

City of Hapeville Mayor and Council Session

700 Doug Davis Drive
Hapeville, GA 30354

April 3, 2018 7:00 PM

MINUTES

1. Call to Order: Mayor Hallman called the meeting to order at 7:06PM 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 – Ellen Simpson

6. Questions on Agenda Items – Larry Martin and Laura Murphy

7. CONSENT AGENDA

7.I. Approval of Minutes

- February 21, 2018 (Joint Meeting with Hapeville Development Authority)
- March 6, 2018 (Work Session & Council Meeting)
- March 20, 2018 (Work Session)

7.II. Approval of Executive Session Minutes

- March 20, 2018 (Executive Session)

MOTION: Councilman Horsley made a motion to pull March 20, 2018 work session minutes from the consent agenda because he was absent on the 20th, Councilman Adams seconded; vote 4-0. Alderman Rast made a motion to approve the February 21, March 6, and March 20 minutes, Adams seconded; vote 3-0-1 (Horsley abstained).

MOTION: Councilman Horsley made a motion to pull March 20, 2018 executive session minutes from the consent agenda because he was absent on the 20th, Councilman Adams seconded; vote 4-0.

Councilman Adams made a motion to approve the executive session minutes, Councilman Alexander seconded; vote 3-0-1 (Horsley abstained).

7.III. Consideration and Action to Declare the List of Police Sidearms Surplus and Allow Department to Trade Sidearms and Seized Weapons for the Purchase of New Issued Sidearms

Background: The Police Department requests Mayor and City Council declare the list of police sidearms surplus and allow the department to trade the firearms, along with several seized and forfeited weapons in the police armory, to the locally approved “Glock” vendor, Ed’s Public Safety, for the purchase of new issued sidearms for the officers. The only two locally approved wholesale vendors are, Smyrna Police Distributors and Ed’s Public Safety. Both submitted proposals and Ed’s proposal came in the best. With the trade, Ed’s proposal to provide the department with new sidearms at no cost (\$0) to the city. The last time departmental sidearms were replaced, was approximately 2008.

7.IV. Consideration and Authorization to Enter into Lease Purchase Agreement for Financing Approved Police Cruisers

Background: At the October 17, 2017 Council Work session, council approved purchase of two fully equipped 2018 Dodge Charger Police Cars at a cost of \$92,754.00. Council was advised that the City intended to enter into a Lease Purchase Agreement for these vehicles. The City has been in discussions with our primary bank Regions Bank, and with BB&T for 100%, 3-year financing. BB&T's proposal as of March 22nd was 4.75%, Regions proposal is 4.00%. 36 payments of \$2,738.47. Staff recommends Council give authorization to enter into the financing agreement of the vehicles.

MOTION on the remaining consent agenda items: Alderman Rast made a motion to approve the remaining consent agenda items, Councilman Adams seconded; vote 4-0.

8. OLD BUSINESS

8.I. Board Appointments to the Design Review Commission and the Personnel Board

- Design Review Commission - 2 positions (2 currently serving)
- Personnel Board - 3 positions (3 currently serving)

MOTION: Councilman Adams made a motion to reappoint Johnathan Love and Brian Gregory to the Design Review Commission, Councilman Alexander seconded; vote 4-0. Councilman Horsley made a motion to table the Personnel Board appointment to give more time to look over applications, Councilman Alexander seconded; vote 4-0.

8.II. Consideration and Action on to Designate Virginia Park a Residential Zone and to Install the Appropriate Signs at all Entrances.

Background: A traffic study was conducted by Sgt. B. Barnes from 12/4/2017-1/18/2018, with All Traffic Solution signs placed at various locations within Virginia Park to collect data. Collected data showed an average speed at all locations to be at or below 25mph. Officers also went door to door, contacting residents who were home to ask their concerns and what they would like done. Of the residents contacted, one stated traffic was horrible, four residents advised they had no problems with one stating he was more concerned with foot traffic than vehicular traffic. Two additional residents stated they had concern over stop sign violators but no other issues. Officers monitoring the area cited two stop sign

violators and one commercial food delivery truck.

