

**Mayor and Council
700 Doug Davis Drive
Hapeville, GA 30354
February 6, 2018
7:00 PM**

MINUTES

1. Call To Order

Mayor Hallman called the meeting to order at 7:02 PM 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

4. Pledge Of Allegiance – Councilman Adams

5. Invocation – Mrs. Ellen Suber-Simpson

6. Presentations

6.I. Firefighter Of The Year Award - Exchange Club – tabled

6.II Police Officer Of The Year Award - Exchange Club – tabled

6.IV. Recognition Of Hapeville Charter Academy Football Team - Introduction of the Hapeville Charter Hornets Football team that won the 2017 Class 2A State Championship.

7. Questions on Agenda Items

Mickie Williams, 3333 Myrtle Street

8. Consent Agenda

8.I. Approval of Minutes

- January 9, 2018
- January 23, 2018

8.II Dogwood Drive - Project Time Extension

Background:

Due to adverse weather conditions and utility conflicts Tri-Scapes, Inc. is seeking a time extension on the Dogwood Drive LCI Streetscape Project. They are requesting a time extension until May 23, 2018. This extension will replace the original deadline for completion date of February 16, 2018. If granted the extension, the liquidated damages will begin on May 24, 2018 and they will be \$ 450 per day.

8.III. Consideration And Action For Credit Card Limit Increase To \$15K

Background: The City currently has a credit card account with Regions Bank, with a \$10,000 limit. The card is used for instances where a card is necessary, or a due to time constraints, an immediate payment for purchase is required. There are 2 holders of cards, City Manager and City Clerk. Individuals needing its use check out the card with signature and date, then return the card after use with the receipt of the purchase. Monthly usage ranges between \$2,000 to \$7,000. Balances are paid monthly using the receipts to code charges to the correct departments and accounts. From time to time, the 10,000 limit restricts flexibility where the city makes payments mid-month to free up space and accommodate departmental needs. We are requesting authorization to raise the limit to \$15,000 to avoid breaking daily activities to clear the balance on the account mid-month.

8.IV. Authorization To Add Card Holders To Regions Credit Card Account

Background

Currently the authorized cardholders are City Manager and City Clerk. We are requesting re-affirmation of City credit cards for City Manager and City Clerk and, in addition, authorize credit cards under the city account for Community Services, Parks and Recreations, Fire, Police, and Finance.

Request to Authorize Regions Credit card under the City corporate account to:

City Manager

City Clerk

Chief of Police

Fire Chief

Community Services Director

Parks and Recreations Director

Finance Director

8.VI. City of Atlanta - 911 Radio Payment

Background:

For the past 8 to 10 years, the City's Police and Fire services have been operating using radio frequencies provided by The City of Atlanta, at a cost of approximately \$15,000.00 annually. Recently, the city received two bills from Atlanta, one for \$16,392.48 and the second for \$101,587.00. The first bill is for the services provided in 2017 and the second is presumably for services to be provided in 2018. Since there was no discussion or notification prior to the bills being sent by Atlanta, the City of Hapeville was caught completely off guard and unprepared for such an increase in fees. As such, staff immediately started reaching out to other service providers, including Clayton County and Fulton County Communication Services in search of more cost-effective options available. Ongoing discussions are underway, and staff hopes to have a recommendation for the Mayor and City Council over the next few weeks. Since the bill for \$16,392.48 is for services provided in 2017, staff makes a recommendation to pay that portion to The City of Atlanta and to hold off on any additional payments until city staff identifies all available options. The city anticipated \$15,000.00 for this service in the current budget, FY 17/18.

8.VII. Authorizing Resolution for a Municipal Bond (Tru Hotel): Hapeville Dev Auth (Tru Hotel Project), Series 2018

MOTION: Councilman Horsley made a motion Alderman Rast seconded a motion to remove Item 8.1, January 9, 2018 and January 23, 2018 Minutes and Item 8.II, Dogwood Drive – Project Extension from the Consent Agenda. Motion carried: 4-0.

MOTION: Alderman Rast made a motion Councilman Horsley seconded a motion to approve the January 9, 2018 and January 23, 2018 Minutes with noted corrections.

Discussion: Councilman Horsley noted corrections to the January 9, 2018 minutes and the January 23, 2018 meeting minutes and Councilman Alexander noted a change to the January 9, 2018 minutes.

Motion carried 4-0.

MOTION: Councilman Horsley made a motion Alderman Rast seconded to grant the Dogwood Drive Project Extension until March 31, 2018.

Discussion: Councilman Alexander inquired regarding if the March 31st extension would allow for any possible rain delays during the month of March and if needed, can the contractor request another extension. Community Service Director, Lee Sudduth, stated that the Council could look into added additional days after the March 31st day to accommodate any possible rain delays. Councilman Horsley noted that there are a few abandoned wooden phones poles one in particular in front of Family Dollar. Lee Sudduth stated the contractor is working on removing the phone poles. Alderman Rast stated that unless the motion is amended, the contractor would be subjected to liquated damages if the project is not completed by the March 31st deadline.

