

Mayor and Council Work Session

700 Doug Davis Drive
Hapeville, GA 30354

January 23, 2018
6:00 PM

MINUTES

1. Call To Order

Mayor Hallman called the meeting to order at 6:08PM at 700 Doug Davis Drive, Hapeville, GA 30354.

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

Mayor Hallman welcomed State Representative David Dreyer who gave a brief discussion regarding recent bills being introduced to the legislation.

4. Presentations

4.1. DCA Hotel/Motel Tax

Background:

City of Hapeville currently collects Hotel Motel Tax at a 7% rate under O.C.G.A 48-13-51(a)

(4.5). Council has requested a discussion item to explore the possibility of requesting a change to our collection category to 8%, under paragraph (a)(5.1) or (a) (5.2). Included in the packet for historical and information purposes are: | January 19, 2017 Georgia Department of Community Affairs (DCA) Compliance Determination Letter | June 29, 2017 City of Hapeville – Compliance Response, June 29, 2017, and | July 27, 2017 DCA Close Out Letter | Excerpts of OCGA 48-13-51(a)(4.5), (5.1) and (5.2) | Ordinance Examples based on Thomasville and Brookhaven.

Tyler Reinagel and Eric Lopez briefly discussed the Hotel Motel Tax.

Public Comment

Dave Shepherd, Hilton Atlanta Airport, addressed the Council regarding the proposed change to the Hotel Motel Tax Rate.

Rod Mack, King Arnold Street, inquired regarding financial audits for the DMO.

5. Questions On Agenda Items
Charlotte Rentz

6. Public Hearing

6.1. Consideration And Action On A 2018 Alcohol Beverage License For A Restaurant For Uptown Comedy Corner At 397 North Central Avenue, Hapeville, Georgia 30354

Background:

Applicant: Angelo D. Sykes

Agent: Angelo D. Sykes

Address: 397 North Central Avenue

Parcel ID: 14 009600060034

All departmental reports have been received and staff has no questions or major concerns with this application at this time. Staff recommends approval.

Mr. Angelo D. Sykes addressed the Council regarding the application request at 397 North Central Avenue.

Staff Comment

None.

Mayor and Council Comments

Councilman Horsley inquired if they have even been found in violation of any Department of Revenue codes in regards to question number 29 on the application. Mr. Sykes indicated they have not been cited. Councilman Horsley inquired regarding the lease agreement and when alcohol licenses are renewed, calendar or fiscal year. Mr. Sykes indicated that he held the lease agreement for 397 N. Central Avenue and the adjoining property. Interim City Manager responded that alcohol licenses are renewed each calendar year.

Councilman Horsley asked for clarification regarding the leased area for banquet A and banquet B. Mr. Sykes responded that middle area is intended for the restaurant and area b would be for the comedy corner. Councilman Horsley inquired regarding the event center and if it would be used as part of the comedy corner. Mr. Sykes indicated the event center is separate from the comedy corner.

Councilman Adams inquired regarding the code violation regarding overhang and if the cameras are working inside of the facility. Mr. Sykes indicated that if there were any code issues they would come into compliance and the cameras are working. Mr. Adams asked regarding the floor plan and general layout for the facility. Mr. Sykes indicated the floor plan is on record and that the comedy corner has 2 bar facility area and will serve food ancillary to the food area and its within one facility.

Alderman Rast inquired regarding the plan for security on the inside of the facility as well as the parking lot. Mr. Sykes indicated they intend to use a security company to monitor inside of the facility and the parking lot and valet parking.

Councilman Horsley inquired regarding the sales report accrued within the building and accrued by an LLC or valet company. Interim City Manager, Tim Young, indicated that revenue for the valet company will have a separate business license and the percentage of sales will be reported separately.

Councilman Alexander stated the facility indicated 350 maximum paved parking spaces and inquired regarding their plan for overflow parking that would not to park on the street or the neighboring parking areas. Mr. Sykes stated that the maximum seating capacity is 350 per fire Marshall and they only have 302 seats on the floor. Councilman Alexander stated

that the restaurant will be open during an existing show and asked how all of the patron's cars be accommodated. Mr. Sykes stated that overflow parking is available at the adjacent property.

Councilman Adams asked for clarification regarding the number of licenses that are required.

Public Comment

None.

MOTION: Alderman Rast, Councilman Horsley seconded to approve the alcohol license for 397 North Central Avenue as requested.

Discussion: Discussion ensued regarding the number of licenses for each bar location within the establishment. Council advised legal to research this requirement.

Motion Carried: 4-0.

MOTION: Councilman Horsley made a motion, Alderman Rast seconded amend the agenda to add 8.2, Progress of Construction on Dogwood Drive.

Motion carried: 4-0.

MOTION: Alderman Rast made a motion, Councilman Horsley seconded a motion to approve the consent agenda. Motion carried: 4-0.

