

Mayor and Council Work Session

700 Doug Davis Drive

Hapeville, GA 30354

July 17, 2018 6:00PM

MINUTES

1. Call to Order: Mayor Hallman called the work session to order at 6:03pm at 700 Doug Davis Drive, Hapeville, GA 30354.

2. Roll Call:

Mayor Alan Hallman

Alderman at Large Michael Rast

Councilman at Large Travis Horsley (teleconferenced in until 7:07PM, rejoined at 8:50PM and left at 8:59PM)

Councilman Ward I Mark Adams

Councilman Ward II Chloe Alexander

3. Welcome

4. PRESENTATIONS

4.I Aerotropolis Atlanta CID Presentation by Stan Reecy

Stan Reecy and Mr. Bozeman presented the Aerotropolis Signage and Wayfinding plan highlighting the process and their preferred concept. Mr. Bozeman said he would like to get input over the next couple of weeks. Councilmembers had questions regarding the labeling of the signs whether Hapeville would be included on it.

5. PUBLIC HEARING

5.I Consideration and Action on an Alcohol Beverage License Request for Marco's Pizza

Mayor Hallman opened the Public Hearing by asking the applicant would he like to speak. The applicant declined. Mayor Hallman asked if anyone from the public had any in favor of or opposing comments to make and no one stood to speak. There were also no comments made by staff. Mayor Hallman then closed the Public Hearing.

MOTION: Alderman Rast made a motion to approve the request, Councilman Alexander seconded. Discussion: Councilman Adams asked whether they would have outdoor seating in the future? The applicant said yes, they do have plans in the future. Motion carried 4-0.

5.II Consideration and Action on the Future Land Use Map Amendment Ordinance – 2nd Reading

Mayor Hallman opened the Public Hearing asking if anyone from the public had any comments in favor of or opposing to make in which no one stood to speak. There were no staff comments as well. Mayor Hallman then closed the Public Hearing.

MOTION: Councilman Adams made a motion to approve the adoption of the revised Future Land Use Map, Alderman Rast seconded. Motion carried 4-0.

6. Consideration and Action to Provide a Special Exception at 876 Virginia Avenue

Mayor Hallman opened the Public Hearing by asking the applicant if he would like to speak. Applicant, Phillip Jones addressed Mayor and Council stating that he is the franchisee for Smoothie King. He is looking to own the property at 876 Virginia Avenue and is wanting to utilize the existing drive thru that is there and make the modifications needed. Mayor Hallman asked if anyone from the public had any in favor of or opposing comments to make.

Public Comments from Daniel Ray and Charlotte Rentz in opposition of the request.

Staff Comments: City Planner, Lynn Patterson stated that the district is UV which excludes drive-in restaurants/fast food restaurants which patrons are not exclusively seated but are served standing at a counter. The existing drive thru is located on the eastside facing adjacent property and the right away. It would be very difficult to assign a permitted use, occupational tax permit given the current code. Drive-in and fast foods restaurants have the potential to increase traffic in the area. Per the Attorney, this special exception goes with the property. So, if it is ever closed and a different restaurant is in the space, the exception goes along with the property. The building itself is not ideal; however, if wanting to tear down the building, the applicant would need to go through the full site plan review and still would need to come back for a special exception, but the site would be reconfigured for the UV zoning. Ms. Patterson said she cannot recommend that a drive-thru be in this location because it is not consistent to what the long-term vision.

The Planning Commission considered this issue on July 10, 2018 and recommended Mayor and Council grant the Special Exception to utilize the existing drive-thru at 876 Virginia Avenue subject to the following conditions: 1) removal of 5 parking spaces along the eastern front of the property; 2) expand the patio area to allow for outdoor seating; 3) recommend striping to protect cyclist crossing and provide a bike rack as indicated on the rendering; 4) provide a landscape buffer; and 5) request Council change Oakridge Drive to a “two-way” street for access.

Ms. Patterson stated that a special exception was granted to the project across the street 917 Virginia Avenue for a proposed Dunkin Donuts, that drive-thru comes off of a side street which is in the parking lot around the back which was not visible in the public right of way. Councilman Adams said that it’s his understanding that we set precedence by granting special exception for a particular business with the drive-thru. Ms. Patterson said that it wasn’t the business, but it was the way the site-plan was configured. Councilman Adams asked if a presume precedence has been set, to him, it goes back to being equitable? Ms. Patterson said on a case by case basis; have to look at each property.

Councilman Alexander asked was the prior exception recommended? Ms. Patterson said yes, it was.

Councilman Adams asked if there could be a potential redesign that would cue traffic in a more optimal way? Ms. Patterson said that they discussed it and were trying to figure out at the Planning

Commission meeting if it could be cued around the back, but there is not a whole lot of space in the back. We can work on that and see if it is a way to have improvements.

The applicant's architect, Tre Lucas confirmed that the plans are the same footprint of what is currently there. He stated that curve cuts are not being altered and they've gotten rid of the five parking spots in the front. He feels that with the amount of landscaping, you will not be able to see the drive-thru.

Mayor Hallman said he is a lot less concerned about the visibility of it, than he is of the traffic.

MOTION: Alderman Rast made a motion to approve the Planning Commission's recommendation; died due to the lack of a second.