With no traffic accidents, no traffic related injuries and studies proving the average speed to be within the speed limit, a motion was made by Nikki Rodriguez to make no changes with a recommendation that a new study be done when and if the proposed hotel is built to check the impact in the neighborhood. After her motion and a second from Lieutenant Bradberry, Chief Glavosek asked for consideration to designate the area of Virginia Park a Residential Zone and to have appropriate signs placed at all entrances. All Traffic Committee members voted unanimously in favor.

Councilman Adams inquired about the number of people surveyed. Councilman Horsley commented that there are some macro solutions. He stated that it was unanimously commented back in January 2018, to purchase a temporary speed bump for studies; and he wasn't sure that it had occurred yet. He also said that he thinks a study needs to be done on signage and speed tables.

Mayor Hallman said it is getting close to curtain time on this. Alderman Rast asked how many signs were needed? Councilman Horsley said approximately 12 signs.

Councilman Horsley made a motion to pass agenda item 8.II with the caveat to further study signage at the two indicated locations, upon purchase of temporary speed tables, Councilman Adams seconded. Councilman Alexander asked, "so we're making a motion to do a study?" Councilman Adams stated that we need to have action on these items. Councilman Alexander said she preferred to act on what is on the agenda. Councilman Adams withdrew his second. Councilman Horsley withdrew his motion.

MOTION: Councilman Horsley resubmitted a motion to approve 8.II as written with a resolution he can submit in writing to act on at next meeting, Councilman Alexander seconded; vote 4-0.

8.III. A Resolution to Authorize the Hapeville 2017 Municipal Bond (Tru Hotel): Hapeville Dev Auth (Tru Hotel Project), Series 2018

Background: A resolution was brought before this council at the February 6th council meeting. Council tabled the discussion to the February 20th. At that meeting, council directed staff to obtain an independent appraisal estimate of the project. Staff has complied with the request. Mayor and Council now need to discuss and vote on the resolution authorizing the Development Authority to proceed with the Bond Resolution 2018-02.

Mayor Hallman stated that Council agrees with having a joint meeting with the Development Authority from the comments made at the work session earlier. Katrina Bradbury, Development Authority Chairman stated that she is ok with having a joint meeting on Thursday; however, a couple members of the Authority will not there. Mayor Hallman said that his hope was to table the action tonight and have a joint meeting and bring it back up for a vote.

MOTION: Councilman Horsley made a motion to deny the authorization of the Hapeville 2017 Municipal Bond (Tru Hotel): Hapeville Development Authority (Tru Hotel Project), Series 2018, Councilman Alexander seconded. Discussion: Councilman Horsley touched on the 2012 appraisal numbers and said they might be doubting the potential of the market close to the airport. Mayor Hallman stated that his concern Scott Contron came before the City Council that was seated at the time and Development Authority that was seated at the time. All three parties negotiated what they thought

was a fair deal for the City. He met with new Councilmembers and asked if they had a problem with the deal. The answer from the new Councilmembers was that they had no problem. However, he does understand that the veil has been lifted and the new Councilmembers learn things that they didn't know prior to getting into office.

Councilman Adams stated that he did say he didn't have a problem with it at the time; however, as he came into office the veil was lifted and learned different details. That within itself puts a different spin on things for him. Mayor Hallman stated that Mr. Contron believed that there was a deal because everybody stood with the deal that was negotiated. He added he is concerned about the legal exposure that this may open the City up to.

Alderman Rast stated there are some unknowns. Councilman Adams stated that Mr. Wall preference his position that some of the cities are evaluating their stances on pilots such as College Park because of the change of the market.

Councilman Alexander stated that the numbers themselves over the course of 30 years will probably be around \$500,000. And with inflation, it doesn't seem like the best deal we can possibly get if we're doing a pilot and cutting out the school board. At the time the deal started, the market was different, and it made sense in that market, but now it doesn't.

Mayor Hallman asked Council from a consensus standpoint: should they discuss, renegotiate, or forget the deal? Councilman Alexander stated that with the new appraisal she doesn't know if we would come out any better renegotiating the deal. Councilman Horsley said he thinks this conversation would be best made after meeting with the Development Authority.

