

MINUTES
WORKSESSION MEETING
MONDAY, AUGUST 11, 2008
6:30 P.M.

Present: Mayor Ralph Moore, Councilmembers Shirley Jackson, Vince Williams, Angelette Mealing, and Brian Jones, City Attorney Dennis Davenport, City Administrator Richard Bray, City Planner Ann Lippmann, City Clerk Jacqueline Cossey and Assistant City Clerk Tapreka Thomas

I. REVIEW OF MINUTES:

Worksession Council Meeting, 07/07/2008
Regular Council Meeting, 07/15/2008

All July 2008 Council Meeting minutes were added to the consent agenda.

II. OLD BUSINESS: None

III. ACKNOWLEDGEMENTS:

Swearing-In of Police Chief Charles Odom

IV. NEW BUSINESS: (*Determine Items for 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 meeting Agenda for separate consideration.

1. Approve request for Declaration of SURPLUS Status for old patrol cars and Authorization for sale of same.

City Administrator Richard Bray led this discussion and stated that if the City has anything of value to sell; the Council has to declare it as surplus.

Chief Odom stated that there are seven old cars, one 1999 Ford and six 2002 Impalas. He added that each car has an excess of 180,000 miles a piece.

Mayor Moore asked if there were any questions for Mr. Bray or Chief Odom.

Councilmember Mealing asked if the vehicles were being sold or exchanged.

Mr. Bray replied that the City would be selling them at an auction.

This item was added to the consent agenda

2. Approve request for a change order to complete the Lester Road project.

City Engineer Sylvester Alexander led this discussion and stated that the purpose of this agenda item is to request the change order to complete the Lester Road Sidewalk Project. The estimated expense for this project is \$6,435.20. The scope of the project was expanded to include repairing existing sidewalks, drainage structures, and

repairing hazardous slopes along the existing Right-of-Way to avoid having to purchase an additional easement and/or Right-of-Way. He stated that the repaving of Red Oak Road and the Lester Road intersection was removed in order to place them into a separate road improvement project. He added that there is another change to put in a retainer wall at the intersection of Buffington and Lester Road. Mr. Alexander concluded that the sidewalk is being repaired now, but there is a drop off there that is hazardous; therefore, he wants to make sure that it is not a liability to the City.

Mayor Moore asked if there were any question for Mr. Alexander.

Councilmember Williams asked if this will take care of the debris that the residents have complained about.

Mr. Alexander responded that it will be a part of the punch list work because some of the debris is going to be used to rebuild the slope.

Councilmember Williams asked, "What is the estimated timeframe to get this work done?"

Mr. Alexander replied, "A day or two after Council approves it." He also stated that there maybe another change order next month for this project because of torrential rain that has exposed some washout areas. He said that there may be a need for additional work to address that issue.

Councilmember Jones asked if part of the washout is due to the fact that a lot of the material is dirt and no grass in those areas with water coming down the hill.

Mr. Alexander responded that he did not think that was the issue because they put in a curb and gutter on one side of the road and when they did that, the water simply picked up speed.

Mayor Moore asked if there were any other questions.

No further questions were asked.

This item was added to the consent agenda.

3. Approve request to contract with Fulton County to conduct the Special Referendum Election for the City of Union City, in conjunction with the General Election on Tuesday, November 4, 2008. (Free of Charge)

Mr. Bray reiterated that these services are going to be free of charge and that he had spoke with the people at Fulton County regarding this and he thought that it was appropriate that the City receive these services free of charge and that it was very good on the County part to do this.

Mayor Moore asked City Clerk Jacqueline Cossey if she had anything to add.

Mrs. Cossey stated that originally Fulton County wanted to charge for the cost to print the referendum very bottom of the ballot; however after speaking with Ms. April Pye and Dwight Brower the County has agreed to do it free of charge.

This item was added to the consent agenda.

4. Approve request to add a delinquent procedure policy to the City's ordinance for water, sewer, sanitation customers, hotel motel, alcohol wholesalers', alcohol by the drink and automobile rental tax payers.

Finance Director, Angela Hudson, led this discussion and informed the Council that in the past, the City has had problems with getting some of the customers to pay their past due balances. She added that for the delinquent water and sewer and sanitation customers; any account that is over 30 days or has a unpaid bill of 100.00 or more, she would to place that outstanding bill on their property taxes.

Mayor Moore stated that he did not see any language regarding a dispute of the bill.

Ms. Hudson stated that any dispute would be addressed by the Council.

Ms. Hudson stated that if a business has an outstanding balance; they would not be allowed to obtain a business license or permit until they have satisfied their balance. She concluded that this approach was mainly to reach the sewer only customers.

5. Approve the contract for the city administrator.

Mayor Moore stated that the contract has been executed but it was just a matter of putting it on public records.

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

6. Approve request to increase the water rates by 27.5% in response to the City of Atlanta's water rate increase.

Ms. Hudson led this discussion and stated that for this upcoming Fiscal Year the City of Atlanta voted to increase their water rate 65% over a four year period. Starting July 1st of every year, the first amount is going to be 27 ½ percent; and the years following will be 12.5 % until the year 2012. She added that since we get our water from the City of Atlanta, we also need to increase our water rate in order to cover the cost. She stated that this will also be included in the letter that will go out to the customers next week once everything is approved.

This item was added to the consent agenda.

7. Approve request to extend the Information Technology Network Support and Maintenance agreement with Sunesis Consulting for one year.

Mr. Bray led this discussion and stated that the Sunesis contract will expire at the end of August. He further stated that he and City Attorney Dennis Davenport looked over the contract but they did not have a final form ready. He said that they would have a final draft for Council before the next meeting.

Mr. Davenport stated that he could have a copy emailed to Council by Thursday of this week.

