

Mayor and Council Session

700 Doug Davis Drive
Hapeville, GA 30354

November 6, 2018 6:00PM

Agenda

1. Call To Order

2. Roll Call

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

3. Welcome

4. Pledge Of Allegiance

5. Invocation

6. Presentations

6.I. Recognition Of Service Awards By Mayor Hallman

- Joyce Nelson, Police, 15 Years
- Phillip Vinson, Public Services Highways and Streets, 20 Years

6.II. Presentation By Mr. Garrett On Hapeville Elementary's College And Career Ready Performance Index (CCRPI) Score

Background:

Mr. Thomas Garrett, Principal of Hapeville Elementary will present and discuss the school's CCRPI score and it's gains and plans for increased community involvement in the school.

Documents:

[HAPEVILLE ELEMENTARY PRESENTATION.PDF](#)

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

- October 2, 2018
- October 16, 2018
- October 30, 2018

8.II. Approval Of Executive Session Minutes

- October 2, 2018
- October 16, 2018

8.III. Consideration And Action To Cancel The November 20th Work Session

Background:

The next work session is scheduled for November 20th, two days before Thanksgiving and falls on the date of the City's Christmas Tree lighting. Staff suggests cancellation of this meeting with our next meeting to be held on December 4th.

8.IV. Consideration And Action To Provide A One-Time Payment To City Employees In The Amount Of \$104,751.35

Background:

It has been recent custom for the City to distribute a one-time payment over and above regular wages and salary in excess of regular wages to our employees. We recognize the value of our employees and without their dedication, selfless effort, and attention to details, Hapeville could not be the great and growing city that it is. The City staff recommends a 2% one-time payment to employees with a minimum of \$500 for full-time and \$250 for part-time.

Total anticipated cost is \$104,751.35. The source of the funds are combined from 2018 tax digest increase from the original budget and departmental savings from unfilled staff positions.

Documents:

[CHRISTMAS - 1X PAY - 2018-2019.PDF](#)

8.V. Consideration And Action To Approve The 2007 Cost Of Living Adjustment (COLA) For Retirees As Part Of The Defined Benefit Pension Plan Administered By Mass Mutual, Estimated Cost Of \$67,877 For Fiscal Year 2019.

Background:

The City's defined contribution pension plan is administered by Mass Mutual. Annually, the City Council must vote to retain a COLA provision provided for under the plan. The estimated cost of the COLA for the Fiscal Year 2019 is approximately \$67,877. This amount has been anticipated and budgeted for in the City's contribution plans. If the City made a 1 time deposit to fund the COLA, the outlay would be approximately \$642,000. Staff recommends approval of this already budgeted expense.

8.VI. Consideration And Action To Retain A Planning Support Contract With B+C Studios

Background:

In November 2017, Mayor and Council approved renewing the contract with B+C studios for City Planning and Zoning support. The city continues to experience growth and has continued need for planning and zoning services, however, that day to day needs vary and fluctuate.

The City's Planning Consultant is responsible for:

1. Zoning application, conditional use permit and site plan review services; variance and appeals application review services;
2. Comprehensive Plan updates, including Short Term Work Program (STWP) project development;
3. Periodic updates to the Zoning Ordinance, Zoning Map and other ordinances;
4. Recommendations concerning land use and zoning, including annexation;
5. Review sign permit applications;
6. Review occupational tax permits;
7. Grant writing; and
8. The Consultant agrees to attend public meetings as needed, site visits, and attend work sessions with the City Manager per month during each calendar year of execution and renewal, if renewed, of the planning program of the City.

B+C Studio's planning services contract ends on November 15th, 2018. Staff recommends approval for provision of planning services for another year by B+C Studio.

Documents:

[CITY PLANNER AGREEMENT 2018-19.PDF](#)

9. Old Business

9.I. Consideration And Action On Rules Of Procedures Ordinance For Council Meetings - 2nd Reading

Background:

On September 18th, Mayor Hallman initiated a discussion on implementing rules for public comments and presentations for Council meetings. The City Attorney drafted an ordinance to encompass these rules and other pertinent procedures for meetings.

A first reading of the ordinance was held on October 16th in which Mayor Hallman recommended updates. The requested updates are included in the attached ordinance.

