

UNION CITY, GEORGIA
REGULAR COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 17, 2019
7:00 P.M.

PRESENT:

Mayor Vince Williams
Mayor Pro Tem, Angelette Mealing
Councilmember Brian Jones
Councilmember Shayla Nealy
Councilmember Christina Hobbs
City Manager - Sonja Fillingame
Assistant City Manager - Tarsha Calloway
City Clerk - Shandrella Jewett

Human Resources Director - Linda Goodman-Warren
Community Development Director - Ellis Still
Public Services Director - Lonnie Ferguson
Parks and Recreation Director - Lee Blitch
Fire Chief - Joe Maddox
Police Chief - Cassandra Jones

ABSENT:

Court Services Director - Kristie Collier

The meeting was called to order at 7:05 p.m.

I. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:

Invocation by Mayor Vince Williams

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

Wanda Mosley, 4689 Creekside Cove – Spoke regarding the following:

- Adoption of a natural tree buffer of 100 feet

Naeema Gilyard, 5440 Fulton Industrial Boulevard – Spoke regarding the following:

- General Contractor to Town Center Mixed Use

Nick Byers, 5675 Highway 92 – Spoke regarding the following:

- Land across from Mt. Vernon Baptist Church
- Student's Safety – Trucks and School Buses driving on the same roads near schools

Tonya Isles, 5147 Rapahoe Trail – Spoke regarding the following:

- Progress Re-imagined in Union City

Kathy Butler, 2216 Jenny Drive – Spoke regarding the following:

- Communication with residents
- Homestead Exemption

Hardy Medina, 4701 Flat Shoals Road – Spoke regarding the following:

- Construction on Flat Shoals
- Affordable Housing and Luxury Units

John Little, 6000 McClure Road – Spoke regarding the following:

- Road Maintenance needed on McClure Road

Keith Browne, 4959 Rapahoe Trail – Spoke regarding the following:

- Economic Development

Cheryl McKay, 807 Lake Chase – Spoke regarding the following:

- Trash on Dodson Road

- Town Center Mixed Use
- City's Budget

Monique Bentley, 4701 Flat Shoals Road – Spoke regarding the following:

- Apartments across from Shannon Villas Condominium Association

III. **PRESENTATIONS/ACKNOWLEDGEMENTS OF AWARDS AND ACHIEVEMENTS:**

- Announcement and Recognition of Employee of the Month
Latoya Smith (Executive Administrative Assistant of Parks & Recreation) received the Employee of the Month Award
- Dr. Duke Bradley, III – Benjamin Banneker High School Principal (*Was not present*)
- Proclamation for 3T's Foundation 7th Year Anniversary

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.

- A. Council to consider approval of a request to extend the current residential (Waste Industries) and commercial (Advanced Disposal) sanitation agreements until September 30, 2019.
- B. Approval of the Minutes:
 - 08/20/19 - Budget Presentation
 - 08/20/19 - Work Session
 - 08/20/19 - Regular Council Meeting, Budget & Millage Rate Public Hearing
 - 08/27/19 - Final Adoption of the Budget & Millage Rate Meeting
- C. Council to consider adoption of a resolution regarding the "2020 Census Partnership with Union City".
- D. Council to consider adoption of a resolution regarding the "Creation of the 2020 Complete Count Committee" pertaining to the U.S. Census.
- E. Council to consider a donation of property to Atlanta Technical College for training purposes.
- F. Council to consider a request for approval of a Federal Grant Proposal (in the amount of \$18,991.00) to purchase Panasonic Laptop Computers that will replace outdated technology.
- G. Council to consider a request for approval to enter into a contract appointing Andres Marierose, Esquire as Solicitor for the 2020 Fiscal Year and Leslie Terry Miller, Esquire as a backup in the event one is needed.
- H. Council to consider approval of a resolution authorizing the submittal of an application for funding from the Georgia Department of Natural Resources' FY 2019-2020 Recreational Trails Program.
- I. Council to consider adoption of an ordinance designating Sections 12-163 through 12-199 of Article VI of Chapter 12 as 'reserved', and by creating a new Article VII in Chapter 12, pertaining to "Wireless Facilities and Antennas", to be numbered and read as follows: ARTICLE VII. WIRELESS FACILITIES AND ANTENNAS.

On motion of Councilmember Jones, seconded by Councilmember Hobbs and carried, the Consent Agenda was unanimously approved.

V. **RECOMMENDATIONS FROM THE PLANNING COMMISSION:**

- A. **Public Hearing** to consider a request for approval to rezone 2.25 acres of land at 5445 and 5455 Stonewall Tell Road from R-1 Single Family Residential to TCMU Town Center Mixed Use. (Stonewall Station Rezoning)

Director Still led the discussion. He stated the request was part of a larger subdivision consisting of the subject properties and other properties currently zoned TCMU.

Petitioner, Chris Doughtie (P.O. Box 856, Duluth, GA 30096) spoke in favor of the request and mentioned he had been developing in the area and would match what was in the area. He advised Mayor and Council that homes on the east side of Stonewall Tell would range \$180,000.00 - \$205,000.00. Homes on the west side would range \$210,000.00 - \$240,000.00.

