

Mayor and Council

700 Doug Davis Drive
Hapeville, GA 30354

December 14, 2016 at 6:00PM

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. 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.

4. Old Business

4.I. 1st Reading Ordinance 2016-36 Alcohol Distance Amendment

Background:

The Crest Package Store at 371 North Central Avenue filed for a alcohol new license due to a pending change of ownership. That transaction is scheduled to close before the end of 2016. The ownership (to our knowledge) had not changed since 1999 when this establishment opened. Each year their license has been renewed by the City routinely.

Apparently, sometime after the store opened the distance measurement techniques adopted in the City alcohol Ordinance changed and became more restrictive. If the current rules were applied to this case; staff would have to deny the application as it would not meet the distance requirements between the store and the school. Staff has been working on how to resolve this matter and allow this long-standing business to continue. The City Attorney advises that the best method of relief (should Council choose to do so) is to adopt a new rule that more closely mirrored State law. If the new standard were applied i.e., "travel by reasonable walking distance" the store application could be approved. Granting such relief is up to the City Council. Given that staff is aware that Council desires to give fair and equitable treatment to our business community it would seem reasonable to propose a rule that would grant relief. The City Planning consultant has tested the proposed measurement and the business would comply if the rule were changed. The staff recommendation would be to adopt the new rule and due to timing of the sale transaction and waive first reading. The new rule in the ordinance changing the method of how distance is measured would be in effect until March 31, 2017. By then Council would have had the opportunity to review all issues and decide if the new method should be adopted as regular part of the comprehensive Alcohol re-write.

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

Documents:

[ALCOHOL MEASURING AMENDMENT COMPARISON CHART \(12.6.16 MEETING\).PDF](#)

[ALCOHOL MEASURING ORDINANCE AMENDMENT \(12.6.16 MEETING\).PDF](#)

4.II. Consideration And Action On Ordinance 2016-36 Alcohol Distance Amendment

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5. Mayor And Council Comments

6. 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).

7. 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.