Motion carried: 4-0.

9. Old Business

Councilman Horsley recused himself from the following item:

9.I. Surfacing and Maintenance Moratorium Extension

Background:

At the May 2, 2017 Council meeting, city council amended the code of ordinances, city of Hapeville, by amending chapter 58 with ordinance 2017-09. The primary purpose of which was to update and clarify how the city will address gravel parking lots. Issues primarily centered on what if any grandfathering of residential lots that currently are graveled, and how to address hardship cases. Council did not come to a consensus and chose to erect a moratorium on enforcement pending further discussion. The moratorium period has passed, and Code Enforcement is authorized to enforce the policy under the ordinance. Staff recommends an extension of the moratorium for 6 months through July 31, 2018 to allow Mayor and Council to discuss the review and execution of the current ordinance.

MOTION: Alderman Rast made a motion Councilman Adams seconded a motion to approve the Surfacing and Maintenance Moratorium Extension.

Motion carried: 3-0-1; Councilman Horsley recused himself.

10. New Business

10.I. Consideration and Action For The Play Everywhere Challenge: Project Grant Recipient Agreement

Background

KaBOOM! awards \$13,000 to the City of Hapeville as part of their Play Everywhere Challenge. The project, "King Play", will aid KaBOOM! in their efforts to incorporate play into the daily lives of kids by reimagining what and where a play space is and can be. Particularly, with the City of Hapeville, the two crosswalks (corner of North Fulton Avenue and King Arnold Street; crosswalk North Fulton Avenue and Scout Street) will be transformed into hopscotch crosswalks for kids to play as they travel to and from Hapeville Elementary School and the Hoyt Smith Conference Center. This grant is at no cost to the City.

MOTION: Councilman Horsley made a motion Councilman Adams seconded to accept The Play Everywhere Challenge: Project Grant Agreement.

Discussion: Councilman Horsley inquired regarding the exact location of the crosswalks. Main Street & Grants Coordinator, Bianca Howard, stated that the proposed locations are at the corner of King Arnold Street near North Fulton Ave. and North Fulton at the entrance near the Elementary School.

Councilman Adams inquired about what safety measures would be taken. Ms. Howard indicated that during the times the children are utilizing the crosswalks, there is a crossing guard at each location.

Motion carried: 4-0.

10.II. Consideration And Action To Be An In-Kind Sponsor For The Hapeville Exchange Club

This item was postponed.

10.III. Organizational Appointments

- City Attorney
- City Clerk
- Solicitor
- Public Defender
- City's Legal Organ
- Official Publication

MOTION: Councilman Horsley made a motion Councilman Adams seconded to table this item until the February 20, 2018 meeting.

Motion Carried: 4-0.

11. City Manager Report

Interim City Manager Tim Young reported that the City has received the draft Financial Audit Report and should have the full report ready by March 2018. Mr. Young stated that it appears that the City is 70K under budget for the year.

12. Public Comments

Marsha Lamb
Lee Russell
Daniel Ray
George Rogan

Councilman Horsley requested to withdraw the approval for Item 8.VI., Authorizing the Resolution for the 2017 Municipal Bond (Tru Hotel) from the Consent Agenda.

MOTION: Councilman Adams made a motion to amend the approval of Item 8, Consent Agenda Councilman Horsley seconded the motion.

Discussion: Mayor Hallman ask City Attorney Steve Fincher if the Council would have to reconsider the entire Consent Agenda or take action directly on one item. Mr. Fincher stated that the entire Consent Agenda would have to be reconsidered before the next regularly scheduled meeting.

Motion carried: 4-0.

MOTION: Councilman Horsley made a motion Councilman Adams seconded to approve Consent Agenda including Item 8.I, Approval of the January 9, 2018 and January 23, 2018 Minutes with noted corrections, Item 8.II, Dogwood Drive Extension until March 31, 2018, Item 8.III Credit Card Limit Increase to 15K, Item 8.IV, Authorization to Add Card Holders to Regions Credit Card Account, and Item 8.V, City of Atlanta – 911 Radio Payment.

Motion carried: 4-0.

MOTION: Alderman Rast made a motion to approve Item 8.VI, Authorizing Resolution Hapeville Municipal Bond (Tru Hotel): Hapeville Development Authority (Tru Hotel Project), Series 2018. Motion died for lack of second.

Councilman Adams stated that he would like to second the motion and open it up for discussion.

