staff for all that they do
- A request was made for an update regarding the money allocated to upgrade Parks and Recreation

Councilmember Robinson spoke regarding the following:

- Recognition was given to a well dressed Coach Blitch during the coronation
- Thanks were given to the residents for allowing her to serve on City Council
- Praise was given to Union City for being the talk of South Fulton

- An invitation was extended for all to attend the Breast Cancer 5K Run and the Arts and Crafts Festival
- An invitation was extended to Mrs. Hill to enter her jewelry in the Arts Festival
- Many thanks were given for a pleasant meeting

Mayor Williams spoke regarding the following:

- Recognition was given to Union City for being the talk of Georgia
- Recognition was given to Mayor Buddy Dyer of Orlando, Florida for great mentorship
- A request was made to honor Bob Crutchfield of Christian City
- A warm welcome was extended to Wal-Mart E-Commerce Fulfillment Center of Union City
- Congratulations were extended to Chich-fil-a's Dan Cathy for a recent tribute
- Congratulations were extended to the City of Fairburn for a fantastic parade
- Thanks were given to Liberty Point's Pre-K Class for allowing him to spend time with them
- Thanks were given to Team UC, the Green Manor staff and Mrs. Jaki Cossey for hosting another great South Fulton Municipal Association Meeting
- Special thanks were given to Ed Richardson and Brian Livesay of the 404 Studio Partners for sharing an awesome update regarding the Atlanta Metro Studios in Union City
- Recognition was given for a great Father-Daughter Pancake Breakfast
- Recognition was given to Ms. Tayo Reed for a great Stop the Violence Parade
- A request was made to prepare for GMA's Annual Mayors' Christmas Motorcade
- Recognition was given to the Food and Toy Drives for the Holidays
- Recognition was given to Mr. John Rooker and his team for a future announcement
- A request was made for an update regarding metal detectors for Council Chambers
- Many thanks were given to staff for all that they do
- A warm welcome was extended to the new Executive Assistant, Cindy Givens, to Mayor Williams and City Manager Fillingame

City Attorney Davenport stated that he needed to enter into Executive Session to discuss two items regarding potential litigation and review the Executive Session Minutes from September 15, 2015.

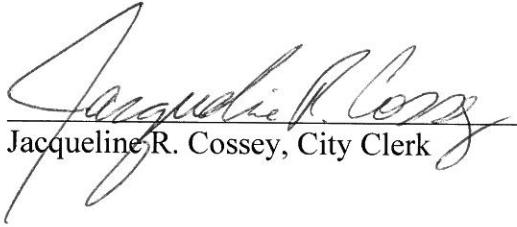
On motion of Councilmember Jones seconded by Councilmember Mealing and carried, Council entered into Executive Session to discuss two items regarding potential litigation and review the Executive Session Minutes from September 15, 2015. Vote was unanimous.

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

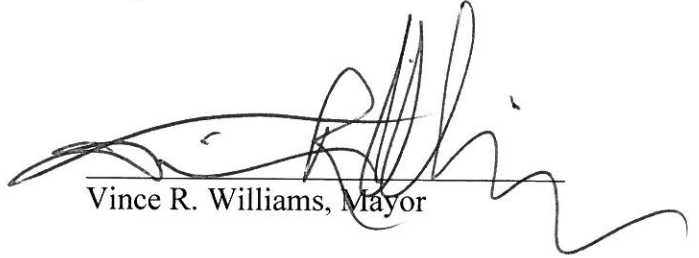
On motion of Councilmember Mealing seconded by Councilmember Robinson and carried, the Executive Session Minutes from September 15, 2015 were unanimously approved.

X. ADJOURNMENT:

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



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 20 day of October, 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.

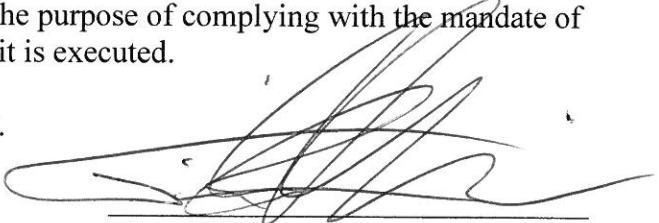
3.

The subject matter of the closed meeting or closed portion of the meeting held on the 20 day of October, 2015, which was closed for the purpose(s) of 2 (two) items for potential litigation + Review Executive Session Minutes From 9/15/2015 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

Sworn to and subscribed before me this
20 day of October, 2015.


Notary Public