

WORKSESSION MINUTES
MONDAY, APRIL 13, 2009
6:30 P.M.

REVIEW OF MINUTES:

Worksession Meeting, 03/09/2009
Regular Council Meeting, Canceled

Councilmember Mealing made corrections to the minutes.

The March 9, 2009 minutes were placed on the Consent Agenda with the recommended corrections.

II. OLD BUSINESS:

Council to consider request from Ms. Patricia Jacks to reduce her outstanding water bill.

Mr. Bray provided Council with the billing history of the property. He added that after speaking with the water department, he believes that the leak is the homeowners' problem. He then recommended that Ms. Jack's pay the outstanding bill.

Mr. William Landrum confirmed that there is a leak on the property.

Mayor Moore recommended that Mr. Bray set up a payment plan for Ms. Jacks.

III. ACKNOWLEDGEMENTS AND PRESENTATIONS :

1. City Clerk received her certification from GMA & the University of Georgia

Mayor and Council congratulated Mrs. Cossey on her certification.

2. Presentation by Torian Priestly of Ambling Development Partners, LLC

Mr. Priestly addressed the Council and stated that in 2007 he requested a resolution of support for the Arcadia Parkway Village project which is currently being constructed. He added that the resolution of support is for the senior housing property which consists of 150 units of senior housing. He added that he is also in the process of working with Fulton County Housing Authority and Atlanta Housing Authority to obtain project based home assistance for an additional 150 units and 100 of those units are for senior housing. Mr. Priestly stated that the resolution of support is permitting the use of Atlanta Housing Authority in the City's limits.

Mayor Moore asked that this item be moved to the Regular Agenda for approval of this resolution.

3. Presentation by Catherine Maddox of the Board of Education

Catherine Maddox of the Fulton County Board of Education addressed the Council and invited them to a community meeting on April 20 at Hamilton Holmes Elementary

2. Council to consider request for approval to amend the Fiscal Year 2009 General Fund Budget by a reduction of \$1,548,983.00 from \$18,285,400.00 to \$16,736,417.00.

Mr. Bray led this discussion and stated that this item was discussed during the annual retreat and there is a list of budget reductions in their packets in the form of a memo.

This item was placed on the Consent Agenda.

3. Council to consider approval of the recommended FY09 proposed budget reductions.

Mr. Bray also led this discussion and referred the Mayor and Council to a memo that he prepared. He added that this particular memo lists and addresses vacant positions and how they should be filled and if they ought to be filled through August of this year and what we should do about positions and applications, merit increases for March through August as some of the employees have already received increases and others are being held. He added that he also addressed pay increases for employees achieving degrees and certifications and employees at the top of their pay range receiving an increase of \$50.00 per year of service upon receiving a satisfactory evaluation. Mr. Bray stated that additional reductions included deleting all training, travel, and overtime. He concluded that all purchases of \$500.00 or more should be approved by him. He added that Chief Mansch was looking to promote someone from within for a Corporal position and this would entail a pay increase for that person and it would also leave another job vacant.

Chief Mansch stated that position would be an \$8,000.00 annual debt increase. He added that the person leaving is a substantial senior making about \$49,000.00 a year plus benefits. He added that there are a couple of candidates that are qualified for the promotion and the best case would be around \$34,000.00 and the other would be around \$38,000.00 so there is a net gain involved. Chief Mansch stated that he does not want to conduct interviews unless he can be certain that he can get the person a pay raise.

Mayor Moore stated that the Community Development Department tried to get a reclassification and he has to ask Mr. Bray with regards to the reclassification; if the workload is down, does that merit a reclassification which would be an increase for some.

Mr. Bray said that he has worked in different places and it can, but it does not automatically have to. He added that it depends on the workload, the management of the workload and what happens, and if the work is seasonal. He stated that Ms. Lippmann can address those questions.

Ms. Lippmann stated that her department oversees Permits, License and Tax Department and right now she has two positions budgeted and building permits use to be year round and taxes are from September though November. She added that business licenses come in throughout the year and building permits are way down. Ms. Lippmann stated that she is proposing that we eliminate two Permit, License and Tax positions and reclassify the existing one to a Permit, License and Tax Technician II because of the additional responsibility that the one person would incur as well as talking to developers and engineers. She added that she has a summary of all of the incomplete subdivisions that the City has and we have 12. She further added that she thinks that building permits will pick up but she just can't say when.