Documents:

[RULES OF ORDER ORDINANCE.PDF](#)

9.II. Consideration And Action On Text Amendment To Restaurant Ordinance - 2nd Reading

Background:

As currently written, the City of Hapeville Municipal Code has restricted restaurants in most zoning codes to full-service or to those that exclusively seat patrons. This limited definition provides little opportunity for "fast casual" restaurants where patrons are served at the counter and seat themselves or take their meals to go. In an effort to avoid, "fast food row", the Code also restricts drive-through restaurants and does not provide direction should there be an opportunity to accommodate a drive-through window. Given the shifting nature of self-service, with and without drive-throughs, the proposed ordinance allows for simplification of the restaurant definition to include a wide array of restaurants while differentiating for simple carry-out and drive-through restaurants which may follow the intent of the various zoning districts regarding pedestrian-oriented development.

The City Planning Commission considered this item on October 9, 2018 and recommended the Mayor and Council approve the proposed text amendment. Staff supported their recommendation.

Documents:

[PLANNERS REPORT.PDF](#)
[PLANNING COMMISSION MINUTES 10092018.PDF](#)
[TEXT AMENDMENT FOR RESTAURANT.PDF](#)

9.III. Consideration And Action On Human Trafficking Notice Ordinance - 2nd Reading

Background:

At the October 2nd Council Session, Mayor and Council supported the idea of moving forward with the "Hang the Sign" challenge to join the fight against Human Trafficking. Attached is an ordinance providing for the compliance with state human trafficking notice requirements. The human trafficking notice includes contact information from the National Human Trafficking Resource Center Hotline (1-888-373-7888). Additionally, it lists the phone number for the Georgia Hotline for Domestic Minor Trafficking (1-844-842-3678).

A first reading was conducted on October 16th.

Documents:

[HUMAN TRAFFICKING NOTICE ORDINANCE.PDF](#)

10. New Business

10.I. Consideration Of Home Brewing Ordinance - 1st Reading

Background:

On October 16th, Councilman Alexander initiated a discussion on possibly having an ordinance that would allow for home brewing competitions which could make Hapeville an ideal destination for local and regional competitions. It was the consensus of Mayor and Council for legal to start working on an ordinance to bring back to the November 6th meeting. The ordinance is attached for a first reading.

Documents:

[DRAFT ORDINANCE - HOME BREWING COMPETITION.PDF](#)

10.II. Consideration And Action On Special Election Ordinance - 1st Reading

Background:

Final disposition of the conviction of former Alderman-at-Large Ruth occurred on October 17, 2018; and pursuant to O.C.G.A. § 45-5-6(d)(2), upon final conviction, the office of Alderman-at-Large was vacated immediately; and Section 3-202 of the City Ordinances requires Mayor and Council to order a special election to fill the vacancy of Alderman-at-Large within thirty (30) days of the vacancy; and O.C.G.A. § 21-2-45(c) allows the City to authorize Fulton County to conduct the special election. Legal has prepared the attached ordinance ordering a special election to fill the Alderman-at-Large vacancy for the City of Hapeville.

Staff recommends Mayor and Council waive first reading.

Documents:

[ORDINANCE RE. SPECIAL ELECTION FOR ALDERMAN POSITION.PDF](#)

- 10.III. Consideration And Action On Amendment To Intergovernmental Agreement Between Hapeville And Fulton County On Provision Of Election Services

Background:

O.C.G.A. § 21-2-45(c) allows the City to authorize Fulton County to conduct special elections. Attached is an amended Intergovernmental Agreement with Fulton County to extend the contract to not only conduct elections but to include special elections for the citizens of the City pursuant to the applicable laws of the State of Georgia.

Documents:

[AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN HAPEVILLE AND FULTON COUNTY ON PROVISION OF ELECTION SERVICES.PDF](#)

- 10.IV. TPD Committee Appointments

Background:

Council has approved a resolution to establish a Tourism and Product Development (TPD) committee to identify potential projects to be presented and recommended to Mayor and Council. Committee appointments must be made to select council, community, and Development Authority representatives.

