

UNION CITY MINUTES  
REGULAR COUNCIL MEETING  
TUESDAY, JUNE 21, 2016  
7:00 P.M.

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

Dept. Heads: Nicole Dozier – Community Development, Cassandra Jones – Police Chief, Joe Maddox - Fire Chief, Rhonda Jones – Human Resources, 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 Mayor Vince Williams

At this time Mayor Williams asked for a moment of silence for the lives lost and the families impacted in Orlando, Florida.

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

Public comments were made by the following:

Hazel Blackmon of 7806 Bell Tower Lane regarding the need for balance of quality hotels, quality restaurants and quality shopping malls in the City. She added that truckers have taken over Highway 138 which is off limits to eighteen wheelers.

III. PRESENTATIONS/ACKNOWLEDGEMENTS OF AWARDS AND ACHIEVEMENTS:

Presentation by Ms. Janelle Jones regarding the Millennial Engagement Program

Ms. Jones provided a brief presentation regarding the Millennial Committee Engagement Program. She explained that she designed the program uniquely for each city and she currently has the City of Fairburn and College Park under contract. She continued to explain that the program was founded by the Millennial Round Table, a small group of young professionals working in their own capacities, who share a passion for cities that need development. Ms. Jones covered Union City's focus areas including: Community Beautification, Education, Health and Wellness, Small Business Development, Community Innovation and Voter Apathy. She stated that the committee will be made up of Union City residents. She added that the cost for the program is \$5,000 for one year and the fee will cover marketing, labor and



Mayor Williams stated that he respects freedom of speech, but with exposure to home invasions, he is concerned about public safety.

Attorney Davenport explained freedom of speech and the regulation of public streets versus private property. He also addressed products and publications as a part of the registration process.

Mayor Williams addressed the time of operation in the proposed ordinance which was from 8:00 a.m. to 6:00 p.m. He added that the original ordinance stated that the hours of operations were from 9:00 a.m. to 6:00 p.m.

Attorney Davenport stated that this is subjective and it is up to the Mayor and Council to decide the hours of operation and this was just a recommendation. He also cautioned the Council to approve the fee in a separate motion in the form of a resolution to put the fee in place. He then explained that the fee schedule is kept separate from the ordinance and whenever a fee changes, we would have to amend the ordinance with Municode and with the approval of a resolution we would just amend the fee schedule because it tells you to refer to the fee.

*On motion of Councilmember Mealing, seconded by Councilmember Nealy and carried, the proposed ordinance was approved contingent upon the amendment of the hours of operations from 9:00 a.m. to 6:00 p.m. Vote was unanimous.*

*On motion of Councilmember Jones, seconded by Councilmember Nealy and carried, the registration fee with regards to salespersons, solicitors, and peddlers; registration was increased to \$100. Vote was unanimous.*

REGULAR/NEW BUSINESS: None.

VII. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing** to rezone 125 acres of property located at 5355 Hunter Road from Industrial (M-1A) and Agriculture (AG-1) to Town Center Mixed Use (TCMU).

Community Development Director Nicole Dozier stated that this presentation will cover items number one and two. She added that the applicant is represented by the Galloway Law Group and is requesting to annex 125 acres of property located at 5355 Hunter Road from Fulton County into Union City. She further added that the Fulton County Board of Commissioners had no objections to this annexation and this item was approved at their June 15, 2016 meeting. She concluded that during their Called Meeting last night, the Planning Commission recommended approval of this annexation with the condition that the dam's repair and maintenance is the full responsibility of the property owner. Additionally she stated that the applicant is requesting to rezone the property to Town Center Mixed Use. The Planning Commission also heard this item and recommended approval with the condition that the repairs on Hunter Road are addressed as per staff's recommendations. At this time Director Dozier shared a zoning map of the property, a picture of the property and a concept plan of the site.

Public Hearing Opened.

Jordan Edwards of the Galloway Law Group spoke in favor of the rezoning and annexation.

Councilmember Jones asked about the amount of traffic flow in the area.

Mayor Williams stated that he has had the opportunity to work at the facility in College Park and there is not a lot of traffic because most of the people are employees or they will be housed at the facility.

Kim Mitchell of 5400 Lakeside Drive asked if it was a closed drug rehabilitation facility..

Mr. Edwards stated that he was appreciative of the conservative sentiment, but this is privately owned and there are no plans to develop the agricultural part of this property, however the public will benefit as the taxes will be paid. He added that there will be repairs to the dam and repairs to the road.

Hazel Blackmon of 7806 Bell Tower Lane made opposing remarks.