Mayor Moore stated that once the permits do pick up, how can the Council be sure that Ms. Lippmann will not come back and ask for that eliminated position back.

Ms. Lippmann stated that she thinks that the position will come back, but in the future she would rather have a cashier and a technician and the cashier's pay will be significantly lower. She concluded that she would not ask for the two equal positions.

Mayor Moore asked Mr. Bray if he concurred with Ms. Lippmann.

Mr. Bray stated that he provided a memo to the Council dated April 8, 2009 where he recommended that Council not allow for any position reclassifications unless they are thoroughly justified and needed. He then requested that he be given time to look at this and come back to the Council with a recommendation. He added that he wants to do some additional studying in that area.

Councilmember Williams stated that Mr. Bray provided Council with a memorandum dated April 8, 2009, recommending that the Council do not allow for any reclassifications.

Mr. Bray stated that the recommendation was that the reclassifications would not be allowed unless it is vitally needed right away.

Councilmember Williams stated that this one is not needed.

Mayor Moore asked that Mr. Bray make that determination and bring it back to the Council. He added that he had not seen the document with that recommendation.

Councilmember Mealing referred to Mr. Bray's memorandum dated April 8, 2009 she then read the following aloud, "An incumbent who is at the top of their range will receive an increase of \$50.00 per year of service upon receiving a satisfactory evaluation." She then asked if we were currently practicing this procedure.

Mr. Bray responded, "Yes, we are doing that now."

Councilmember Mealing stated that if we are already doing that, she does not understand the logic behind putting it in the document.

Mr. Bray referred Councilmember to the memorandum and with regard to merit increases given to those employees from March to August, 2009, so it is a little different.

Councilmember Mealing asked where would the money come from and did the department heads factor staff's increases when they prepared their budgets.

Mr. Bray responded, "Yes, for merit increases the money is there unless we cut it out." He added that the money was budgeted for everyone to be eligible for a merit increase.

Councilmember Mealing asked if we had begun giving merit increases to some of the employees and stopped.

Mr. Bray stated, "Yes." He added that we started giving the increases and stopped in March until Council could decide what they wanted to do.

Councilmember Mealing asked how many employees are at the top of their threshold or range.

Jennifer Lunsford stated that there are about five in the Fire Department and a few in the Police Department and one in Public Works.

Councilmember Jackson stated that she does not know how we could start and just stop. She added that we have given some of the employees their raises that deserve it and she does not see how they can explain to the others that they can not get theirs.

Councilmember Mealing stated that she is not against the merit increases, but she just wanted to know if it was budgeted; because if it was not, they would have to find the money.

Mr. Bray stated that the merit increases were budgeted.

Councilmember Mealing referred back to Mr. Bray's memorandum then asked about those incumbents achieving a certification or degree receiving the appropriate pay increase.

Mr. Bray stated that he included that for anything that was deserving of a pay increase. He added that because the Fire Department, Police Department, and the Jail has people receiving certification and they receive an increase.

Councilmember Mealing asked if we budgeted for that.

Mr. Bray responded, "Yes."

Councilmember Williams stated that he has previously stressed his concerns and he is aware that we have already started giving merit increases from August through March, but with the economic climate that we are in right now; if we do not get a handle on our spending we will start laying people off. He added that he thinks that people will certainly appreciate coming to a job and having a pay check rather than two or three people getting an increase and having to go home. Councilmember Williams stated that there are mechanisms that we could put in place to make it a fair process. He added that once we get back to solvency we can go back and take care of the people who did not get their raises and those who did will have to meet their obligation. He concluded that we certainly need to get a handle on where we are putting this money.

Councilmember Mealing stated that she would be in favor of giving the merit increases, but stop on August 1 or for the new budget provided that the money is in the budget.

Councilmember Jackson stated that she worries about the fact that we have already started giving increases to some of the employees and all of the sudden we are going to stop and not give it to the other employees. She added that she would rather go ahead and give it to all of the employees until the new budget comes in.

Councilmember Mealing stated that that includes everything until the new budget including certification and degrees.

Councilmember Mealing referred once again to the April 8, 2008 memorandum and stated that with regard to purchases of \$500.00 or more, she thought we already had a policy in place. She then asked if he was reiterating this.

Mr. Bray stated that he was just making sure that he was seeing all purchases, even that low.

Mayor Moore stated that he thinks Mr. Bray is making sure that he is seeing purchases on a monthly basis and keeping a watchful eye.

This item was placed on the Consent Agenda.

At this time Councilmember Williams asked that the Council address the contracts for CLM and Advanced Disposal.

Mr. Bray stated that since the last meeting, the Council gave direction about the addendum with regard to what should be in there and what should not be in there. He added that there are a couple of items that need to be addressed for clarification. He added that the one item that he is most concerned about is regarding the fuel adjustment. He added that this only concerns Advanced Disposal, not CLM.

Assistant City Attorney, Patrick Stough, stated that he has seen this type of language in other contracts.

Mr. Bray asked for the difference between the old and the new language.

Mr. Stough stated that he is a little confused as to the language that is proposing to replace the old language.

Steve Edwards of Advanced Disposal stated that in the old language included actually approached and petitioned the Mayor and Council for a fuel increase. He added that the Mayor suggested paying some type of base line so both parties will know when fuel goes up or down and when to adjust it.

Mr. Stough asked Mr. Edwards if he wants to retain the use of the Consumer Price Index (CPI) and the fuel adjustment.

Mr. Edwards stated, "Yes." He added that the CPI would be less fuel and we would have to set up base lines.

Mr. Bray asked if this means that the bill could go up or down on a monthly basis.

Mr. Edwards stated that with the fuel, yes but the CPI is on an annual basis.

Councilmember Williams asked if this is customary with commercial.

Mr. Edwards stated, "Yes."

Mr. Bray stated that this is just for Advanced Disposal. He added that the rate adjustment, due to significant changes, would still be in CLM's contract with regard to fuel rate increases.

Jason Becker of CLM stated, "That is correct". He added that the biggest difference will be that the City will be doing the billing instead of them due to the adjustments. He added that he would still have to petition the Mayor and Council for any increase for fuel.

Mayor Moore stated that he still feels that the language is subjective. He added that anything that says extraordinary is subjective.

The CLM contract and the Advanced Disposal contract were both removed from the consent agenda and placed on the regular agenda due to changes.

4. Council to consider approval of the reclassification of Permit, License & Tax Position.

Mayor Moore asked Mr. Bray if he would be ready to come back before the Council with a recommendation on Tuesday.

Mr. Bray responded, "Yes."

This item was placed on the Regular Agenda.

5. Council to consider approval of replacing Fire Department 95' Platform Ladder Truck, Ladder #2. (*Estimated cost: \$847,000.00 to \$897,778.00*)

Chief Kenneth Collins stated that the engine on Ladder Truck 2 has failed. He added that this truck was purchased in 1989 by the City to help lower the insurance rate for home owners. He further added that in 2006 he replaced the truck and found out that they have not made that engine for three years. He located an engine for the truck, but it was a rebuilt engine because they no longer made that type of engine. He added that at that time he was hoping that the truck would last until at least 2011 or 2012, but it did not and it went out again in February 2009. Chief Collins stated that he researched the engine and mechanics and the manufacturers have told him that even if they could locate that engine; they are not sure that they could put it in the truck because of some new EPA regulations. He added that even if they could purchase another engine and put it in the truck it would probably be cost prohibitive if they could make it work at all. He further added that he even tried taking the aerial and put it on a new truck body, but he was told by Pierce that they would not do it and although Emergency-One said that they could do it but they would recommend against it due to changes in the National Fire Protection Association (NFPA) and the cost to do it would be \$763,800.00. Chief Collins stated that he did some research and spoke with a representative from Emergency-One and Pierce and asked if they had anything that was available. He added that Emergency-One has one available right now which is \$897,778.00. He further added that Pierce only has one truck coming off of the line next month which is the Velocity for \$854,000.00. Chief Collins provided Council with the payment plans to pay for the truck. He added that if Council decided to purchase the new truck; it would come from the G.O. Bond that he purchased engine 2 and 3 from and because of the money for Station #3. He further added that, initially, Station #3 was going to cost \$1.5 million but the lot size is smaller and he decided not to move his administrative offices there so he thinks that it will only cost \$1 million to build Station #3. Chief Collins stated that since that money was allocated for stations and fire trucks; he recommends taking \$200,000.00 from that to put a down payment on a truck and make ten-year payments on that vehicle to pay it off. He concluded that the GMA direct lease program provided him with the price quote for borrowing the additional