Documents:

[TPD RESOLUTION.PDF](#)

- 10.V. Discussion Initiated By Councilman Horsley On The Extension Of The Arts Alleyway

Background:

Councilman Horsley would like to work towards design and implementation of the continuance of the Arts Alleyway utilizing the easement of land behind storefronts on North Central from North Fulton to Dogwood. This is reviewed in detail in the 2017 LCI study, referenced under 'Arts Alleyway *Bookends*'.

- 10.VI. Discussion On Increasing Homestead Exemption By One Point

Background:

At the October 2, 2018 Council meeting, Mayor and Council voted on the 2018 tax millage rate and to change the Homestead Exemption to \$12,000 from \$10,000. A change in the Homestead Exemption must be enacted through the Georgia General Assembly and a citizen vote. Councilman Adams has asked for a discussion by our attorneys of the steps needed for the City to bring the item to the General Assembly.

- 10.VII. Discussion Initiated By Councilman Adams On Partnering With Kennesaw State University's Department Of Engineering To Help With Traffic Calming Plans

Background:

Traffic calming has been an existing concern within the City of Hapeville. More recently, citizens and business owners have become more vocal about the perceived hardship on quality of life secondary to the volume, parking, loading and unloading, and potential safety hazards of vehicular traffic within the business corridor and in neighborhoods. As a result, Mayor and Council held a Town Hall meeting on September 24, 2018 for city officials, citizens, and business owners to voice their concerns.

In order to help create a viable resolution, Councilman Adams and Councilman Horsley started a conversation with Kennesaw State University (KSU) School of Engineering about how their students could collaborate with Hapeville with a focus on traffic calming appropriateness and solutions. KSU is interested in partnering with Hapeville starting the Spring 2019.

Councilman Adams is seeking approval to continue this discussion with KSU and getting a MOU established.

10.VIII. Discussion Initiated By Councilman Adams On Water Sewer Authority

Background:

The Hapeville Water and Sewer Authority (S.B. 305) was approved on April 11, 1979. The Authority garnered the rights, power and authority to operate, build and maintain a waterworks system, together with the right to acquire lands, construct waterworks facilities, including projects embracing sources of water supply and related facilities; to sell water and its related facilities to individuals and private concerns.

On July 1, 2017, S.B. 267 repealed the Act creating the Hapeville Water and Sewer Authority. Since this action, there has been several inquiries related to the establishment, powers, financial obligations, membership, past and present projects, and dissolution of this Authority.

Therefore, in order to support transparency on our local government, Councilman Adams is proposing an open dialogue among Mayor and Council all major applicable parties involved in the Hapeville Water and Sewer Authority, and the citizens of Hapeville to have an open discussion related to the aforementioned matters. Councilman Adams recommend this session occur during one of the Mayor and Council's work sessions.

10.IX. Discussion On The Animal Control Ordinance Related To Nuisances And Animal Care

Background:

Chief Glavosek, Lt. Hughes, and/or Code Enforcement Officer will speak on how Code Enforcement manages animal nuisance and care concerns as well as areas of priority.

10.X. Discussion On Noise Decibel Study Results

Background:

On September 18th, Councilman Adams initiated a discussion on conducting a noise decibel study for the purpose of installing sound barriers near I-85. The study has been completed and results have been received. Lee Sudduth, Director of Community Services will discuss the results.

10.XI. Discussion Initiated By Councilman Alexander To Adopt Public Art Guidelines For Developers, Modeled After The City Of Suwanee

Background:

The City of Suwanee, like Hapeville, has a public arts program. As part of their public arts vision and mission statement, Suwanee passed a public arts ordinance and guideline for developers "designed to encourage and facilitate the placement of art in the City" in both public and private locations. Councilman Alexander would like to discuss adopting a similar ordinance for the City of Hapeville.

Documents:

[PUBLIC ART DEVELOPER GUIDE.PDF](#)

10.XII. Discussion Initiated By Councilman Alexander Regarding Connect South Fulton
Background:

Councilman Alexander will discuss withdrawing from Connect South Fulton as a result of not receiving performance metrics by the date promised. Additionally, Councilman Alexander would like to request a prorated refund from Connect South Fulton in the amount of \$6416, or 11/12 of our original financial contribution.

11. City Manager Report

12. 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.

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.