This item was added to the consent agenda.

8. Approve request of an IT Help Desk Support agreement with Sunesis Consulting.

Mr. Bray stated that this was a separate contract agreement for the IT Help Desk Support.

Mayor Moore asked if this agreement was in its final form.

City Attorney Davenport replied, “No,” because this was just brought to his attention on Friday afternoon and this was something that they worked on hard about a year ago; therefore they are comfortable with the foundational language but he has to make a few adjustments.

This item was added to the consent agenda.

9. **Public Hearing** to consider a petition submitted by Katherine Howard-Johnson for malt and vinous liquor license for package sales for CVS Pharmacy #5725 located at 3940 Jonesboro Road.

City Planner Ann Lippmann stated that this would be for beer only and the retainer fee would be \$1,250.00. She added there were four deficiencies found and all four have been corrected and staff recommends approval of this request.

Mayor Moore asked if there were any questions for Ms. Lippmann.

No questions were asked.

This item was added to the regular agenda.

10. Consideration of a supplemental bond ordinance for the Jail Authority bond refinancing.

City Attorney Dennis Davenport led this discussion and stated that the bond is going to be achieved when Bank of America closes tomorrow presuming everything meets Council favorable consideration. He also added that initially there were a couple of issues that were a great concern to the Jail Authority and to the City. One of the issues being the SWAT Termination Payment estimated back in April as being \$950,000.00. It was actually on the date of the pricing was only \$466,000.00. He added that there was also a concern about the interest rate that we would be able to get the bond with the way the market has been fluctuating. Mr. Davenport requested immediate approval of the item.

Mayor Moore asked if there were any questions for Mr. Davenport.

No questions were asked.

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

V. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing** to consider a text amendment to Article III and Article VI of the Zoning Ordinance as it pertains to family day care home and family day care home occupancy. **Planning Commission recommendation – Approval**

City Planner Ann Lippmann led this discussion and stated that this text amendment was initiated by the Planning Commission. It was brought to her attention and Ms. Carmichael that there was a potential conflict between the City’s definitions of family

daycare homes versus someone who watches children in their home. Initially they were going to recommend having two different definitions and change of all the conditional uses, but the Fire Marshall did not think that was necessary; therefore he recommended that the definition of family daycare home include; not only the children that the homeowner may be watching but also their own children. The number of children that they can watch is up to 6 children either from the outside or including their own children.

The item was added to the regular agenda.

2. **Public Hearing** to consider a text amendment to Article VI, Section 6-12 of the Zoning Ordinance to remove all uses related to place of assembly from the Regional Shopping Center zoning district. **Planning Commission recommendation – Approval**

City Planner Ann Lippmann stated that this was in conjunction with the denial of Elizabeth Baptist Church request to include religion institutions into the Regional Shopping Center. She added that this text amendment has about two conditional uses including; golf courses, radios, etc. and the four primitive uses were: movie theatres, business and social organizations, museums, libraries. She concluded that the Planning Commission recommends striking all of those uses from the Regional Shopping Center District.

The item was added to the regular agenda.

3. **Public Hearing** to consider a map amendment to the Official Zoning Map to rezone 7.55 acres of property located on Highway 138 owned by Wyndsor Forest Apartments, LLC from General Commercial to Residential Multifamily. **Planning Commission recommendation –Approval**

City Planner Ann Lippmann led also led this discussion and stated that the purpose of this request would be to build a third phase of Wyndsor Forest Apartments that would contain 30 units.

The item was added to the regular agenda.

VI. OTHER BUSINESS:

1. Gresham Street residents oppose the sidewalk plan and any other major road improvements that are outside of the existing curb line of 26 feet.

City Administrator Richard Bray led this discussion and stated that two weeks ago he received a petition from residents that live on Gresham Street. He added that the residents oppose any sidewalks being added and anything outside of the existing curblines.

After a brief discussion, Mayor Moore stated that if the residents do not want sidewalks, this Council will not force it upon them. He then asked Mr. Bray to put Council's decision in the form of a letter and forward it to the residents.

2. Parking at the Etris Building (Sports/Renters)

Mr. Bray led informed the Council that the City has parking problems when there are ball games and events scheduled at the Etris Community Center at the same time. He added that he is waiting for a football schedule before going any further.

Mayor Moore stated that Mr. Blich and Chief Odom are developing a parking strategy for the area.

ITEMS FOR DISCUSSION:

1. Adoption of special event regulations

Ms. Lippmann stated that in the past few months, there has been an influx of requests for special event permits and the City has an application procedure for special events, which has a \$25.00 charge; however, many of these requests needed several police officers and require overtime. She added that her research has shown that there are provisions for departments such as fire, police and public services to evaluate a request for a special event and charge them a commiserate fee to include their salary.

Mayor Moore stated that he thought that the City was already including the cost of salaries in the current fee.

Ms. Lippmann stated that the City is not currently including the cost for salaries in the fee, but she wanted to be sure that the Council would support it before moving forward.

2. Zoning Board of Appeals Board Members, Milton Foster and Odell Mashburn, terms expire August 31, 2008.

Mayor Moore stated that he would like to advertise for these two positions.

Ms. Lippmann stated that there was also a position available on the Planning Commission.

Mayor Moore stated that he would like to advertise for that position also.

At this time Mayor Moore asked if there was any other business.

Mr. Bray stated that he received a request from the South Fulton Chamber of Commerce for donations because their building was damaged due to a flash flood.

Mayor Moore stated that under the gratuity clause, the City is prohibited from donating in a monetary fashion, but the City would be glad to provide them moral support in their fund raising efforts.

VII. ADJOURNMENT:

There being no further business the meeting was adjourned.