Public Hearing Open

The following spoke in favor or against the rezoning:

- John Little - Inquired as to why TCMU Zoning is needed for residential.
- Cheryl McKay, 807 Lake Chase – Asked if the developer contacted the Department of Transportation regarding the traffic on Stonewall Tell and Highway 29 for the 129 homes.

Rebuttal by Petitioner, Chris Doughtie

Public Hearing Closed

On motion of Mayor Pro Tem Mealing, seconded by Councilmember Hobbs and carried, Council approved the above mentioned rezoning. Vote was unanimous.

- B. **Public Hearing** to consider a request to amend the Official Zoning Map for rezoning of 101.79 acres located at the intersection of South Fulton Parkway and Highway 92 from General Commercial (GC) to Town Center Mixed Use (TCMU). (Southpoint Farms LP IV, LLC)

Director Still led the discussion and Attorney Laura Henderson spoke regarding the below four (4) conditions that were amended.

1. The applicant shall set aside 1.5 acres for a park and parking lot for access to the trail area that will be dedicated to the City.
2. The applicant shall maintain an undisturbed 75 foot buffer along the frontages of the property and to berm and plant areas where the buffer cannot maintain the 75 foot buffer.
3. The applicant shall comply with the site plan dated August 2, 2019 in development of the property. This site plan includes a 4.2 acre parcel for commercial/office along Campbellton-Fairburn Road and an additional 37.8 acres reserved for commercial development.
4. The applicant shall screen the rear of the building where necessary.

Attorney Henderson stated “should Mayor and Council decide to approve the rezoning, we would ask you to specifically attach those and any other conditions you find appropriate.”

Petitioner G. Doug Dillard, Esquire (Dillard Sellers Attorneys at Law, 1776 Peachtree Street, Suite 322S, N., Atlanta, GA 30309) spoke on behalf of the applicant. He distributed copies of the PowerPoint Presentation and the August 2, 2019 Site Plan.

Attorney Dillard mentioned the original site plan submitted on the amendment was dated July 26, 2019. He stated the difference between July 26th site plan and August 2nd site plan was that the August 2nd site plan did not show access to South Fulton Parkway. Also, he mentioned that he agreed with the recommendations made by Director Still and Attorney Henderson. He introduced Dayne Pryor and asked him to share a PowerPoint Presentation.

Dayne Pryor, local partner of Panattoni Development (9040 Roswell Road, Suite 420, Atlanta, GA 30350) stated that he represented Southpoint Farms, LLC. He shared a PowerPoint Presentation with Mayor and Council and advised that he purchased the property last year.

Mr. Pryor noted the project was a true mixed use to match with the TCMU Zoning. He also mentioned significant adjustments were made.

Public Hearing Opened

The following spoke in favor or against the rezoning:

- Paul McCartney - 5119 Rapahoe Trail – Spoke against the rezoning
- Chris Vaughn 3214 Bowlin Drive – Spoke against the rezoning
- Joseph Simmons, 4800 Jones Road – Spoke against the rezoning
- Alan Merrill, 560 Tabb Way, The Bridge Group – Spoke against the rezoning
- Latoya Lester, 5116 Rosewood Place – Spoke against the rezoning
- Andrea Fischer-Ray, 549 Dischell Lane Parkway Villages – Spoke against the rezoning
- George Fields, 45 Raven Trail – Spoke against the rezoning
- Keith Browne, 4959 Raphae Trail – Spoke against the rezoning
- Juan Melendez, 5239 Campbellton – Spoke against the rezoning
- Kathy Butler, 2216 Jenny Drive – Spoke against the rezoning
- Nick Byers, 5675 Campbellton-Fairburn Road – Spoke against the rezoning
- Dr. Clinton Carter, 5472 Rosewood Place – Spoke against the rezoning
- Tonya Isle, 5147 Rapahoe Trail – Spoke against the rezoning
- Wanda Mosley, 4689 Creekside Cove – Spoke against the rezoning
- Denise Anderson, 6158 Baltimore Trace – Commented regarding the rezoning

Rebuttal by Petitioner, Attorney Dillard

Public Hearing Closed

On motion of Councilmember Hobbs, seconded by Councilmember Nealy and carried, the request to amend the Official Zoning Map mentioned above was approved with conditions. Vote was unanimous.

- C. **Public Hearing** to consider a request for approval of a text amendment to revise the TCMU Zoning District.

Director Still led the discussion. He stated the document was quite lengthy and there were a number of recommendations from the Planning Commission and the Stakeholders.

Woody Galloway (Galloway Law Group) – Spoke in support of the Planning Commission's recommendation with one change. He stated the Planning Commission required that there be more than one use within the TCMU District. He said additionally, it is problematic to have "multiple uses" and most apartment developers, single family developers, and office developers prefer "one use". He further stated that he supported the change without changing it to "multiple uses".

