

Mayor and Council Session

700 Doug Davis Drive
Hapeville, GA 30354

July 2, 2019 6:00PM

Agenda

1. Call To Order

2. Roll Call

Mayor Alan Hallman
Alderman Mike Rast
Councilman at Large Travis Horsley
Councilman Ward I Mark Adams
Councilman Ward II Chloe Alexander

3. Welcome

4. Pledge Of Allegiance

5. Invocation

6. Public Hearing

6.I. Consideration And Action On Amendment B-P (Business Park) Zone - 2nd Reading

Background:

Consideration to amend Chapter 93 (Zoning), Article 18 (B-P Zone, Business Park) for the purpose of updating the City of Hapeville B-P Zone regulations.

Staff Comments:
Applicant Comments:
Public Comments:

Documents:

[B-P \(BUSINESS PARK\) ZONE TEXT AMENDMENT.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT B-P.PDF](#)

6.II. Consideration And Action On Veterinarian Text Amendment - 2nd Reading

Background:

Consideration to amend Chapter 93 (Zoning) for the purpose of updating the City of Hapeville veterinarian, animal hospital and kennel regulations.

Staff Comments:
Applicant Comments:
Public Comments:

Documents:

[ORDINANCE - TEXT AMENDMENT \(VETS\).PDF](#)
[PLANNERS REPORT - VETERINARY TEXT AMENDMENT.PDF](#)

6.III. Consideration On Accessory Dwelling Unit Text Amendment - 1st Reading

Background:

Consideration to amend Chapter 93 (Zoning), Section 93-2-5 (Accessory uses) for the purpose of creating Chapter 93 (Zoning), Section 93-2-26 (Accessory Dwelling Units).

The Planning Commission considered this item on April 9, 2019 and recommended the Mayor and Council approve the text amendment with proposed changes. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

[TEXT AMENDMENT - ACCESSORY DWELLING UNIT.PDF](#)
[MINUTES - 4-9-2019.PDF](#)
[PLANNERS REPORT ACCESSORY DWELLING UNIT CODE SECTIONS.PDF](#)

6.IV. Consideration On U-V (Urban Village) Text Amendment - 1st Reading

Background:

Consideration to amend Chapter 93 (Zoning), Section 93-11.2-3 (Permitted uses) to update the U-V Zone permitted uses.

The Planning Commission considered this item on June 13, 2019 and recommended the Mayor and Council approve the text amendment. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

[U-V ZONE \(RESEARCH AND DEVELOPMENT FACILITIES\) TEXT AMENDMENT.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT U-V ZONING RESEARCH AND DEVELOPMENT.PDF](#)
[SUMMARY MINUTES 6-13-2019.PDF](#)

6.V. Consideration On Zoning Hearing Procedure Ordinance - 1st Reading

Background:

Consideration to amend Chapter 93 (Zoning), Section 93-25-8 (Amendment to Conditions) for procedures for removing or modifying any conditional requirement of an approved rezoning matter, a non-text amendment, special use permit, or special exception to allow for a streamlined process.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

[ORDINANCE TO AMEND ZONING HEARING PROCEDURE](#)

7. Questions On Agenda Items

The public is encouraged to communicate their questions, concerns, and suggestions during Public Comments. The Council does listen to your concerns and will have Staff follow-up on any questions you raise. Any and all comments should be addressed to the Governing Body, not to the general public and delivered in a civil manner in keeping with common courtesy and decorum.

8. Consent Agenda

8.I. Approval Of Minutes

- June 4, 2019
- June 18, 2019

8.II. Approval Of Executive Session Minutes

- June 18, 2019

8.III. Consideration And Action On Hapeville Criterium Event For August 16 From 6PM-10PM
Background:

East Point Track Club Team Manager, Michael Barman is requesting to have the 3rd Annual Hapeville Criterium event from 6-10:00PM on August 16, 2019. There will be at least 300 people in attendance and several races throughout the evening for kids, men and women. Beer Girl will handle the alcohol sales at the event and there will be a race announcer with backup music. Police will be hired and paid for by the promoter.

The cycling race route will include the following streets:

- College Street
- Union Avenue
- Forrest Avenue
- Oak Street
- Georgia Avenue
- Chestnut Street
- North Fulton

Documents:

[EVENT REQUEST FORM - MICHAEL BARMAN_REDACTED.PDF](#)
[HAPEVILLE RESIDENT FLYER 2019.PDF](#)

8.IV. Consideration And Action To Approve Martin-Robbins Fence Co, Inc In The Amount Of \$14,933 For Install Of A Fence For The Master Park Dog Park.

Background:

The City is constructing a new dog park in Master Park for small and large dogs. A new black vinyl chain link fence will be installed with double swing gates. The other quote was from Clements Fence Company, Inc. in the amount of \$14,642. Staff recommends the use of Martin-Robbins as we believe this to be the lowest "responsible" bidder. The dog park expenditures will be funded through TPD in our Tourism Fund.

Documents:

[MARTIN-ROBBINS FENCE CO., INC. - QUOTE.PDF](#)

8.V. Consideration And Action On Aerotropolis Transit Feasibility Study Resolution

Background:

On May 21, Stan Reecy gave a presentation on the Aerotropolis Transit Feasibility Study summarizing the transit needs and opportunities for innovation. Attached is a resolution for consideration and action confirming Mayor and Council's support for the overall recommendations identified in the study.

Documents:

[TRANSIT FEASIBILITY STUDY RESOLUTION.PDF](#)
[TRANSIT FEASIBILITY STUDY - APPENDIX A.PDF](#)

8.VI. Consideration And Action On Authorizing Repairs At 599 North Central

Background:

During the rebuild of the 597 North Central building for the new performing arts center, several necessary repairs for the adjacent 599 North Central building have been discovered.

These repairs include:

- the full replacement of the roof because of numerous recurring roof leaks throughout the building (not to exceed \$30,250);
- the repair and stabilization of the "clamshell" awning on the front of the building including repairs to the interior wood structure, replacement of flashing to stop leaks, replacement of the deteriorated tin ceiling, and the addition of lighting (not to exceed \$18,600);
- structural repairs to the brick walls including tuckpointing of the mortar joints and application of an acrylic sealer (\$12,000).

As part of a performing arts center, these repairs to the building are eligible for funding from the Tourism Product Development portion of the Hotel/Motel Tax.

8.VII. Consideration And Action On Georgia Municipal Employee Benefit System (GMEBS) Resolution

Background:

On June 18, GMEBS representatives Randy Logan and Michelle Warner presented the GMEBS pension plan to Council. The consensus of Council at the meeting was to proceed with staff recommendation of changing to GMEBS pension administration. In moving forward with the change, the attached resolution will need to be approved by Council. The resolution authorizes City staff to work with GMEBS and GMA staff to arrange for and facilitate the collection of information necessary to consider the future transfer of assets and administration of the City's Defined Benefit Plan to GMEBS.

Documents:

[HAPEVILLE RESOLUTION 6 13 19.PDF](#)

9. Old Business

9.I. Consideration And Action To Appoint Ms. Celicia Reme' To Hapeville Ignite (Formerly Known As DACOH)

Background:

Jacob Watts recently moved to the city of Atlanta, thus making him ineligible to continue serving on Hapeville Ignite (formerly known as DACOH). Staff reached out to Ms. Celicia Reme' (also interviewed on March 5 by Mayor and Council) to verify whether she was still interested in serving on the Authority. Ms. Reme' did confirm she is interested and would like to be appointed. She will be present at the Council meeting for any questions.

Documents:

[BOARD APPLICATION FORM - CECILIA REME_REDACTED.PDF](#)

9.II. Consideration On Transient Merchant Ordinance - 1st Reading

Background:

Attached is the revised Transient Merchant Ordinance for Council's consideration. This ordinance focuses on the person or entity who sets up or displays merchandise for sale outside of a building on any lot where the person or entity does not also lawfully conduct business regularly in a building located on that lot.

Documents:

[ORDINANCE - TRANSIENT MERCHANT.PDF](#)

9.III. Discussion On Clean And Beautiful Separating From The City

Background:

On January 22, Mayor initiated a discussion to remove the Clean and Beautiful Commission as a City Body as it was requested by the Commission. The discussion will continue at the July 2 meeting.

10. New Business

10.I. Consideration On Rules And Procedures Of Mayor And Council Text Amendment - 1st Reading

Background:

Consideration of an amendment to Chapter 2 (Administration), Section 2-2-5 (Rules and Procedures of Mayor and Council) for the regulation of City Council meetings.

Documents:

[ORDINANCE - RULES FOR ORDER AMENDMENT FOR ZONING \(02205308XA0B3B\) \(002\).PDF](#)

10.II. Consideration On Hotel Occupancy Tax Ordinance Amendment - 1st Reading

Background:

After legal review of the City's Hotel Occupancy Tax ordinance, there was an issue with a reference to law. The state law referenced under the "tax" definition only allows for the City to collect a 7% excise tax. Legal has changed the reference to reflect the 8% tax that the City currently collects.

Attached for Council's consideration is the revised ordinance.

Documents:

[ORDINANCE - HOTEL OCCUPANCY TAX.PDF](#)

10.III. Consideration On City Manager Signing Authority Ordinance - 1st Reading

Background:

On June 18, Council had a discussion about increasing the City Manager's signing authority up to \$10,000. Attached is the ordinance for Council's consideration.

Documents:

[ORDINANCE - CITY MANAGER SIGNING AUTHORITY.PDF](#)

10.IV. Consideration And Action On Ordinance Calling For A Special Election For Homestead Exemption Referendum And To Authorize Fulton County To Conduct The Special And Municipal General Election

Background:

This ordinance allows for the following: the call of a special election to be held in all precincts in the City, on the 5th of November 2019 for submitting to the voters of the City of Hapeville the question of authorizing an increase in the City's current homestead exemption for City residents to \$15,000 and an increase of homestead exemption for residents 65 years of age or over, veterans, and residents of the City who are disabled to \$20,000. The ordinance also authorizes and directs the City Clerk/Election Superintendent to publish notice of the referendum in the legal organ and/or a newspaper of appropriate general circulation for Fulton County, Georgia; and authorizes the Fulton County Department of Registration and Elections to conduct both special elections and general elections pursuant to the intergovernmental agreement between the City and Fulton County for Fulton County to provide such election services.

Staff respectfully requests Mayor and Council waive first reading of the ordinance in order to meet the required statutory deadlines.

Documents:

[NUMBERED HOMESTEAD EXEMPTION ORDINANCE.PDF](#)

10.V. Consideration And Action On Intergovernmental Agreement With Fulton County To Conduct Special Election For Homestead Exemption Referendum And The Municipal General Election For November 5, 2019 , To Authorize Payment Of Invoice In The Amount Of \$16,078.00, And To Authorize The Mayor To Sign Agreement

Background:

O.C.G.A. § 21-2-45(c) authorizes the governing authority of any municipality to contract with the county within which that municipality wholly or partially lies to conduct any or all elections. Attached is an Intergovernmental Agreement with Fulton County to conduct the special and general election on November 5, 2019.

The cost of the election is based on Fulton County conducting elections for ten municipalities. Currently, Fulton County has not received definitive plans from the City of Atlanta on whether they will have an election in November; therefore, Fulton County is proceeding under the assumption that City of Atlanta will not be participating. If Atlanta joins the November elections, then Fulton County will make adjustments and will issue a refund at a later date to the municipalities.

Documents:

10.VI. Consideration And Action On Bail Bondsman Applications

Background:

A Swift Bonding Company and Atlantic Bonding Company have both applied for a bail bondsman permit to operate within the city limits of Hapeville. Both companies are approved by the Fulton County Sheriff as required by city code section 11-3-4. Hapeville PD has investigated both applicants as required by the code section and a copy of the investigation reports have been forwarded to Mayor and Council.

Attached for consideration are the applications.

Documents:

[A SWIFT BONDING COMPANY APPLICATION.PDF](#)
[ATLANTIC BONDING COMPANY APPLICATION.PDF](#)
[ARTICLE 3 - BAIL BONDSMAN ORDINANCE.PDF](#)

11. City Manager Report

12. Public Comments

Members of the public wishing to speak shall sign in with the City Clerk prior to the start of the meeting. Time limitations for Registered Comments are three (3) minutes per person. The total Registered Comment session shall not last more than fifteen (15) minutes unless extended by Council. Each member of the public, who fails to sign up with the City Clerk prior to the start of the meeting, wishing to address Mayor and Council shall have a total of two (2) minutes. The entire general comment session for Unregistered Comments shall not last more than ten (10) minutes unless extended by Council.

13. Mayor And Council Comments

14. Executive Session

When Executive Session is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).

15. Adjourn

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.