Public Hearing Closed.

2. **Public Hearing** to annex 125 acres of property located at 5355 Hunter Road from Industrial (M-1A) and Agriculture (AG-1) to Town Center Mixed Use (TCMU).

Public Hearing Opened.

No one came forward.

Public Hearing Closed.

Mayor Williams stated that there was some confusion with regards to the numbers as it relates to the road and after looking at the numbers in-house the number came out to approximately \$79,600. He then suggested that the Council move forward with that number as a minimum and allow UHS to take that because that is a part of coming into Union City to take care of the road repair. He added that they will be solely responsible for the upkeep and the maintenance of the dam.

Attorney Davenport stated that the issue that Mayor Williams spoke about the road is more aligned with being a condition for the rezoning and the dam issue is one where the property owner knows and has stated on the records that he has the upkeep and responsibility, but it would be prudent to have the annexation on the condition that the property owner does the maintenance and upkeep on the dam to remove all doubt as to whose responsibility it is.

***On motion of Councilmember Hobbs, seconded by Councilmember Jones and carried, the aforementioned annexation was approved contingent on the condition that the property owner is responsible for the maintenance and upkeep of the dam. Vote was unanimous.***

***On motion of Councilmember Nealy, seconded by Councilmember Mealing and carried, the aforementioned rezoning was approved contingent on the condition that property***

*owner is responsible for the maintenance of the road with the cost estimate at a minimum of \$79,000. Vote was unanimous.*

3. **Public Hearing** to rezone 21.45 acres of property located at Chattaron Road from Single Family Residential (R-1) to Town Center Mixed Use (TCMU).

Director Dozier stated that Chris Doughtie was requesting to rezone 21.45 acres on Chattaron Road from Single Family Residential to Town Center Mixed Use. She added that this item was heard at the Planning Commission meeting last night where the Planning Commission recommended approval. She concluded that Mr. Doughtie was available for questions regarding his request.

Public Hearing Opened.

Chris Doughtie of 635 Mt. Vernon Highway, Atlanta, Georgia spoke in favor of the rezoning. He stressed that the property was annexed into Union City in 2009 and his preference is to develop a retirement community.

Karee Holmes of 5650 Koweta Road spoke in opposition of the rezoning.

Kim Mitchell of 5400 Lakeside Drive asked for conditions to limit the TCMU.

Hazel Blackmon of 7806 Bell Tower Lane spoke in opposition of the rezoning.

Chris Doughtie stated that TCMU is one of the greatest zonings that he has ever seen and if the people want dining there must be jobs. He added that TCMU is related to the parkway, which is a developmental highway, and it needs to be developed to create jobs, shopping and fine dining. Mr. Doughtie stated that it may not be what Shannon Mall was but it will start to fill in with the movie studio being there and the people will want nice food, but everything that is being done in TCMU and the medical facility are high end jobs and those are also the people bringing in the higher end houses and wanting the fine dining which creates a snowball rolling in the right direction and that is what TCMU is going to do for Union City.

Public Hearing Closed.

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

4. **Public Hearing** to rename Shannon Way to Studio Way. (Planning Commission Recommends Approval)

Director Dozier stated that Brian Cardoza from Rooker Development was present and representing RP Union Station 85, LLC. She added that Mr. Cardoza would like to rename Shannon Way to Studio Way. She further added that the Planning Commission heard this item on May 23, 2016 and recommended approval. Director Dozier stated that the applicant has obtained approval from effective parties that currently reside on Shannon Way.

Public Hearing Opened.



Brian Cardoza of 445 Bishop Street, Atlanta, Georgia spoke in favor of the renaming of Shannon Way to Studio Way.

Andre' Walker of 300 Corner Court, College Park, Georgia spoke in favor of the renaming of Shannon Way to Studio Way.

Public Hearing Closed.

***On motion of Councilmember Hobbs, seconded by Councilmember Nealy and carried, the aforementioned request to rename Shannon Way to Studio Way was unanimously approved.***

5. **Public Hearing** to rezone 1.88 acres of property located at 5345 Stonewall Tell Road from Single Family Residential (R-1) to Town Center Mixed Use (TCMU). **(Planning Commission Recommends Approval)**

Director Dozier stated that Chris Doughtie would like to request to rezone 1.88 acres of property located at 5345 Stonewall Tell Road from Single Family Residential to Town Center Mixed Use. She added that the Planning Commission heard and recommended approval of this item on May 23, 2016. At this time Director Dozier shared a zoning map of the property, a picture and a site plan. She then stated that the applicant was present to answer any questions or concerns.

Public Hearing Opened.

Chris Doughtie of 635 Mt. Vernon Highway, Atlanta, Georgia spoke in favor of the rezoning. He stressed that this property was annexed by the previous owner in 2006. He added that his concept plan show a daycare center and town homes, but his main thoughts are for a retirement community, for a cluster housing community, and orients it to retirement and the other is more oriented to the type near Publix, two different concepts.

Councilmember Hobbs asked if the cemetery would be disturbed.

Mr. Doughtie responded, "Absolutely not."

Public Hearing Closed.

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

City Manager Reports:

#### VIII. OTHER BUSINESS:

At this time Mayor Williams stated that he has signed the agreement with ATL Airport District, Inc. so the Council needs to address our Tourism Board because they were put together for that purpose. He added that this does not have to be address tonight.

Mayor Williams presented the Council with a document regarding Connect South Fulton. He then stated that he has had the opportunity to work with other cities in South Fulton in coming up with an economic development partnership. He added that it is time for us to look at how we are going to utilize our relationship as seven cities on the south side and he and the other Mayors want to ensure that they do something that is beneficial to all of the cities. Lastly, Mayor Williams announced that the colleagues Mayors elected him as Chair for Connect South Fulton.

Mayor Williams stated that the Project List needed to be revised due to a discrepancy in our tier one project. He added that we need to start moving forward with the approval for our revised Project List. He then asked Mr. Ferguson to provide an explanation.

Mr. Lonnie Ferguson explained that additional projects were devised for resurfacing sidewalks. He also agreed to forward a copy of the revised list to the Council through the City Clerk.

Mayor Williams stated that there is a concern that the retirement for the elected officials is \$20 per year served and this should be revised and he would like to look at raising the amount going forward. He then looked to the City Attorney for advice with regards to an effective date on matters regarding elected officials.

Attorney Davenport stated that this would be creating a second class and for people who have already retired under a certain plan would benefit from that plan and if this new plan goes into effect it would be proactive for anyone who retires in the future under the new plan. He added he does not think that this has the same restriction as increasing a new salary and having to wait until a new election year to become effective. He concluded that he would like to contact GMA and have a survey with similar governmental entities and report back to the Council next month.

#### IX. REPORTS & ANNOUNCEMENTS FROM THE MAYOR & COUNCIL:

Councilmember Hobbs provided the following comments:

- Thanks were given to everyone for attending the meeting
- Thanks were given to staff and department heads
- A suggestion was made for a Union City business or merchants association
- A plea was made to check on our neighbors during the hot summer days

Councilmember Mealing provided the following comments:

- Thanks were given to everyone for attending the meeting
- Recognition was given to enhance a good quality of life in the City
- Recognition was given for a great Jazz concert
- Recognition was given to Movies by Moonlight
- Accolades were given to Parks and Recreation, Fire Department and Police Department for the efforts in the Jazz concert and Movies by Moonlight
- Many thanks were extended to staff for their assistance with the U.C. Walk

- A special thanks was extended to the City Manager, Cindy, Ashley and the Police Department for assisting with the U.C. Walk
- A belated Happy Father's Day was extended to all of the Fathers
- Many thanks were extended to Commissioner Emma Darnell for the resurfacing of the roads that run from Fulton County to Union City, especially Flat Shoals Road
- Thanks were extended to staff for all that they do to make Union City look good
- Farewell was extended to Ashley Osanyinbi as well as congratulation on her recent marriage
- Thanks were extended to Rhonda Jones for health and wellness
- Thanks were extended to the City Clerk's office for the recent detailed report generated highlighting the duties and responsibilities of the City Clerk's office

Councilmember Jones provided the following comments:

- A warm welcome was extended to Mr. Chris Doughtie for the upcoming development on Stonewall Tell Road and Koweta Road
- Thanks were extended to Commissioner Emma Darnell and Mayor Williams for the partnership paving of Flat Shoals Road
- Recognition was given to the opening of the studio
- Recognition was given to the 5K Walk
- Many thanks were extended to staff for all that they do
- Congratulations were extended to Ashley Osanyinbi on her recent marriage and acceptance into law school

Councilmember Nealy provided the following comments:

- Thanks were given to everyone for coming out and staying engaged
- Thanks were given to staff for everything that they do
- Congratulation were extended to the Police Department for applying for various grants
- Thanks were extended to the City Clerk's office for the thorough report
- Recognition was given for a great job during the budget dinner/retreat
- Thanks were given to the Human Resources for health and wellness for staff to remain healthy and fit
- Recognition was given to support a great quality of life in the City
- A request was made for the traffic control plan on Flat Shoals Road for Proctor and Gamble
- Congratulation was extended to Ashley Osanyinbi on her acceptance into law school
- An announcement was made that she was selected to participate in a seven person political delegation to have discussions with Chinese officials as well as Taiwanese officials for fifteen days. She will not be present for the next Council Meeting.
- A plea was made to stay connected on our social media feeds and websites

Mayor Williams provided the following comments:

- Thanks were extended to the City Clerk's office for the detailed report



- A heartfelt farewell was extended to Ashely Osanyinbi as this was her last Council Meeting
- The announcement was made that Code Enforcement Officer, Richard Newcomer, will be leaving also to return to Oklahoma
- The announcement was made that there is an issue in South Wind regarding illegal tractor trailer parking
- Recognition was extended to Studio Way
- Recognition was extended to Active Georgia
- Many thanks were extended to Rhonda Jones for an outstanding job with health and wellness
- Recognition was given to the creation of U.C. 101 or Leadership Union City

City Attorney Davenport stated that in 2013 Union City representatives and Fulton County representatives began negotiations regarding a lease agreement for the jail. He added that since that time the City enter into another agreement with Fulton County that will last through July 2016. He further added that he received a letter two weeks ago from Fulton County stating that they are interested in buying the jail. He concluded that he is expecting a proposal any day now, but this will be a win-win situation for both parties.

City Attorney Davenport stated that he needed to enter into Executive Session for two item regarding pending litigation and to review the Executive Session Minutes from May 17, 2016.

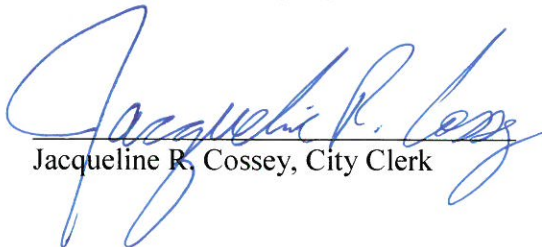
***On motion of Councilmember Jones, seconded by Councilmember Mealing and carried, Council entered into Executive Session for two items regarding pending litigation and to review the Executive Session Minutes from May 17, 2016. Vote was unanimous.***

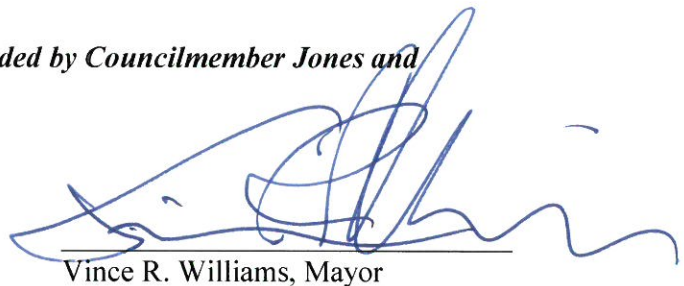
***On motion of Councilmember Jones, seconded by Councilmember Nealy and carried, Council reconvened to regular session. Vote was unanimous.***

***On motion of Councilmember Jones, seconded by Councilmember Mealing and carried, the Executive Session Minutes from May 17, 2016 were unanimously approved.***

X. ADJOURNMENT:

***On motion of Councilmember Hobbs, 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 21 day of June, 20 16.

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.

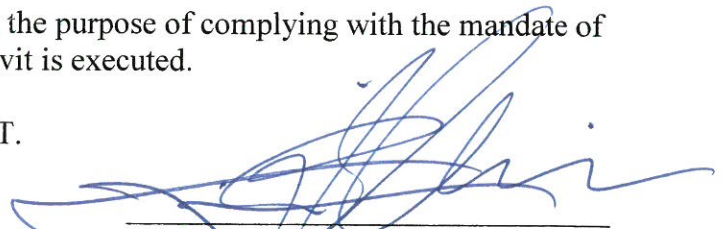
3.

The subject matter of the closed meeting or closed portion of the meeting held on the 21 day of June, 20 16, which was closed for the purpose(s) of Two (2) Pending Litigation items + review Executive Session <sup>minutes from May 17, 2016</sup> as allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

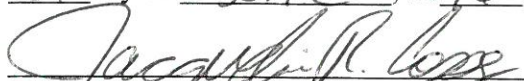
4.

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 21 day of June, 20 16.

  
\_\_\_\_\_  
Notary Public  
Notary Public, Fulton County, Georgia  
My Commission Expire Feb. 13, 2017