

**Mayor and Council Session**  
700 Doug Davis Drive  
Hapeville, GA 30354

March 5, 2019 6:00PM

**MINUTES**

1. Call to Order: Mayor Hallman called the Council Session to order at 6:04pm at 700 Doug Davis Drive, Hapeville, GA 30354.
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 was led by Mayor Hallman.
5. Invocation was given by Ellen Surber-Simpson.

6. PRESENTATIONS

6.I James Schuster Retirement Recognition

Mayor Hallman and City Manager, Tim Young thanked Mr. Schuster for his dedicated service stating he had earned the right to take his victory lap and with well service to retire from the City of Hapeville enjoying the rest of his years enjoying whatever he pleases and not pushing for audits and reports etc. Mr. Schuster has helped the City through a lot. Mayor Hallman added that Mr. Schuster had taken the Finance Department in a new direction and that he had brought the City a long way.

6.II Property Damage Recovery Service Presentation by Todd Rhoad

Mr. Rhoad presented the services offered by Peachtree Recovery. He stated a lot of cities have traffic accidents not caused by government employees or city fleet that damages city properties that must be maintained (i.e. street signs, sidewalks, man hole covers, trees in the median etc.). They have found over the years that majority of the cities that pursue these claims only capture 5-8% of the total potential claims. Peachtree Recovery takes a look at everything and goes after them. They work with GDOT to gain access to the traffic accident reports, going four years back reading every report to identify every possible claim that can be done for the City. They will do all the investigation, assessments, file all the claims with the insurance company, and recover all the funds from the insurance company. They will keep their fees as they work off contingency. Each month they will send the City's portion to the City with a monthly report.

Mr. Rhoad said prices are established for items by using Peachtree Recovery's large database of accidents. The company collects a flat percentage of the money which is dictated by GMA's contract;

and the City is charged per claim. Mr. Rhoad said he would forward over a list of boundaries, clients and a copy of the GMA approved contract.

## 7. PUBLIC HEARING

### 7.I Consideration and Action on the 2018 Zoning Map Ordinance – 2<sup>nd</sup> Reading

A public hearing was held. Dr. Patterson stated that this is the second reading. It is for ease and development allowing for commercial use that is compatible with surrounding residential. Rod Mack made a general comment.

**MOTION: Councilman Adams made a motion to adopt the 2018 Zoning Map Ordinance, Councilman Horsley seconded. Motion carried 3-0.**

## 8. Questions on Agenda Items:

Charlotte Rentz  
Linda Murray

## 9. CONSENT AGENDA

### 9.I Approval of Minutes

- February 5, 2019
- February 19, 2019

### 9.II Approval of Executive Session Minutes

- February 5, 2019
- February 19, 2019

### 9.III Resolution in Opposition to House Bill 302 – Limiting Local Adoption of Design Standards for Residential Homes

### 9.IV Resolution in Opposition to Senate Bill 172- Limiting Local Adoption of Design Standards for Residential Homes

**MOTION: Councilman Adams made a motion to approve items 9.I, 9.II, and 9.III and take out 9.IV, Councilman Alexander seconded. Motion carried 3-0.**

Mayor Hallman stated that Senate Bill 172 would prohibit local governments from adopting design standards for residential homes. The bill takes away the rights of citizens to decide the look and feel of their communities. GMA is encouraging city officials to voice their opposition to both House Bill 302 and Senate Bill 172. City Attorney, Priya Patel said she had spoken to a couple senators about it and they think it is good that the cities are speaking out in opposition of it. There is a low possibility that it will actually pass.

**MOTION: Councilman Horsley made a motion to waive procedures to allow Bryan Weissmer to comment, Councilman Adams seconded. Motion carried 3-0. Mr. Weissmer said the bill was drafted**

**by the Georgia Homebuilders Association, and they are feeling restricted in some of the homes they build.**

Councilman Horsley asked a question about a bill that had passed restricting the use of wood or anything related to cellulose. He said he is not sure if passing at state level supersedes any ordinance we may have. Do we need to invest any time going back to strike wood-based products or building materials from our ordinance? He said he would try to find the House Bill to forward along.