Councilman Adams asked the City Attorney what would be the potential legal ramifications? Mr. O'Neal said that the Memorandum of Understanding (MTO) is not as solid as if a contract was in place; however, it may be a cause for action due to any reliance Mr. Contron may have made on the document (any monies that were expended and reliance there on). **Vote 3-1 (Rast opposed).**

9. NEW BUSINESS

9.I. Consideration and Action to Appoint City Manager

Background: Since August 6, 2017, Tim Young has been serving as Interim City Manager; and after discussion and consideration, Council would like to take action on appointing a City Manager for the City of Hapeville.

MOTION: Councilman Adams made a motion to appoint Tim Young as City Manager, Councilman Alexander seconded. Discussion: Councilman Horsley stated that he thinks looking at the audit against the current fiscal year is a good benchmark of progress. He would like to wait two more weeks in addition to advertising a little bit longer to get a longer application pool. But, fully in faith, Councilman Horsley said that Tim will do an excellent job. **Vote 4-0.**

9.II. Consideration and Action to Provide a Prorated Refund in the Amount of \$4,166.70 for the 2018 Alcohol License Fee for Ajas, LLC/DBA Joffrey's Coffee & Ice Cream

Background: Business Owner, Amita Patel is requesting a refund of her 2018 Alcohol Beverage License fees. The business was officially closed as of March 1, 2018. The total amount collected was \$5000.00. Ordinance No. 2017-04, Section 5-1-2 states that an alcohol license fee may be refunded on a pro-rata

basis by vote of the Mayor and Council, upon an applicant's showing of good cause. We are in receipt of the 2018 Alcohol Beverage Permit.

MOTION: Councilman Horsley made a motion to approve the prorated refund to Ajas, LLC, Alderman Rast seconded; vote 4-0.

9.III. Consideration and Action for Metro Atlanta Coalition of Kappa Chapters (M.A.C.K.) to use the Jess Lucas Park on June 23, 2018

Background: At the March 20th Council Work Session, there was discussion on rental requests for Jess Lucas Y Teen park. The City has a policy for staff to authorize use of the Gazebo, but larger, park-wide usages must be approved by Mayor and Council. The general leaning from the discussion is to not rent the park, Mayor Hallman requested staff come back to council with recommended usage for the park. Staff will return a recommendation shortly. Presently, we have a request from Derex Penn, representing the Metropolitan Coalition of Kappa Chapters (M.A.C.K.) for use of the park on Saturday, June 23rd. Should Council approve the usage, with or without restrictions, city staff will work with M.A.C.K. with all details, including appropriate permitting, set up and clean-up

Councilman Adams recused himself since he is a member of the organization.

MOTION: Alderman Rast made a motion to deny rental of the park, motion died due to lack of second. Councilman Horsley made a motion to approve the use of the park, Councilman Alexander seconded. Discussion: Mr. Rodney Harris with the requesting organization gave Mayor and Council background on their event stating that a different chapter hosts it every year. And, this is the area that his chapter services. He stated the event would be 3-4 hours long and that around 200 people would attend. Councilman Horsley asked did the organization plan on using local caterers? Mr. Harris said the food would be catered and that they have not explored vendors yet. He also added that they're not opposed to it. He suggested donating to the youth development program. Mr. Harris confirmed that the foundation is 501c. Alderman Rast commented that we not use this as a precedent and would like to still have people come to Mayor and Council to request use of the park. Councilman Horsley asked would they have alcohol? City Manager, Tim Young said that Council will have to make the determination of whether they can have alcohol or not. Mayor Hallman said it'll probably be cleaner with no alcohol. Councilman Alexander added that she would like to see a deposit paid upon a checklist of cleaning items. Vote 3-0-1 (Adams abstained).

9.IV. Consideration and Action on Agreement with South Arts in the Amount of \$5,500 for the 2018-2019 Film Series and to Authorize Mayor to Execute All Necessary Documents

Background: For the last eight (8) years, the City has been an active participant in the Southern Circuit film series. By entering into this contract, the City of Hapeville agrees to host a series of six independent films, with receptions with the filmmaker, during the period of July 1, 2018 and June 30, 2019. Hosting the series includes paying a participation fee of \$5,500 to the Southern Circuit, as well as providing event planning, hosting, and marketing and any related expenses. Staff recommends approval.