7. Consent Agenda

7.I. Consideration And Action On Ordinance 2018-01 Home Occupation Tax Permit

Background:

During the review of home occupational tax permit applications, it has become clear that the current home occupational tax zoning requirements have limited what should otherwise be allowable uses by the intent of the Code. Specific occupations have been listed as not permitted, when they actually meet the intent of the Code - for example, real estate brokers. Staff is recommending a text amendment to clarify the intent of the home occupational tax allowable uses while eliminating specific occupational restrictions. The City Planning Commission considered this issue on Tuesday, December 12, 2017 and recommended approval pending two revisions.

Staff supported their findings and recommendation. This ordinance was considered on first reading on January 9, 2018. This will be the second and final reading.

7.II. Consideration And Action On Ordinance 2018-02 Personnel Board Duties.

Background:

While reviewing amendments to the City's employee handbook, the City Attorney suggested an amendment to Section 4-302 regarding duties of the Personnel Board. Such amendment is proposed in the attached ordinance.

One of amendments to the handbook involved designating a hearing officer to hear appeals of adverse job actions taken against employees. The current text of Section 4-302(c)(4) doesn't allow the Personnel Board to delegate its duty to hear appeals of employees. However, the proposed amendment will allow such delegation.

The current text of Section 4-302(c)(4) provides: "(c) The functions and duties of the board shall be as follows: (4) Hear the appeal of any officer or employee when the right of appeal is given by effectuating ordinance enacted pursuant to the authority of this chapter." The proposed text reads: "(c) The functions and duties of the board shall be as follows: (4)

Hear an appeal, or delegate to another entity the hearing of an appeal, of any officer or employee when the right of appeal is given by effectuating ordinance, policy, or procedure enacted pursuant to the authority of this chapter.”

This ordinance was considered on first reading on January 9, 2018. This will be the second and final reading.

7.III. Consideration And Action On Resolution 2018-01 Hotel-Motel Tax Rate Change - 51(B)

Background

At the January 8, 2018 meeting, Council requested staff review 2 considerations for language authorizing the change to O.C.G.A 48-13-51(b). Staff has reviewed the language with the attorneys and provides the attached resolution for consideration and action.

8. New Business

8.I. Consideration And Action To Select Lusk & Company Inc.as The Design/Builder Of The Theatre At 597 N. Central Avenue.

Background:

City staff solicited bids for the Theatre Project at 597 N. Central Avenue. Two firms submitted bids and they have been scored based on design solution, skill of staff, general conditions (fee), similar projects and other criteria. After interviewing both companies and totaling the scores up, Lusk & Company Inc. was the higher ranked firm. City staff recommends Lusk & Company as the firm to perform the design/build on the theatre project. At a later date, staff will bring back to council an actual cost amount for the design and build of the theatre. An estimated budget and conceptual designs have been submitted with the scoring sheets.

MOTION: Councilman Horsley made a motion, Councilman Alexander seconded to approve to select Lusk & Company Inc., as the Design/Builder of the theatre located at 597 N. Central Avenue. Motion carried: 4-0.

8.II. Dogwood Drive Project Update

Director of Community Services updated the Council on several changes within the Dogwood Drive Project. Removing seven (7) planters and increasing the travel lanes to 11’.

The overall consensus of the Council advised Lee Sudduth to inquire with GDOT regarding making adjustments to one area of the bike lane to a multi-use path which will decrease the bike lane by 2 feet.

There was discussion regarding a policy amendment for citizen review.

Public Comments

Larry Martin

9. General Public Comments

George Rogan

John Christian

Stephen Cushing

Heather Glantz

Melvin Reddin

10. Mayor And Council Comments

Councilman Alexander commented regarding the recent wedding at First Baptist Church.

Alderman Rast commented the sanctuary at First Baptist Church can accommodate up 1000 people.

Councilman Horsley commented regarding a new van for the Recreation Department and advised staff to look into researching vehicles on Gov.com, commented regarding addendum to maintenance schedule to City Hall and the Fire Department roofs. Councilman Horsley announced that Feb 2nd is the official fire department recognition by the legislature. Councilman Horsley suggested a Civic/City sponsored event for the MLK Holiday. Councilman Horsley announced the Cinco de Mayo Festival and vendor request for Holli Lovins. Councilman Horsley announced that the Legislative Council voted for an eight (8) percent change. Councilman Horsley spoke to Mr. Thomas Callaway of the City of East Point regarding curbside recycling to eliminate the recycling center near the ballfields. Councilman Horsley suggested City policies regarding vetting projects through the Design Review Committee. In addition, Councilman Horsley announced SRTA allowed municipal agencies to apply for the Georgia Infrastructure Grant. Councilman Horsley announced his discussion with a representative of Solar Crown Sources LLLC, regarding utilizing solarized panels on City buildings. Mr. Horsley noted that the Moreland Park Neighborhood Association is working on reconstituting their current organization and Councilman Horsley also noted that Northwood Neighborhood Association amended their district map. Lastly, Councilman Horsley announced Governor Deal "Ban the Box" policy as it relates to applications.

11. Executive Session

MOTION: Councilman Horsley made a motion, Councilman Alexander seconded to enter into executive session at 7:56 PM. Motion carried: 4-0.

12. Adjourn

MOTION: Alderman Rast made a motion, Councilman Alexander seconded to adjourn the meeting at 8:50 PM. Motion carried: 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Adrienne Senter, Acting City Clerk