

City Administrator Richard Bray led this discussion and stated that there was an error in the original contract that was approved in 2006 regarding the 6 yard and 8 yard containers. He then recommended amending the contract to reflect the rate structure in attachment B.

Councilmember Jones asked if this increase was less than the original amount that was approved on September 11, 2006.

Mr. Bray stated that the rate that he is recommending is located in schedule B.

Councilmember Williams stated that this amount is less than the original contract.

On motion of Councilmember Williams, seconded by Councilmember Mealing and carried, the aforementioned recommendation was approved as requested. Vote was unanimous.

2. Approve request to contract with Ornamental Security, Inc. to secure items at Georgia Military College.

Mr. Bray led this discussion and stated that he went back and investigated the bids and is now recommending that Council postpone this item for 30 days until he can bring back a complete plan in January. He added that some of the work may be done by the Public Services Department.

Councilmember Williams stated that he was glad to hear that because he had spoken with some of the contractors and they had not seen the area, but were given information via telephone.

On motion of Councilmember Williams, seconded by Councilmember Jones and carried, the aforementioned request to postpone this item for 30 days was approved unanimously.

3. **Public Hearing** to consider adoption of an urban redevelopment plan for a portion of Union City. (*Opportunity Zone Resolution*)

At this time Mayor Moore requested that City Planner Ann Lippmann provide a staff report.

Ms. Lippmann stated that the urban redevelopment plan is the first step in applying for the opportunity zone designation with the Department of Community Affairs (DCA). She added that the Community Development Department has prepared an urban redevelopment plan and have also prepared a short presentation and Planner Shayla Harris would be presenting it.

City Planner Shayla Harris provided a brief presentation regarding the urban redevelopment plan for Union City. Ms. Harris stressed the three major components of the opportunity zone which are the housing sector, the commercial sector, and the newly annexed area of South Fulton Parkway.

Mayor Moore asked what is the benefit for the business community that is attempting to attract new businesses.

Ms. Harris stated that the opportunity zone is an area that is designated through the DCA where an area of poverty will be able to apply for a tax credit. She then introduced Joseph Young to expand on the subject.

Mr. Joseph Young stated that the principle benefit of the opportunity zone is that it allows for a multi-year tax credit to businesses located in the opportunity zone. He added that the job tax credit is \$3,500.00 per year per job for five years. He further added that the opportunity zone designation will last for 10 years if it is approved through DCA. Mr. Young stated that the significance of an opportunity zone, in particular, is that in the opportunity, the business does not actually have an income tax obligation. He added that in an opportunity zone situation, the worker pays to the state withholding tax and the company retains that withholding tax on its own books to pay off the tax credit. He stated that the state does a book entry, making everybody whole, and it costs the City nothing. Mr. Young concluded that this is a program that was put into place by DCA. He then stated that it is at the option of the DCA to grant this. He stated that the redevelopment plan and the application for the opportunity zone status will be submitted to DCA by the City if Council approves the redevelopment plan.

Public hearing opened.

Eric Morton of 8761 Valley Lakes Court came forward and asked if mixed use combination were being considered and how green is the proposed development.

Mayor Moore stated that this is not development driven and there are no developers present. He added that this is a tool that is popular throughout the State of Georgia to attract and create jobs and not as a tool to attract residential development which does not necessarily create jobs.

Public hearing closed.

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

4. **Public Hearing** to consider a petition submitted by Thomas D. Walker, Sr. for malt and vinous liquor license for on-premise consumption for 3-2-1 Traditions located at 5100 Goodson Connector.

Mayor Moore asked Ms. Lippmann to provide a staff report.

Ms. Lippmann stated that this is the second request for an alcohol beverage license for this location. She added that it is the former AMF Bowling Center and 3-2-1 Traditions is proposing to open another bowling center and this request is for a beer and wine license for this location. She further added that the annual revenue will be \$2,000.00 and the application has been reviewed and approved and staff recommends approval of this request.

Public hearing opened.

No one came forward.

Public hearing closed.

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

VI. RECOMMENDATIONS FROM THE PLANNING COMMISSION:

1. **Public Hearing** to consider a request by Anthony Long Term Investment that the City abandon a portion of Valley Lakes Road from Stonewall Tell Road approximately 545 feet to the property line of the cemetery located on Valley Lakes Road.

City Planner Ann Lippmann led this discussion and stated that Anthony Long Term Investment annexed 11.6 acres of property located on Stonewall Tell Road and Valley Lakes Road into Union City effective October 1, 2006. She added that they are currently petitioning Union City to abandon approximately 545 feet of Valley Lakes Road from the intersection of Stonewall Tell Road to the property line of the cemetery. Ms. Lippmann stated that this is the second request for road abandonment as the first request was denied by City Council in May of 2007. She added that this was presented to the Planning Commission during their November 17 meeting and the Planning Commission recommended proceeding with road abandonment procedures. Ms. Lippmann concluded that this Council is tasked with taking any public comments to make a determination if Valley Lakes Road ceased to be used by the public to the extent that no substantial purpose is served, and if this determination is made on the record; the portion of the road may be abandoned and if the determination is not made, the road should not be abandoned.