Public Hearing Opened

The following spoke in favor or against the request:

- Kathy Butler, 2216 Jenny Drive – Commented regarding TCMU concerns
- Chris Doughtie, P.O. Box 856 – Commented regarding TCMU and spoke in favor of e-commerce
- Tonya Isles, 5147 Rapahoe Trail – Commented regarding the interest of residents
- Wanda Mosley, 4689 Creekside Cove – Commented regarding the interest of residents

Public Hearing Closed

Mayor spoke regarding the challenges of TCMU and the impact to Union City residents.

Attorney Davenport advised Mayor and Council that a 90 Day Temporary Moratorium can be put in place to allow the City time to determine whether or not industrial should remain within TCMU. No new applications would be accepted for TCMU during the 90 day period. He stated several steps would apply should Mayor and Council decide to move forward. The steps would include advertisements, Public Hearings, etc.

On motion of Mayor Pro Tem Mealing, seconded by Councilmember Hobbs and carried, an emergency 90 Day Temporary Moratorium was approved. Vote was unanimous.

VI. CITY MANAGER'S REPORT:

- October 12, 2019 - Music & Arts Festival
- September 24-28, 2019 - UC Homecoming Week

VII. REPORTS & ANNOUNCEMENTS FROM MAYOR & COUNCIL:

Comments by Councilmember Nealy

Congratulatory remarks and acknowledgments extended to:

- Latoya Smith - Employee of the Month
- Neighboring Elected Officials and Community Partners for attending the Council Meeting
- Director Ferguson and the Project Management Team regarding the upcoming resurfacing projects
- Human Resource Department for the Health Tips
- Marketing Team for providing great Social Media Information
- Staff

Remarks:

- Mayors' Park Grand Re-Opening & Ribbon Cutting Ceremony
- Georgia's American Cancer Society upcoming October events
- UC Eagles

Comments by Councilmember Jones

Congratulatory remarks and acknowledgments extended to:

- Latoya Smith - Employee of the Month
- Staff

Remarks:

- Intended Use of TCMU
- August 21, 2019 - ATL Airport District (Annual Meeting and Breakfast)
- August 26, 2019 - Jaguar Land Rover's Ribbon Cutting/Grand Opening Ceremony
- August 29, 2019 - Jazz in the Courtyard
- September 5, 2019 - Mayors' Park Grand Re-Opening/Ribbon Cutting
- October 2019 - Car Show at Tyler Perry Studios hosted by the 100 Black Men Chapter
- November 2019 - Financial Literacy Session at Cascade United Methodist Church hosted by the 100 Black Men Chapter

Comments by Mayor Pro Tem Mealing

Congratulatory remarks and acknowledgments extended to:

- Latoya Smith - Employee of the Month
- Mayor Elizabeth Carr-Hurst (Mayor of Fairburn), Dr. Victoria Seals (Atlanta Technical College), and Yolanda Buford for attending the Council Meeting
- Sharon Beasley-Teague, House Representative
- Police Department, Fire Department, and Public Safety for doing a great job in the community

- Staff

Remarks:

- Lunch and Learn Events with Staff
- Intent of TCMU
- Would like to see moving art throughout the City and on the trails at the park, etc.

Comment by Councilmember Hobbs

Congratulatory remarks and acknowledgments extended to:

- Latoya Smith - Employee of the Month
- Public Safety for being awarded the Bureau of Justice Grant for Equipment
- 3T's Foundation for their 7th Year Anniversary
- 2020 Census
- Staff

Remarks:

- Mayor Elizabeth Carr-Hurst and other elected officials for attending the Council Meeting
- Beautiful art display at The Gathering Place
- Renovation of Mayors' Park
- Park System

Comments by Mayor Williams

Congratulatory remarks and acknowledgments extended to:

- Latoya Smith - Employee of the Month
- Michael Gaddy, II (Assistant City Clerk)
- Mayor Elizabeth Carr-Hurst, Dr. Victoria Seals (Atlanta Technical College), Yolanda Buford, and House Representative Sharon Beasley-Teague for attending the Council Meeting
- Staff

Remarks:

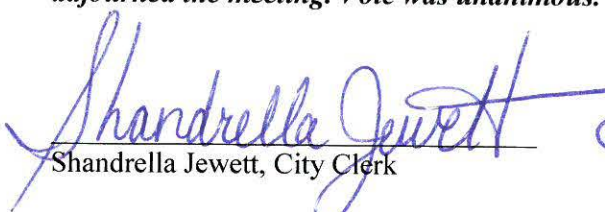
- TCMU will remain with those who are currently zoned TCMU

On motion of Councilmember Jones, seconded by Mayor Pro Tem Mealing and carried, the Executive Session Minutes from August 20, 2019 was approved. Vote was unanimous.

VIII. ADJOURNMENT:

The meeting adjourned at 9:41 p.m.

On motion of Councilmember Hobbs, seconded by Mayor Pro Tem Mealing and carried, Council adjourned the meeting. Vote was unanimous.


Shandrella Jewett, City Clerk


Vince R. Williams, Mayor