amount of money. He stated that the truck is needed predominately due to the high-rise buildings in Union City, high-rise buildings in Christian City, emergency evacuation and rescues, as well as several new apartments which have at least four stories. He then recommended purchasing the Pierce Velocity truck in the amount of \$854,000.00 and putting \$200,000.00 down and getting the GMA lease program to finance the remaining \$654,000.00 over the next 10 years. Chief Collins stated that if the Council is considering doing this, he would like approval tonight and contact them tomorrow and inform them that we are committing to this so that it will not be sold because the next Pierce truck will not come off of the line until sometime in July and the other truck from Emergency-One is more expensive. He added that the only other thing that he would need is approval of a resolution from GMA for their funding.

Councilmember Williams asked if we were getting the best interest rate.

Chief Collins stated that we were getting the best interest rate through GMA.

On motion of Councilmember Jones seconded by Councilmember Mealing and carried, the aforementioned recommendation to purchase the Pierce Velocity Truck was unanimously approved.

On motion of Councilmember Mealing seconded by Councilmember Jackson and carried, the aforementioned resolution for GMA funding was unanimously approved.

This item was removed from the agenda.

6. Council to consider approval of request to establish an account to pay bills for the new wastewater treatment facility.

Mr. Bray stated that he may have misconstrued this for another item.

City Clerk, Jacqueline Cossey, stated that this item was on the agenda to establish an account to pay bills for expenses that are being incurred due to the new wastewater treatment facility. She added that the finance director informed her that this account would need Council's approval before being established.

Mayor Moore stated that Council would need to amend the budget to establish a new line item for a new project.

Mayor Moore asked that this item be pulled for additional information and place on Tuesday's agenda.

This item was added to the Regular Agenda.

7. Council to consider request to contract with Fulton County to perform the November 3, 2009 General Election in the amount of \$33,061.00.

City Clerk, Jacqueline Cossey, stated that Fulton County returns all funds that they do not use for the General Election and the City usually receives a hefty check once the election is over.

Mr. Bray asked if these funds have to be paid at once and if it has to be paid up front.

Mrs. Cossey responded, "Yes."

This item was placed on the Consent Agenda.

8. Council to consider approval of the advertisement and bid opening dates for Group Five Paving Project.

Sylvester Alexander of Keck & Wood led this discussion and stated that this request is for Council to approve the advertisement and bid opening dates for the Group Five Paving Project. He added that the funding source is the 2006 bond series and the estimated expenses are approximately \$600,000.00. He added that Shannon Glen and Old Savannah subdivisions will be paved on this project along with Red Oak and Goodson Connector. He added that Fire Station No. 2 driveway and the Police Station parking lot will also be included in this project. He then recommended approving the advertisement date of April 29, 2009 and the bid opening date of May 28, 2009.

Councilmember Jones stated that the dates for the Main Street Paving project should be changed to April 29th and June 3rd.

Mayor Moore stated that these corrections could be changed on the agenda and the agenda report.

This item was added to the consent agenda with the revised advertisement and bid opening dates of April 29th and June 3rd.

9. Council to consider request for approval of a water bill payment plan for Union Station Mall.

Mr. Bray stated that he invited the owner of the Union Station Mall to discuss this item.

Mayor Moore stated that for the record they called him and wanted to meet with him and he indicated to them that he was not going to negotiate anything regarding this water bill absent of this Council. He added that they still want to meet, but he was not willing to negotiate without the Council.

Mr. Bray stated that he explained to them in a letter that the next step would be to notify the tenants before the water is turned off. He added that Macy's and Sears have paid their water bill.

Mayor Moore stated that he wants to make sure that this Council knows that once they make the decision to turn the water off that they will be accentually shutting the mall down. He added that he is disappointed that a mall representative is not here requesting reasonable arrangements.

Chief Collins stated that Assistant Chief Leasher is researching the method to shut the service lines off, but leave fire protection intact.

Councilmember Williams stated that once the letter goes out, we should get some form of action.

Councilmember Mealing asked that the letter be proofed and reviewed with regard to the content and tone because it is not the tenant's fault and we should be mindful of that when we prepare the letter.

Councilmember Jackson stated that she would like to see the letter before it goes out.

Mayor Moore instructed Mr. Bray to prepare a letter to be forwarded to the Union Station Mall tenants and once the letter is approved by the Council, it will be sent to the tenants.