MOTION: Alderman Rast made a motion Councilman Adams second to approve Item 8.VI, Authorizing Resolution Hapeville Municipal Bond (Tru Hotel): Hapeville Development Authority (Tru Hotel Project), Series 2018

Discussion: Councilman Alexander stated that it was brought to her attention that there could be a violation of law and she would like to make sure that its legal prior to moving forward. Mayor Hallman mentioned that as stated by Mr. Fincher, this would be presented to the District Attorney and the DA would validate the deal for acceptance or rejection. He also stated that a similar deal was presented for the Solis Hotel and an intervention was filed and the individual who filed the intervention entered into a settlement agreement with the owners of the Solis Hotel and dropped his complaints on the validation. Councilman Adams stated that he did not have any information regarding the potential obstacles could be foreseen and he would have liked for the potential legal impact to be discussed prior to the meeting. Mr. Fincher explained that a validation proceeding is a statutory process whereby before a government entity can issue any bonds, they must present it to the District Attorney. The District Attorney alleges the facts of the transaction and ask the court to rule that it's a valid transaction. If anyone believes its not a valid transaction, then they are entitled to intervene. The City had an intervention on the Solis Hotel and its possible to receive an intervention on this one as well. If so, the judge will review the transaction in light of the objections raised and he will declare if the transaction is consistent with the law. Councilman Horsley commented regarding a case law that he reviewed and mentioned tabling the item until Council had an opportunity to review the codes. Councilman Alexander asked which process would be less costly – waiting for it to get to a judge and it's not validated or resolve any potential conflicts on the frontend, so it's not denied on the backend. Mr. Fincher stated that he believes the transaction is designed in a lawful fashion. Councilman Horsley asked for clarification of the law; Councilman Alexander and Councilman Adams agreed.

Alderman Rast withdrew his motion, Councilman Adams withdrew his second.

MOTION: Councilman Horsley made a motion Councilman Adams second to amend his motion to table pending written clarity on O.C.G.A. 36-62-2(6)(h)(VI) with regards to how it relates to Section 2.04 and any case law regarding abutting properties with convention and conference rooms as it relates to them.

Discussion: Alderman Rast stated that the only information they will receive is a legal opinion from the City Attorney's office. Mayor Hallman stated that you can not prevent anyone from intervening. Councilman Adams stated that he would like to make an informed vote prior to moving forward.

Motion carried: 4-0.

13. Mayor and Council Comments

Councilman Adams thanked everyone for attending. In addition, Councilman Adams mentioned the importance of the Neighborhood Associations being able to participate as a vendor in city sponsored events. Tod Nichols will look into this policy change.

Councilman Alexander commented regarding the upcoming South Fulton Performing Arts grant. The Arts application deadline is March 1st and the Literary Grant application is May 1st.

Councilman Horsley requested Community Service Department garbage trucks are outdated and concerns regarding the aging fleet. In addition, an Request for Proposals for privatization as it relates to solid waste and recycling. In addition, please add organization appointments and any outstanding board appointments to the next meeting agenda. Councilman Horsley ask for an update by email regarding potentially acquiring the Fulton County building on Claire Drive and setting up a meeting with Jack Burnside. Councilman Horsley would like to initiate the conversation as a discussion item to reinstate David Burt's monthly hours to 30 hours and to review David Burt recommendations regarding the 8% hotel motel tax. Also, initiate discussion regarding Hope Street real estate regarding noise pollution from I-85 corridor with possible noise barriers. Councilman Horsley would like to develop an ADA compliance working group to provide recommendations to the city to become disabled person friendly. As a follow-up to the solar meeting that was discussed, the meeting was delayed. Councilman Horsley mentioned that he spoke to the contractor for the Fulton County Library Project and he expressed a desire to come to first meeting in April for community engagement. Councilman Horsley mentioned the DCA Homebrew competitions passed under law and there may possibly use Stockbridge code as a guide. Councilman Horsley also announced an event for collaboration church is looking for volunteers for a prom event for individuals with disabilities. The roofs at City Hall, Police Department and the Fire Departments are in need of replacing – he would like to strategize for the next 3-4 years to figure out a way to replace the roofs. Additionally, Councilman Horsley would like to look into no left turns onto N. Fulton to N. Central from 4 p.m. – 6 p.m. Also, the website regarding the North Central and South Central Rail Project list Perkins Street as closing, please update. Lastly, Councilman Horsley mentioned moving all City meetings to Doug Davis Drive.

Public Comment

George Rogan

14. Executive Session

MOTION: Councilman Adams made a motion Councilman Horsley seconded a motion to enter into Executive Session for real estate and personnel matters. Motion carried 4-0.

MOTION: Councilman Horsley made a motion Councilman Adams seconded a motion to recess the meeting at 8:10 PM. Motion carried 4-0.

MOTION: Councilman Horsley made a motion Councilman Adams seconded a motion to reconvene in Executive Session at 8:23. PM. Motion carried 4-0.

No action taken.

MOTION: Councilman Horsley made a motion Alderman Rast seconded a motion to enter into Open Session at 8:35 PM. Motion carried 4-0

15. Adjourn

MOTION: Councilman Horsley made a motion, Alderman Rast seconded a motion to adjourn the meeting at 8:35 PM. Motion carried: 4-0.

Respectfully submitted by,

Alan Hallman, Mayor

Adrienne Senter, Acting City Clerk