**MOTION: Councilman Horsley made a motion to approve item 9.IV - Opposition to Senate Bill 172, Councilman Alexander seconded. Motion carried 3-0.**

**MOTION: Councilman Horsley made a motion to amend the agenda to add an item 11.VIII regarding a discussion of an extension on gravel moratorium for residential properties, Councilman Alexander seconded. Motion carried 3-0.**

10. OLD BUSINESS

10.I Hapeville Development Authority, Development Authority of the City of Hapeville – Applicant Introductions

Applicants: Cecila Reme, Jacob Watts, and Kayla Fortner introduced themselves to Mayor and Council and told what values they possessed that would enhance the Hapeville Development Authority and the Development Authority of the City of Hapeville.

10.II Consideration and Action on Appointment to the Hapeville Development Authority and Development Authority of the City of Hapeville

**MOTION: Councilman Alexander made a motion to table item to March 19 meeting, Councilman Adams seconded. Motion carried 3-0.**

11. NEW BUSINESS

11.I Consideration and Action on 2019 Hapeville Paint the Town Project Event for June 14-19, 2019

**MOTION: Councilman Adams made a motion to approve the request, Councilman Alexander seconded. Discussion: Councilman Horsley said to maintain what Ms. Rentz stated about banner placement on the fence. He also asked were there any storage conflict with the theater currently using the Carriage House. It was confirmed that there would be no conflict. Councilman Adams amended his motion to approve Paint the Town but as far as banner location, the banner needs to be placed to the east of the telephone pole at Christ Church. Councilman Alexander seconded. Motion carried 3-0.**

11.II Consideration and Action on the Freemont Foundation's 6<sup>th</sup> Annual Represent Yourself Scholarship 5K Walk/Run – Sept. 28, 2019

**MOTION: Councilman Horsley made a motion to approve request with banner hanging to the east of phone pole, Councilman Adams seconded. Discussion: Councilman Horsley asked had a**

schedule of fees for external and internal use been established? Mr. Young confirmed that it hadn't. Councilman Alexander stated that last year there were two back to back events and trash piled up. Mr. Young said we'll do a sweep before the next group. Motion carried 3-0.

11.III Consideration and Action on MOM Foundation's Request to Use Jess Lucas Y-Teen Park on August 3, 2019 for Walk-A-Thon

**MOTION:** Councilman Alexander made a motion to approve with banner location as previously discussed, Councilman Adams seconded. **Discussion:** Councilman Alexander stated that last year there was a DJ that started at 9:30AM and the music was loud. It didn't bother her; however, she received a couple of text messages about it. Councilman Horsley said to make sure music meets stipulations of the City's ordinance. Councilman Alexander said that it can be something that we communicate with each applicant. Motion carried 3-0.

11.IV Consideration on FY2019 Budget Ordinance Amendment – 1<sup>st</sup> Reading

Councilman Adams asked could we get a legal opinion regarding the use of TPD for the Recreation Center. What percentage of tourism and trade that we see come through the Recreation Center annually? Mr. Young said he will get an answer back to Councilman Adams. Mayor Hallman said this would stand as first reading.

11.V Consideration and Action on Parking Authority Resolution

**MOTION:** Councilman Horsley made a motion to approve the resolution, Councilman Alexander seconded. **Discussion:** Councilman Horsley said the crossover date is March 7; it will be a tight squeeze. The bill passing through the General Assembly has no obligation that we have to actually pass a local ordinance after the fact, but it does allow us to have this. The necessity of a parking authority is an added layer to help with parking issues. He thinks giving it to the General Assembly is the next logical step. City Attorney, Priya Patel stated that if we are trying to make an amendment that is a local act, all notices must be published by March 15. The City Clerk confirmed that there was enough time to run an ad in the County newspaper by March 15. Ms. Patel said she'll get a copy of the resolution to email to Representative Dreyer tonight to try to get it moving. City Attorney, Ms. Lajuana Ransaw confirmed that this is just to get started and to exercise Home Rule powers. Motion carried 3-0.