This item was removed from the agenda.

At this time Assistant City Attorney Patrick Stough stated that with regard to the public hearings, numbers 13 and 14 should be removed from the agenda.

Polly Miller of the Code Enforcement Department led the discussion and stated that they have identified approximately five dilapidated structures and they submitted them to the building inspector to inspect for nuisance abatement and the inspections have been completed. She added that all locations have been posted and served except numbers 13 and 14. Ms. Miller then recommended that the Council proceed with the nuisance abatements.

10. **Public Hearing** consider request for approval to proceed with Nuisance Abatement on the property located at 6682 Gresham St – Douglas & Juanita McGhee.

This item was added to the Regular Agenda.

11. **Public Hearing** consider request for approval to proceed with Nuisance Abatement on the property located at Dixie Lake Road (Charlie's Ball Park) – Maquis Grissom.

This item was added to the Regular Aagenda.

12. **Public Hearing** consider request for approval to proceed with Nuisance Abatement on the property located at 4756 Dodson Road – Nen'ah Baptist Church, Inc.

This item was added to the Regular Agenda.

13. **Public Hearing** consider request for approval to proceed with Nuisance Abatement on the property located at 6347 Roosevelt Hwy – Branch Banking & Trust Company.

This item was removed from the agenda.

14. **Public Hearing** consider request for approval to proceed with Nuisance Abatement on the property located at 5664 Lakeside Drive – Clyde W. Moon.

This item was removed from the agenda.

VI. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

VII. OTHER BUSINESS:

City Administrator Richard Bray addressed the following items:

- o Intergovernmental Agreement with Fulton County

Mr. Bray stated that he had a meeting with Fulton County and in March the Council approved the letter of intent for the Intergovernmental Agreement for Animal Services with Fulton County. He stated that today he received a resolution and a copy of the new agreement from July 1, 2009 to June 30, 2010. He added that the change that they would like to make in the agreement is due to the resolution itself and biannual payments rather than quarterly payments. He concluded that Fulton County is requesting the agreement back by April 17 therefore he asked the Council to act on the matter tonight.

Mayor Moore asked if we had a copy of their ledger or report of telephone calls. He then suggested having someone make random calls to the people who called Fulton County for animal control services. He added that we have a large call volume for us to be a small city.

Chief Odom stated that the Police Department receives a lot of calls and they call Fulton County for animal control services. He added that often times they have to make several calls to get them to respond to one incident. He further added that on several occasions the Police Department has responded to animal control calls because of Fulton County's delay.

Mr. Bray stated that he would contact Fulton County to inform them we need more time.

- o Union City FY08 Audit

Mr. Bray reported that to finish the FY08 audit he has supplied the Council with a packet with three bids. He added that he has chosen one of these companies for \$30,000.00 to finish the FY08 audit. He then asked that the Council give him the authority to go as high, but not to exceed a limit of \$50,000.00 on this to get the FY08 audit finished. Mr. Bray stated that he is recommending the accounting group.

Councilmember Williams asked when, would they get started.

Mr. Bray stated that they could get started as early as next week.

Councilmember Mealing asked if he wanted Council to approve it now.

Mr. Bray replied, "If you want to you can."

Mayor Moore recommended that Council approve the item tonight.

On motion of Councilmember Jackson seconded my Councilmember Mealing and carried, the request to negotiate with the accounting group from \$30,000.00, not to exceed \$50,000.00 to complete the FY08 audit was unanimously approved.

Mrs. Cossey asked for the name of the company that Mr. Bray was recommending.

Councilmember Mealing asked Mr. Bray which firm was he going with.

Mr. Bray responded, "The Investigative Accounting Group."

Pebble Ridge Development

Councilmember Jones asked Mr. Bray if Council needs to act on the request from Pebble Ridge Development, Inc. regarding the street lights at Dodson Lakes Subdivision.

Mr. Bray stated that Ms. Lippmann is getting him some information regarding the lighting in the subdivisions. He added that we have regulations regarding street lights.

Ms. Lippmann provided a brief description of her findings regarding the City's financial responsibilities concerning street lights in subdivisions.

On motion of Councilmember Williams seconded by Councilmember Jackson and carried, the request by Pebble Ridge Development, Inc. was denied unanimously.

VIII. REPORTS & ANNOUNCEMENTS:

IX. ADJOURNMENT:

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