

Mayor and Council

700 Doug Davis Drive
Hapeville, GA 30354

January 10, 2017

7:00PM

1. Call To Order
2. Roll Call
 - Mayor Alan Hallman
 - Alderman at Large Ruth Barr
 - Councilman at Large Michael Randman
 - Councilman Ward I Joshua Powell
 - Councilman Ward II Diane Dimmick
3. Welcome
4. Pledge Of Allegiance
5. Invocation
6. Public Hearing
 - 6.I. 1st First Reading Ordinance 2016-31 Halfway House

Background:

This revision to the City's zoning ordinance defines and regulates halfway houses. A halfway house is defined as:

"A temporary residential living arrangement for persons discharged from an institutional setting and in need of a supportive living arrangement to readjust to living outside the institution. These are persons who are receiving therapy and counseling from support staff who are present when residents are present for the following purposes:

- (1) To help them recuperate from the effects of drug or alcohol addiction;
- (2) To help them re-enter society while housed under supervision while under the constraints of alternatives to imprisonment including, but not limited to, pre-release, work release, or probationary programs; or
- (3) To help persons with family or school adjustment problems that require specialized attention and care in order to achieve personal independence."

Halfway houses will be prohibited in the following zones: all residential zones, RMU, V, U-V, C-R, N-C and C-1. And they will be permitted in the C-2 by special use (which must meet certain criteria and come before Mayor and Council).

The Halfway House Ordinance, per state law, requires two readings between six and nine months apart. This will be the first reading and was re-advertised as part of a Public Hearing as well.

Documents:

6.II. 1st Reading Ordinance 2017-01 Official Street Map

Background:

Council Member Randman desired to re-name and re-brand Dearborn Plaza to something more aligned with the history and background of the founding of the City. Samuel Hape Plaza was selected for that purpose. The Planning Commission has now reviewed this change and recommends to the City Council that the Official Street map of the City be changed as well. No addresses will be affected as far as staff is aware.

For additional information, please contact the City Manager's Office.

Documents:

[OFFICIAL STREET PLAN ORDINANCE - 01-10-2017.PDF](#)

[MAJOR STREET PLAN MAP JAN 10 2017.PDF](#)

[SUMMARY MINUTES - 12-13-2016.PDF](#)

6.III. Consideration And Action On Ordinance 2016- 29 Pavement

Background:

Prior to 2013, Section 93-23-5 of the City's zoning ordinance provided that all driveways must be hard- surfaced pavement, properly drained, lighted and maintained. In 2013, per EPD rules, Section 93-23-5 was amended to require different types of surfacing standards be applied for residential and non-residential parking areas. In an effort to clarify the meaning of and assist in enforcement of this ordinance, the following actions will be taken via two separate ordinances: Section 93-23-5 will be (1) removed from the zoning code, and the provisions that were previously contained within Section 93-23-5 will be (2) revised and reinstated within their own chapter, the newly-created Chapter 58, of the Code of Ordinances.

Further, upon thorough consideration and reflection of city staff and the Planning Commission, it was determined that residential driveways that were not hard-surfaced pavement prior to the 2013 revision to the zoning ordinance, would be grandfathered or deemed a non-conforming use of land.

For your consideration are the following ordinances:

I Removal/peal of Section 93-23-5 from the zoning code. This ordinance was approved by the Planning Commission. This Ordinance will be considered on December 6, 2016 for first reading. Its public hearing will be advertised and held on January 10, 2017.

I Revision and reinstatement of Section 93-23-5 as Chapter 58, Sections 58-1-1 through 58-1-4. This revision includes but it is not limited to defining terms that were previously undefined in Section 93-23-5 and separation, into different sections, of the residential and non-residential surfacing requirements. This ordinance was reviewed by the Planning Commission, but its approval was not required because it is not an amendment to the zoning ordinance. This ordinance was considered on first reading on November 15, 2016. Staff recommends that second reading be delayed until January 10, 2017 so that the two inseparable ordinances can be adopted together . This will be the second and final reading.

For additional information, please contact the City Manager's Office.

Documents:

[WEB - PAVEMENT SURFACING ORDINANCE.PDF](#)

6.IV. Consideration And Action On Ordinance 2016-30 Fireworks

Background:

This revision to the City's zoning ordinance does the following in response to recent state legislation regarding consumer fireworks regulation and sales:

- Defines consumer fireworks, consumer fireworks retail sales stand, consumer fireworks retail sales facility and the National Fire Protection Agency.
- Allows consumer fireworks retail sales facilities and stands in the C-1 District, but doesn't allow them in the V or the N-C Districts (which incorporate the C-1's permitted uses).

This ordinance was approved by the Planning Commission. In closing, the only power under the new State law that was not listed in the revised Ordinance was limiting the number of the fireworks stands. Council discussed this change at first reading and it was included by the CA's Office in this draft. Please see Sec. 11-14-2. – Limitation on number of certificates of occupancy:

"For every 10,000 persons living in the city according to the most recent decennial census of the United States as published by the United States Bureau of the Census, no more than one certificate of occupancy shall be allowed, at one time, for the operation of a Consumer Fireworks Retail Sales Stand. Where the number of persons living in the city according to said census is less than 10,000, one such certificate of occupancy shall be allowed."

For additional information, please contact the City Manager's Office.

Documents:

[FIREWORKS ORDINANCE.PDF](#)

6.V. Consideration And Action On Ordinance 2016-33 Gravel Repeal

Background:

Prior to 2013, Section 93-23-5 of the City's zoning ordinance provided that all driveways must be hard-surfaced pavement, properly drained, lighted and maintained. In 2013, per EPD rules, Section 93-23-5 was amended to require different types of surfacing standards be applied for residential and non-residential parking areas. In an effort to clarify the meaning of and assist in enforcement of this ordinance, the following actions will be taken via two separate ordinances: Section 93-23-5 will be (1) removed from the zoning code, and the provisions that were previously contained within Section 93-23-5 will be (2) revised and reinstated within their own chapter, the newly-created Chapter 58, of the Code of Ordinances.

Further, upon thorough consideration and reflection of city staff and the Planning Commission, it was determined that residential driveways that were not hard-surfaced pavement prior to the 2013 revision to the zoning ordinance, would be grandfathered or deemed a non-conforming use of land.

For your consideration are the following ordinances:

- Removal/peel of Section 93-23-5 from the zoning code. This ordinance was approved by the Planning Commission. This Ordinance will be considered on December 6, 2016 for first reading. **Its public hearing will be advertised and held on January 10, 2016.**
- Revision and reinstatement of Section 93-23-5 as Chapter 58, Sections 58-1-1 through 58-1-4. This revision includes but it is not limited to defining terms that were previously undefined in Section 93-23-5 and separation, into different sections, of the residential and non-residential surfacing requirements. This ordinance was reviewed by the Planning Commission, but its approval was not required because it is not an amendment to the zoning ordinance. This ordinance was considered on first reading on November 15, 2016. Staff recommends that second reading **be delayed until January 10, 2016 so that the two inseparable ordinances can be adopted together**. This will be the second and final reading.

For additional information, please contact the City Manager's Office.

Documents:

[ZONING CODE REPEAL ORDINANCE _2_ FINAL _2_.PDF](#)

7. Approval Of Minutes

- December 6, 2016
- December 14, 2016

8. Public Comments 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.

9. Old Business

9.1. Consideration And Action On Ordinance 2016-34 Soil Erosion And Sedimentation Control Ordinance To Reflect The Amendments To The Georgia Erosion And Sedimentation Act Made By The State.

Background:

The City of Hapeville is a Local Issuing Authority (LIA) for implementation and enforcement of land disturbing activity permits and compliance with the State of Georgia Soil and Erosion Sedimentation Control law and regulations. Retaining the Local Issuing Authority status enables the City to handle local issues and concerns without involvement of the State. Obviously, this streamlines the local development process for the City. However, this designation (LIA) also requires the City to amend the local ordinance within 12 months of any amendment issued from the Georgia Erosion and Sedimentation Act by the State. This is so that the local ordinance complies with each new amendment. The State made revisions to the Act in 2015.

The proposed new ordinance meets those amendment requirements and must be approved by December 31, 2016 to comply with the 12 month time requirement. The State has been notified that our schedule will delay this approval by a few days. Staff requests that we move forward with adoption as soon as possible. This would be the second and final reading.

Should you have any questions, please feel free to contact the City Manager's Office.

Documents:

[FINAL HAPEVILLE SOIL EROSION ORDINANCE.PDF](#)

9.II. Consideration And Action On Ordinance 2016-35 Golf Cart

Background:

On September 20, 2016 staff discussed a proposal for Golf Cart usage in the City of Hapeville. Council requested a proposal to establish a pilot test area for this purpose. Staff has developed the appropriate City Ordinance and map designating the streets Golf Carts may be used. Attached you will find a complete evaluation of this matter from the Police Dept. and Community Services. This would serve as the second and final reading for this Ordinance.

For any additional information, please contact the City Manager's Office.

Documents:

[GOLF CART RESTRICTED ACCESS MAP UPDATED 34X44.PDF](#)
[HAPEVILLE GOLF CART ORDINANCE.PDF](#)

9.III. Consideration And Action On Traffic Committee Recommendations For Atlanta Avenue.

Background:

On November 16,2016, the Hapeville Police Traffic Committee met after reconsidering no parking on the northbound lane of Atlanta Avenue, between Chestnut Street and College Street. Many options were discussed, including creating a four way stop on and Atlanta Avenue at College Street, creating a bump out to bring the stop sign farther out onto Atlanta Ave from College Street, modifying areas of no parking or to just rescinding the recommendation for no parking altogether.

Due to the large volume of traffic on Atlanta Avenue at peak times it becomes difficult and even hazardous when the school is starting and letting out. The committee agreed that creating a four way stop could create additional problems by backing traffic up as far a loop road at times and the cost of creating a bump out, to bring the stop sign out farther onto Atlanta Avenue might make it unachievable at this time. Finally, the committee decided that eliminating no parking altogether was not an option, given the facts revealed in the traffic study from the first recommendation. In the end, the committee felt that safety was the most important factor for their recommendation and re-voted to keep the recommendation as is, no parking in the northbound lane on Atlanta Avenue from Chestnut Street to College Street.

This matter is being brought back to Council for clarification one last time so that staff has good direction on what should be done in the field.

For additional information, please contact the City Manager's Office.

Documents:

[TRAFFIC COMMITTEE 11 16 16 \(2\).PDF](#)

10. New Business

10.I. Organizational Appointments

- City Attorney
- City Clerk

- Solicitor
- Public Defender
- City's Legal Organ
- Official Publication

10.II. Consideration And Action To Adopt The FY 17-18 Budget Calendar

Background:

As you know, the City operating fiscal year runs from July 1st to June 30th. Each year the City staff proposes and the City Council approves a schedule of actions that guides the formulation and adoption of the City budget. This ensures that the process produces a quality, comprehensive spending plan that is carefully put together and researched. The schedule also imposes the needed discipline on the budget process to ensure that a budget is produced and adopted by the City Council in time to meet the City's financial obligations.

Once Council approves this schedule; the staff will begin working with the City Manager to produce a balanced budget plan that meets the various needs and demands of the City.

Should you have any questions, please contact the City Manager's Office.

Documents:

[BUDGET CALENDAR FY 17-18.PDF](#)

11. Public Comments

At this time, the Mayor opens the floor to comments from the audience. Comments should relate to a specific agenda item, not listed on the agenda for a Public Hearing, or to a concern within the jurisdiction of the City. Mayor and Council meetings serve the purpose of conducting city business and are not a forum for the unlimited expression of opinion. The Mayor reserves the right to limit comments to matters germane to city business and may refer speakers to the City Manager or other staff for resolution.

12. Mayor And Council Comments

13. Executive Session (If Needed)

When Executive 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).

14. 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.