Public hearing opened.

- o Anika Madden of 8760 Valley Lakes Court spoke in opposition of the road abandonment.
- o Nastocia Adams of 8824 Lake Crest Way spoke in opposition of abandoning Valley Lakes Road.
- o Eric Morton of 8761 Valley Lakes Court spoke in opposition of abandoning Valley Lakes Road.
- o Nicole Jackson of 8827 Lake Crest Way spoke in opposition of abandoning Valley Lakes Road.
- o Chris Doughtie of Anthony Long Term Investments spoke in favor of abandoning Valley Lakes Road

Public hearing closed.

Councilmember Jones asked if this dirt road was lit for traveling at night.

Mr. Doughtie stated, "No, there are no lights."

Councilmember Williams stated that he visited the area and it is an abandoned dirt road and it has been trashed and he has received calls from citizens about the trash. He added that he is hearing the comments from the citizens and he supports what they

are saying, but if this is going on, everyone should pool together to clean it up and it is currently a safety hazard; therefore, he supports abandoning the road.

Councilmember Jackson stated that she would not be supporting the abandonment because that road has been there since she moved to Union City in 1961 and it is a good wide dirt road that is being maintained by Fulton County. She added that it is another exit to help the citizens to get out and avoid a nightmare situation on Highpoint Road.

Councilmember Mealing stated that this item came up some time ago and a lot of the homeowners were totally against abandoning the road and more residents are out tonight stating that they frequently travel that road. She added that she was under the impression that the road was not heavily traveled by the residents. She further stated that she does not think that the road is bad but it should be maintained better by Fulton County, and she could not support abandoning the road at this time.

Councilmember Mealing motioned to deny the aforementioned request to abandon a portion of Valley Lakes Road, seconded by Councilmember Jackson. The motion did not pass by a vote of two-to-three (2-to-3). Councilmembers Jones, Williams, and Mayor Moore cast dissenting votes.

Councilmember Williams motioned to approve the aforementioned request to abandon a portion of Valley Lakes Road, seconded by Councilmember Jones and carried three-to-two (3-to-2). Councilmembers Mealing and Jackson cast dissenting votes.

VII. OTHER BUSINESS:

1. Charter amendment to remove the collecting of fines and taxes and the issuance of licenses and permits from the duties of the City Clerk. *(State law requires that this ordinance receive two readings by the Mayor and Council)*

City Attorney Dennis Davenport reported that there are duties that are in the Charter under the City Clerk that she does not perform such as collecting fines and taxes and the issuance of licenses and permits. He added that the amendment to this ordinance does not have to go to the state, but can be done with two readings by the City Council.

Mayor Moore asked if the ordinance should be read aloud.

Mr. Davenport stated that Council could waive the reading.

On motion of Councilmember Williams, seconded by Councilmember Mealing and carried, Council waived the reading of the ordinance. Vote was unanimous.

2. Approve request to reappoint Robert E. Croom to the Jail Authority Board. *(Term expires December 31, 2008)*

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

VIII. REPORTS & ANNOUNCEMENTS:

Mr. Bray stated that there was a request from Christian City to waive the second deposit in the amount of \$140.00.

Mayor Moore stated that Council sees different from staff with regards to their application for changing ownership. He added if there were no further comments, he would entertain a motion to waive the second deposit.

On motion of Councilmember Williams, seconded by Councilmember Jones and carried, Council waived the second deposit in the amount of \$140.00. Vote was unanimous.

Mr. Bray stated that the second item was regarding Old Virginia and their past due bill. He added that he was following Council's direction and writing a letter to them about their bill and dividing it up into six monthly payments. Mr. Bray stated that he found that the past due amount as of today is \$7,261.50 and not \$10,316.43 that was previously reported. He then asked Council to approve \$7,261.50 into six monthly payments. He also asked as they make payments, does the Council desire that the monthly balance receive a late charge or not.

Mayor Moore stated that he has kept silent on this issue on numerous occasions, but he thinks that some hybrid of late fees is in order, and he would be willing to entertain that a portion of the late fee be relieved because they are struggling.

Councilmember Williams asked what is the customary percentage rate for a late fee.

Mr. Dwayne Eberhart stated, "10%."

Mr. Bray stated that the \$7,261.50 includes late charges through December 16.

Mayor Moore stated if there are no recommendations, he would consider a 40% reduction in late fees.

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

IX. ADJOURNMENT:

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

Jacqueline Cossey, City Clerk

Ralph Moore, Mayor