

Mayor and Council

700 Doug Davis Drive
Hapeville, GA 30354

March 7, 2017
7:00 PM

Agenda

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. Consideration And Action On A Conditional Use Permit For Towercom V LLC

Background:

The City of Hapeville received a request for a conditional use permit from TowerCom to build a replacement telecommunications structure in the City-owned property (Master Park) located at 501 King Arnold for the telecommunications tower currently located in Central Park. This application is for the replacement tower in the Central Park neighborhood. The City completed negotiations last year and is scheduled to receive lease payments once the tower is up and operational. The new structure is a monopine (monopole designed to look like a coniferous tree) and will have a height of 156 feet. The location of the replacement tower is approximately 90 feet from the existing tower – placing the tower further into the park and away from residences. The zoning of the City owned parcel is R-1 and its current use is a park. Note: as the proposed property is City owned and the use supports a governmental function to provide telecommunications services for the safety of the citizens, the City is exempt from its zoning regulations. Staff is bringing this application forward in the interest of transparency to keep the public informed. As noted, Mayor & Council have the ability to waive the requirements of the Telecommunications code when the aforementioned goals are served. Again, the property is owned by the City and therefore exempt from zoning regulations and limitations of the construction of towers on any I-1, I-2 and C-2 zoned properties. The relocation of the telecommunications structure and new design of the monopole (versus the old tower) meets the aesthetic goals of the city as well as provide additional buffer should there be a failure of the monopole. Furthermore, the need for the tower in this general location addresses the needs of the wireless services carriers as well as for public safety. City staff recommends approval of the conditional use permit for the aforementioned reasons. **The Planners report is attached and Council should have received a memo from the City Attorney's Office as well.** Should you have any additional questions, please contact the City Manager's Office.

Documents:

7. 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.

8. Old Business

8.I. Board Appointments

Background:

Council needs to fill 5 vacancies on various Boards and/or affirm those serving. Those Board positions and the number of vacancies per Board are listed below. There are multiple applications for many of the Board assignments.

- Board of Appeals - 5 positions (4 currently serving 1 vacancy)
- Hapeville Development Authority - 4 positions (2 currently serving & 2 vacant)
- Development Authority of the City of Hapeville - 2 positions (2 vacant)
- Planning Commission - 4 positions (4 currently serving)
- Ethics Committee - 1 position (currently serving)

Please see the attached chart. For additional information, please contact the City Clerk or the Manager's Office.

8.II. 1st Reading On Ordinance 2017-04 Alcohol Beverage

Background:

The City Council has been working on a new and improved Alcohol Ordinance over the last year. Multiple workshops have been held on this issue the last one being conducted on January 26, 2017. Best practices from multiple communities have been discussed and incorporated into the proposed Ordinance, as well as citizen comments. In addition, the old City code has been streamlined. The first reading occurred at a public meeting on February 7, 2017. At that meeting the Council requested further changes and clarifications. Staff has now revised the Ordinance as requested by Council. Staff believes that all questions related to the new Ordinance have now been researched and resolved. First reading is now set for March 7th with the second and final reading set for March 21, 2017. Attached are the documents requested in final form.

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

Documents:

[OPEN CONTAINER ZONE EXHIBIT.JPG](#)
[PROPOSED ALCOHOL CODE \(CLEAN COPY\) FOR 3.7.17 COUNCIL MEETING.PDF](#)
[PROPOSED ALCOHOL CODE \(WITH TRACK CHANGES\) FOR 3.7.17 COUNCIL MEETING.PDF](#)
[QUICK REF. ALCOHOL CHART FOR 3.7.17 MEETING.PDF](#)

8.III. Consideration And Action On Ordinance 2017-02 Surfacing And Maintenance Of Driveways And Off-Street Parking And Loading Facilities

Background:

At the January 10, 2017 council meeting, Mayor and Council adopted two ordinances concerning surfacing of driveways in Hapeville—one ordinance removing the provisions from the zoning code (repeal ordinance) and one ordinance reinstating those provisions to their own chapter, Chapter 58 of the City Code (chapter 58 ordinance).

However, further technical changes/updates were necessary to the chapter 58 ordinance.

At the February 7, 2017 council meeting, those technical changes/updates were included in a new ordinance (second chapter 58 ordinance) and were considered by Mayor and Council. At that meeting, Mayor and Council directed that further changes be made to the second chapter 58 ordinance. In particular, Mayor and Council wanted to codify a list of driveways that were exempt from regulation.

Attached to this agenda item is the second chapter 58 ordinance.

This will be the second and final reading of this ordinance. The first reading occurred on February 7, 2017. Staff recommends approval as we believe further delays places the City at risk of development proposals that do not meet the new guidelines and standards. The new rule change is needed to firmly establish that gravel is not an acceptable finished surface for driveways, off-street parking and loading facilities in the City going forward. If Council has any concerns over enforcement of various existing field conditions, a specific evaluation and enforcement plan can be developed by staff and brought forward for discussion in the next few weeks.

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

Documents:

[FINAL SURFACING DEFINITIONS ORDINANCE.DOCX](#)

8.IV. Consideration And Action On Ordinance 2017-05 Commercial Conveyor Car Wash

Background:

The North Georgia Metropolitan Water Planning District requires all local government in the District to adopt several conservation measures. This measure will satisfy strict requirements being requested of the City. The EPD can withhold future permits and take related actions toward the City if we are not in compliance.

Staff recommends approval. This will be the second and final reading of the Ordinance.

Documents:

[CAR WASH ORDINANCE.PDF](#)

9. New Business

9.I. Appointment Of TSPLOST Citizen Representative

Background:

As part of the T-SPLOST Memorandum of Agreement (MOU) signed with Fulton County; the City of Hapeville agreed to appoint a citizen representative to the Citizen Oversight Committee. Please see the attached letter from Todd Long, COO of Fulton County in this regard. This committee will meet periodically to monitor and be updated on the overall progress of T-SPLOST implementation in Fulton County. The Mayor was advised of a citizen who has interest in serving on this group. This citizen (Mark Adams) is the new HOA President for the Oakdale HOA and is knowledgeable of various City issues. Council action and appointment of the T-SPLOST citizen representative for Hapeville is requested soon by Fulton County.

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

Documents:

[SCAN_LONG TODD_16_16_02-02-2017.PDF](#)

10. 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.

11. Mayor And Council Comments

12. 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).

13. 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.