MOTION: Alderman Rast made a motion to approve, Councilman Alexander seconded. Discussion: Councilman Alexander mentioned that South Arts has several other programs and think it would be a nice addition to apply for the Literary Arts program; vote 4-0.

9.V. Consideration and action to enter into an agreement with Georgia Department of Early Care and Learning for The Bright From the Start Summer Foods Program.

Background: The Summer Food Service Program, or SFSP, grant has been utilized by the Hapeville Recreation Center for the past 6 years. The SFSP grant allows the City to serve food, at no charge to the children that attend Summer Camp, as well as children from around the Hapeville area. We make and serve breakfast and lunch Monday through Friday for all children under the age of 18, as well as adults with disabilities, 19 and older. We serve breakfast from 8AM to 9AM and lunch from 12PM to 1PM and each meal consists of major food components like fruits and vegetables and milk. Recreation staff nominates Holli Stephens as the Delegated Principal for the Summer of 2018. This is a great program for kids and adults to utilize in Hapeville and we're looking to have this approved so that we may once again use the SFSP grant during the Summer months. In prior years this grant has been approximately \$16,000. This will be a non-matching grant.

MOTION: Councilman Adams made a motion that Mayor and Council nominate Holli Lovis as the delegated principal for the Summer of 2018 and to enter into the agreement with Georgia Department of Early Care and Learning for the Bright from the Start Summer Foods Program, Councilman Alexander seconded; vote 4-0.

9.VI. Consideration and Action to Authorize a Time Extension for the Dogwood Drive LCI Streetscape Project

Background: Due to adverse weather conditions and utility conflicts, Tri Scapes, Inc. is seeking an additional time extension on the Dogwood Drive LCI Streetscape Project. They are requesting a time extension until June 30, 2018. If granted, this extension would replace the revised deadline of March 31, 2018 and liquidated damages, in the amount of \$ 450 per day, would begin on July 1, 2018.

Mayor Hallman stated that the discussion during the work session leads him to believe the June 30 date is not feasible.

MOTION: Councilman Horsley made a motion to not grant an extension, motion died due to lack of a second. Alderman Rast made a motion to grant a time extension through April 30, 2018 due to rain, Councilman Adams seconded. Discussion: Councilman Horsley touched on the project cost stating that it would be 1.2% if the deadline is April 30, and they still may not finish by April 30. Councilman Adams said that if we approve April 30, it should be a hard-drawn line in the sand. Vote 3-1 (Horsley opposed).

10. City Manager Report - – City Manager, Tim Young told of the upcoming events going on in the city. On the 7th, opening day, parade, t-ball, baseball/soccer. Also, on the 14th will be Coffee and Chrome.

11. Public Comments:

Katrina Bradbury
Charlotte Rentz
Larry Martin

MOTION: Councilman Horsley made a motion to add an executive session on the agenda, Councilman Adams seconded; vote 4-0.

12. Mayor and Council Comments: Councilman Horsley gave a list of items he would like to discuss later, Councilman Adams inquired about glass recycling not being available, Alderman Rast had no comments, Councilman Alexander commented on creating a board to handle funds once the new hotel/motel bill is signed, Mayor Hallman commented on possibly going back to having mid-month meetings.

13. Executive Session:

MOTION: Councilman Horsley made a motion at 8:56PM to go into executive session to discuss potential litigation, Councilman Adams seconded; vote 4-0. Councilman Adams made a motion to go into recess, Councilman Horsley seconded; vote 4-0.

MOTION: Councilman Adams made a motion to go into executive session, Alderman Rast seconded; vote 4-0.

14. Adjourn

MOTION: Councilman Adams made a motion to go into recess, Alderman Rast seconded; vote 4-0. Councilman Horsley made a motion to adjourn at 9:16PM, Councilman Alexander seconded; vote 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk