

Mayor and Council Work Session

700 Doug Davis Drive
Hapeville, GA 30354

August 21, 2018 6:00PM

Agenda

1. Call To Order

2. Roll Call

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

3. Welcome

4. Presentations

4.I. Presentation By Dashboard's Beth Malone

Background:

On July 17, 2018, Mayor and Council approved a contract allowing the Main Street Board to work with Dashboard, Inc. to manage the process of transforming the pedestrian bridge in downtown Hapeville into a work of public art. This phase of the project is being undertaken with the financial assistance of Fulton County Arts and Culture. The deadline for artists to submit their proposals to Dashboard was Friday, August 17, 2018. Beth Malone from Dashboard will provide an update on the project and present an overview of the proposals that were received. The next step in the process will be for the Mayor and Council to choose five finalists from the proposals that were received, with a target date for the final decision being the September 18th Work Session unless otherwise determined.

4.II. Connect South Fulton Presentation - Michael Davis

Background:

During the August 7, 2018 Council Session, Mayor and Council stated it was their desire to have the Executive Director, Michael Davis present at the August mid-month meeting on the Connect South Fulton organization and its efforts before taking action on the FY2018-FY2019 Contribution Invoice in the amount of \$7100.00.

Documents:

[CONNECT SOUTH FULTON ONE PAGE FLYER-FINAL.PDF](#)
[CSF KEY ACTIVITIES.PDF](#)
[CSF STRATEGIC GOALS AND OBJECTIVES.PDF](#)
[SOUTHFULTONCOUNTYCOMMUNITYCONNECT PRESS RELEASE-FINAL-061418.PDF](#)
[ATLANTABUSINESSCHRONICLEVIEWPOINTARTICLE072318-PAGE 1 \(002\).PDF](#)

5. Public Hearing

5.I. Consideration And Action On A 2018 Alcohol Beverage License For Mami's La Cubana

Located At 579 N. Central Avenue, Hapeville, GA

Background:

Mami's La Cubana has completed all necessary steps in the alcohol license application process, and therefore, they are requesting approval from Mayor and Council. All departmental reports have been received and advertising has been completed. City Manager and Staff recommends approval for indoor dining and rear dining but not front outdoor seating.

Applicant: Orquidea Meulener
Address: 579 North Central Avenue, Hapeville, GA 30354
Parcel ID: 14-0095-0015-017-4

Public Comment:
Staff Comment:
Mayor and Council Comment:

Documents:

[MAMIS LA CUBANA_REDACTED.PDF](#)
[PLANNERS REPORT.PDF](#)
[CODE ENFORCEMENT REPORT 8-17.PDF](#)
[FIRE MARSHAL REPORT.PDF](#)

5.II. Consideration And Action On Conditional Use Permit Request For 1155 Virginia Avenue Parking Lot

Background:

The City of Hapeville received a conditional use permit from Roger Fisher of Rekast, LLC on behalf of Ft. Wayne Capital for the continued use of a commercial parking lot located at 1155 Virginia Avenue, Parcel Identification Number 14-0127-LL1230. The conditional use for this parking lot was approved on September 19, 2017 and the applicant is requesting for a 12 month extension. The Planning Commission considered this issue on Tuesday, August 14, 2018 and recommended approval by the Council of the Conditional Use Permit subject to six (6) conditions. Staff supported their findings and recommendation subject to the conditions outlined.

Documents:

[1155 VIRGINIA AVENUE, CONDITIONAL USE PERMIT APPLICATION.PDF](#)
[MINUTES 8-14-2018.PDF](#)

5.III. Consideration And Action On Art Overlay District Rezoning - Makerspace - 3578 S. Fulton

Background:

The City received a rezoning application from Tiffany Ray of Hapeville Maker Space requesting to extend the Arts District Overlay to include the property located at 3578 South Fulton Avenue, Parcel Identification Number 14 009800210421. The current property is zoned RMU, Residential Mixed Use. The present land is commercial with an art studio with instruction on-site. The proposed land use is to offer additional arts related uses, including but not limited to outdoor educational community events.

The City Planning Commission considered this issue on Tuesday, August 14, 2018 and gave a favorable recommendation to the Mayor and Council to grant the rezoning request to extend the boundaries of the Arts District Overlay to include the properties located at 3578 South Fulton Avenue (Parcel ID: 14 009800210421) as well as the property located at 620 College Street (Parcel ID: 14 009800210264) to create a contiguous boundary. The Planning Commission also recommend a text amendment

to the Arts District Overlay to eliminate the geographic location of Makerspaces. Staff supported their findings and recommendations.

Documents:

[3578 SOUTH FULTON AVENUE, REZONING APPLICATION.PDF](#)
[MINUTES 8-14-2018.PDF](#)

5.IV. Consideration And Action On Re-Enactment Of The Noise Ordinance - 2nd Reading

Background:

House Bill 419 (now codified as OCGA Sec. 25-10-2) amends Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding local government provisions applicable to counties and municipal corporations, so as to enable the governing authority of certain counties to further regulate the use or ignition of consumer fireworks; to provide for related matters; to repeal conflicting laws; and fore other purposes.

In order to comply with the code, municipalities must enact or reenact their noise ordinance on or after July 1, 2018.

The code states that "the ordinance must be a general noise ordinance concerning all manner of sounds or noises and the municipality shall not have any ordinance separate pertaining to sounds or noises emanating exclusively from consumer fireworks; and not have been enacted or reenacted was published one time at least 15 days in advance of such meeting in the legal organ of such county or municipal corporation and was posted for at least 72 hours at least 15 days in advance of such meeting on the homepage of the official website of such county or municipal corporation. Such notice shall state the date, time, and place of such meeting and that such noise ordinance which will affect the use of consumer fireworks will be acted upon."

The meeting notice was published at least 15 days in advance and posted on the City's website.

The first reading was conducted on August 7, 2018.

Documents:

[SEC. 26-2-17 - NOISES PROHIBITED AMENDMENT.PDF](#)

6. 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.

7. Old Business

7.I. Consideration And Action On Amendment To The Fireworks Ordinance - 2nd Reading

Background:

In order to comply with House Bill 419 (now codified as OCGA Sec. 25-10-2) a municipality cannot have any ordinance separately from their noise ordinance pertaining to sounds or noises emanating exclusively from consumer fireworks. Therefore, Sec. 26-2-4 of the City of Hapeville Code of Ordinances titled "Firearms, Fireworks; Discharging Prohibited" must be amended.

The first reading was conducted on August 7, 2018.

Documents:

[26-2-4 -FIREARMS, FIREWORKS, DISCHARGING PROHIBITED AMENDMENT.PDF](#)

7.II. Consideration And Action On Tourism Product Development Advisory Committee Resolution - 2nd Reading

Background:

During the June 19th Work Session, Councilman Alexander presented a draft resolution establishing a Hotel/Motel Tax Tourism Product Development (TPD) Advisory Committee. Questions were raised concerning how many councilmembers should serve on the committee, either one or two. Councilmembers Alexander and Horsley suggested two and Alderman Rast and Councilman Adams suggested one.

At the August 7th Council Session, Mayor Hallman made the deciding call to have five members on the committee and stated that it can always be revisited if need be. The attached resolution has been revised to reflect the Mayor's decision and is now ready for action.

Documents:

[TPD RESOLUTION.PDF](#)

7.III. Consideration And Action On South Fulton Chamber Of Commerce, Inc. Connect South Fulton Invoice In The Amount Of \$7,100.00 For Regional Economic Development

Background:

Connect South Fulton was created in November 2017 by the seven mayors of South Fulton County with the belief that more can be achieved to cultivate investment and economic development through regional collaboration than as individual cities. The organization's advocacy is exclusively for growing economic development and enhancing quality of life in the member cities. The Connect South Fulton member cities are: Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, and Union City. Connect South Fulton works to share story and opportunity for South Fulton County and the distinctive cities with investors and developers, cultivate investment in the South Fulton region, advocate locally, regionally, nationally, and internationally, and champion South Fulton County businesses of all sizes.