11.VI Consideration and Action to Advertise a Design Build RFP for the Renovation and Expansion for the HDA Property Located at 748 Virginia Avenue

**MOTION:** Councilman Adams made a motion to approve advertising a design build RFP for the renovation and expansion for the HDA Property located at 748 Virginia Avenue, Councilman Horsley seconded. **Discussion:** Councilman Alexander recused herself as she is a member of the Atlanta Printmakers Studio. Councilman Horsley said he had met with the Executive Board and they seemed interested; therefore, pending review on their end. Cathy Grew of the Executive Board stated that the board has not finalized the decision and that a formal vote would be taken in the next two weeks. David Burt gave an update on the testing process stating that the state wants the Development Authority to add one more well and test it for a year. He confirmed that the building

could be renovated and used during the process. Councilman Horsley talked about a contract offered through US Communities that is pre-bid through a public process. It can possibility be used for this project and other future projects. City Attorney, Ms. Patel stated that all boxes had been checked from a legal stand point. It is good to go. Vote 2-0-1 (Councilman Alexander recused).

11.VII Consideration and Action to Request Designation of the Green Space Adjacent to the Hapeville Community Service Building and Arts Alley as a Butterfly Garden in Memory of Former Hapeville Alderwoman Ann Ray

**MOTION: Councilman Horsley made a motion to unanimously approve, Councilman Adams seconded. Discussion: Councilman Alexander stated that this was Katrina Bradberry's suggestion.**

11.VIII Discussion of an extension on gravel moratorium for residential properties  
Councilman Horsley said he thinks it is about 12-13 properties and that he thinks this needs to be revisited.

**MOTION: Councilman Horsley made a motion to extend the gravel moratorium for one year as it relates to residential. Councilman Alexander seconded. Discussion: Councilman Horsley is fine with a gravel driveway if the person already has a current house and he is fine with folks refreshing the gravel so long as we document. Councilman Alexander said she would like to see sooner than later to revise the ordinance. She thinks it should be grandfathered in permanently. Mayor Hallman stated when the previous Council took this up, they gave a five-year window to give people the opportunity to get rid of the gravel driveway. He said he thinks it should be grandfather in as well. Councilman Adams agrees as well, especially if it was part of the original make up of the property. Mr. Young suggested setting the moratorium through June with the intent to bring something back in April. Mayor Hallman said we can always unwind the moratorium later. Councilman Horsley amended his motion to add an action item on the first meeting in May 2019, seconded by Council Adams. Motion carried 3-0.**

12. City Manager Report:

Mr. Young said the 2018 audit is complete and reported back by Mauldin and Jenkins. We received another unqualified opinion. We are putting forth a plan to work on the issues. It is good to have an unqualified opinion; adding to the fund balance and not having to withdraw anything from water and sewer last year. RFPs for website design and agenda management software will advertise tomorrow. Recreation Director, Tod Nichols spoke about the recent sport success.

13. Public Comments:

Linda Murray  
Ellen Surber-Simpson  
Daniel Ray

14. Mayor and Council Comments-

Councilmembers Alexander and Adams thanked everyone for coming. Councilman Horsley asked had quotes been received on the baseball field score signs. Mr. Young confirmed that quotes had been received. Councilman Horsley talked about Southbase services mentioning that the City of Atlanta uses this program. The program is for low income, disabled, and elderly residents. The City would set up parameters of what it would agree to help with. It's a review of pipes in houses, looking for corrosion. Southbase subcontracts out with companies. Councilman Horsley said we could possibly have this set up as part of the budget for last year's emergencies, possibly set up as a percentage of the balance. Southbase is looking to possibly expand the division with Hapeville. Councilman Horsley would like to meet with staff to review in the next two weeks. Mayor Hallman thanked everyone for coming out.

15. Executive Session –

**MOTION: Councilman Horsley made a motion at 7:35PM to go in to executive session to discuss real estate, Councilman Adams seconded. Motion carried 3-0. Councilman Adams made a motion to go in to recess, Councilman Alexander seconded. Motion carried 3-0.**

**MOTION: Councilman Horsley made a motion to go in to executive session, Councilman Alexander seconded. Motion carried 3-0.**

No action taken.

**MOTION: Councilman Adams made a motion to go in to open session, Councilman Alexander seconded. Motion carried 3-0.**

16. Adjourn –

**MOTION: Councilman Adams made a motion to adjourn the meeting at 8:32PM, Councilman Alexander seconded. Motion carried 3-0.**

Respectfully submitted,

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Alan Hallman, Mayor

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Crystal Griggs-Epps, City Clerk