Through the work of branding South Fulton County as a region and defining the narrative, the goal is to make the area more competitive against other areas in metro Atlanta. The City share for Connect South Fulton is \$7,100.00 Staff recommends authorization to pay this invoice.

Documents:

[HAPEVILLEFY2018-FY2019INVOICE.PDF](#)

8. New Business

8.I. Consideration And Action On Request From The James & Erma Freemont Foundation To Hang Banner To Promote 5K Run/Walk

Background:

On July 17, 2018, Mayor and Council granted permission for the Freemont Foundation's 5th Annual Represent Yourself 5k Walk/Run event to take place in

Hapeville on Sept. 15, 2018 at 9am. Mr. Freemont is requesting to hang a 3'x6' banner on the Jess Lucas Park fence to help promote the upcoming event.

Please refer to the attached event request form for more details.

Documents:

[EVENT REQUEST FORM - FREEMONT.PDF](#)

8.II. Consideration And Action On Brunch Bill Ordinance - 1st Reading

Background:

During the 2018 session, the Georgia General Assembly passed and the governor subsequently approved Senate Bill (SB) 17 which relates to alcoholic beverages so as to provide that governing authorities of counties and municipalities may authorize sale of alcoholic beverages for consumption on the premises during certain times on Sundays subject to the passage of a referendum; and

Senate Bill 17 allows the City to authorize the sale of alcoholic beverages for consumption on the premises, including the sale of wine and/or malt beverages and the sale of distilled spirits, on Sundays between the hours of 11:00 a.m. and 12:00 a.m. midnight in any licensed establishment which derives at least fifty (50) percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served; and in any licensed establishment which food is served; and in any licensed establishment which derives at least fifty (50) percent of its total annual gross income from the rental of rooms for overnight lodging.

The attached ordinance allows for the following: the call of a special election to be held in all precincts in the City, on the 6th of November 2018 for submitting to the voters of the City of Hapeville the question of authorizing Sunday sales of alcoholic beverages for on-premises consumption in certain licensed establishments between the hours of 11:00 a.m. and 12:30 p.m.; allows for the City Clerk/Election Superintendent to publish notice of the referendum in the City's legal organ and/or a newspaper of appropriate general circulation; and authorizes the Fulton County Department of Registration and Elections to conduct the election pursuant to the intergovernmental agreement between the City and Fulton County for Fulton County to provide such election services.

Staff respectfully request Mayor and Council waive the first reading in order to meet the required deadlines.

Documents:

[HAPEVILLE BRUNCH BILL ORDINANCE.PDF](#)

8.III. Consideration And Action On Intergovernmental Agreement With Fulton County To Conduct Special Election For Brunch Bill Referendum

Background:

The attached intergovernmental agreement between Fulton County and the City of Hapeville authorizes the County to provide election services for the proposed brunch bill referendum pertaining to the sale of alcoholic beverages for consumption on the premises during certain times on Sundays.

Documents:

[IGA FOR THE PROVISION OF ELECTION SERVICES.PDF](#)

8.IV. Transient Merchants Ordinance Amendment - 1st Reading

Background:

On August 7th, Councilman Horsley initiated a discussion on the Transient Merchant / Food Policy. During the discussion, Mayor and Council provided updates for the current transient merchants ordinance.

Attached is a draft copy of the Transient Merchant Ordinance amendment for Mayor and Council review.

Documents:

[TRANSIENT MERCHANT ORDINANCE AMENDMENT REDLINE \(81618\).D.PDF](#)

8.V. Consideration And Action On RFP For Wayfinding

Background:

On February 15, 2018, the Atlanta Regional Commission (ARC) the City of Hapeville awarded the Livable Centers Initiative (LCI) study grant award to begin implementation of its LCI master plan recommendations. The grant's scope was for a study to include a Virginia Avenue Roundabout, city-wide wayfinding and design guidelines update to incorporate Virginia Avenue Streetscapes. On May 15th, 2018, the Hapeville City Council authorized the City staff to advertised an RFP for the study. Two firms responded. The Advisory Committee and the ARC met to review the responses evaluating firm qualifications and approach to the study. The Committee is recommending to Mayor & Council that Stantec be awarded the contract and that the Council authorize the City Manager and City Attorney to finalize the contract.

Documents:

[STANTEC CONSULTING SERVICES.PDF](#)

8.VI. Consideration And Action To Approve The Low Bidder Mullins Brothers Inc. In The Amount Of \$ 121,872 For The LMIG Doug Davis Paving Project And Authorize Mayor Hallman To Sign All Necessary Documents.

Background:

The City of Hapeville was awarded \$ 72,549.91 in grant funds from the Georgia Dept. of Transportation for the 2018 LMIG program. These grant funds are used each year to help fund paving of roads that are classified as very bad condition on our paving inventory. This is a 30% + grant and the remaining amount will be expensed from the TSPLOST fund. There were 6 bidders and the next lowest bid was Stewart Brothers at \$ 124,844.50.

Documents:

[DOUG DAVIS 006.JPG](#)
[DOUG DAVIS 004.JPG](#)
[BID TABULATION.PDF](#)
[BID REC LETTER.PDF](#)

8.VII. Discussion Of Millage And The Upcoming Timing

Background

The 2018 Fulton County property tax digest has not yet been approved by the State due to various, well documented issues. The County Tax Commissioner's office, on behalf of the county and municipal taxing districts, petitioned the court to grant a Temporary Collection Order (TCO) to collect real and personal property taxes for 2018. On Tuesday August 14th, the court granted the TCO allowing tax billing on the 2018 property values.

Included in the packet and for discussion is a timeline for advertising our millage and the billing of taxes. Included also is a copy of the 2018 preliminary digest, and the 2016 and 2017 digests. The current City millage rate is 16.44 mills. Public Hearings will be held on September 18th and on October 2nd, with Council vote on October 2nd. Tax bills will mail no later than October 5th with due dates of 45 days after billing.

As of the packet deadline the City has not received the updated digest with appeal values. The 2018-19 budget estimated real property collections of close to \$3.9M. The General Fund budget is also supplanted by a transfer of funds from Water/Sewer of \$340K to meet operating expenses. Should assessment values hold, real property values should approximate \$4.4M - \$4.6, helping position the City to fund our projects and strengthen our financial position

Documents:

[2018 ADVISORY TCO - 2018 PROPERTY TAX.PDF](#)
[2018 PROPERTY TAX - PRELIMINARY DIGET.PDF](#)
[2016 PROPERTY TAX DIGEST.PDF](#)
[2018 DIGEST DISCUSSION SHEET.PDF](#)
[TIMELINE - PROPERTY TAX MEETING AND BILLING.DOCX](#)

8.VIII. Discussion On Motorola Radios For Public Safety

Background

The Public Safety departments currently use Motorola's XTS5000 radio. These radios were originally purchased in 2006 and Motorola discontinued them by October of 2013. Motorola continues to make parts available until December 2018. Replacement cost is estimated to be approximately \$414K. We have included the equipment listing and lease/purchase options for 4 and 7 years. Staff is advising council we will bring a recommendation for consideration and action at the next council session for financing the investment should council give the go ahead.

Documents:

[HAPEVILLE LEASE OPTIONS_48 MONTHS_0 DOWN PAYMENT \(002\).PDF](#)
[HAPEVILLE LEASE OPTIONS_84 MONTHS_0 DOWN PAYMENT.PDF](#)
[HAPEVILLE POLICE AND FIRE_RADIO UPGRADE PROJECT_APRIL2018_REVISED.PDF](#)

8.IX. Proposed Date For The Town Hall Meeting To Discuss Traffic Issues And Potential Traffic Calming Ideas

Background:

Councilman Adams is recommending to have the town hall meeting on September 24, 2018 at 7PM at the Hoyt Smith Center.

9. City Manager Report

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

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).

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.