MOTION: Councilman Alexander made a motion to deny accepting the request, Councilman Horsley seconded. Discussion: Councilman Alexander said that she thinks zoning is created for long term planning and it should be followed. The prior exception, she wasn't on Council at the time and don't know if she would have approved it at that time, but she knows that if something similar came before Council and if it was denied for similar reasons, she thinks it would be prejudicial to do something different now. Councilman Adams asked the applicant if this item was potentially tabled, would he be willing to relocate the curb cuts to decrease traffic in the area? Mr. Lucas said the Department of Transportation wouldn't allow it. Vote 3-1 to deny the request (Alderman Rast opposed).

7. Questions on Agenda Items:
Larry Martin

8. CONSENT AGENDA

- 8.I Agreement with Dashboard in the Amount of \$15,000 to Start Planning and Artists Proposal Process of Phase I of Pedestrian Bridge and to Authorize the Mayor to Sign All Necessary Documents
- 8.II Consideration and Action on Agreement with Charmaine Minniefield to Complete Mural on 3468 N. Fulton Avenue (City Hall) and to Authorize the Mayor to Sign all Necessary Documents.
- 8.III Consideration and Action on Agreement with Lauren Pallotta Stumberg to Complete Mural on 583 N. Central Avenue, West Side Exterior and to Authorize the Mayor to Sign all Necessary Documents
- 8.IV Consideration and Action on an Easement Agreement with Point Center Partners, LLC for Façade Improvements and to Authorize the Mayor to Sign All Necessary Documents.
- 8.V Consideration and Action on an Agreement with the Atlanta Regional Commission – Community Development Assistance Program for the Technical Assistance Grant

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

9. OLD BUSINESS

9.I Consideration and Action on the Alcohol Ordinance Amendment to Allow for an Alcohol Review Board Structure Change – 2nd Reading.

MOTION: Alderman Rast made a motion to allow for an Alcohol Review Board Structure Change, Councilman Alexander seconded. Discussion: Councilman Horsley said he think it should be a citizen board. Motion carried 3-1 with Councilman Horsley opposed.

9.II Consideration and Action on the Fulton County Animal Control Intergovernmental Agreement

MOTION: Councilman Horsley made a motion to approve the agreement with Fulton County for Animal Control Services, Alderman Rast seconded. Discussion: Councilman Alexander asked how are the calculations the same? City Manager, Tim Young said he trust that the Fulton County individual, when contacted, intended to bring up the same response and he did not go into the specific math. Motion carried 4-0.

10. NEW BUSINESS

10.I Consideration and action on an Event Request Form from Michael Barman to have the Hapeville Criterium Event in August.

MOTION: Alderman Rast made a motion to approve the event, Councilman Adams seconded. Discussion: Councilman Adams asked the applicant would the route be the same as last year? Mr. Barman confirmed it would be the same. Motion carried 4-0.

10.II Consideration and Action on and Event Request Form from Mirror of Mothers Foundation, Inc. to use Jess Lucas Park on August 4, 2018

MOTION: Councilman Alexander made a motion to approve the event, Councilman Adams seconded. Discussion: Alderman Rast asked about the hours of the event. The applicant stated the event would run from 7am-1pm. Councilman Alexander asked the applicant if the group would be renting the gazebo? The applicant said yes. Motion carried 4-0.

10.III Consideration and Action on the Freemont Foundation's 5th Annual Represent Yourself Event – Sept. 15, 2018 at 9am.

MOTION: Councilman Adams made a motion to approve the event, Councilman Alexander seconded. Motion carried 4-0.

10.IV Consideration and Action to Amend Traffic Ordinance Section 41-3-8 to Facilitate Temporary Traffic Calming Devices – 1st Reading

Councilman Adams asked about amending the agenda to add in that Council is able to direct city staff to install temporary traffic tables on a certain street. Mayor Hallman said by waiving first reading, the ordinance could be enabled that night.

Councilman Alexander commented on the language in part A concerning the speed limit in a residential zoning. She said that traffic calming has to do with more than just speed and recommends changing the language to “two of the three conditions are met or any of the conditions are met”. Also, in part D, instead of saying “prior to completion” recommends it to read “as part of the traffic engineer’s study”.

MOTION: Councilman Adams made a motion to amend the agenda to waive the 1st reading, Councilman Alexander seconded. Motion carried 3-0.

MOTION: Councilman Alexander made a motion to approve modification in section A to read “two of the three conditions listed have to be met”, Councilman Adams seconded. Discussion: Attorney O’Neal asked were they removing volume? Mayor Hallman confirmed that it was just a recommendation. Motion carried 3-0.

MOTION: Councilman Adams made a motion that the previous motion is subject to changes in the Ordinance made by Councilman Alexander, Alderman Rast. Motion carried 3-0.

10.V Consideration and Action to Authorize Staff to Change Health Care Plan Provider Offering from Kaiser Permanente to StrongSide Solutions Ebenefix

The Founder and CEO of StrongSide Solutions Ebenefix, Wendall Strickland presented to Mayor and Council stating that they are a cost management consulting firm that specializes in the design, implementation and supply-chain management of self-funded Benefit programs. Mr. Strickland also stated that the cost of healthcare has drastically outpaced inflation and workers’ earnings. With Ebenefix, the City would see a 15% - 30% reduction and not reduction in benefits with no additional risk. Employees would have the same or increased access to doctors and facilities; no referrals needed. The savings would remain in the City’s bank account. Ebenefix will evaluate high cost claims and identify a grant program for them. They have already identified \$435,000 in reduced costs with a savings potential of \$315,135. The effective date of the plan would be September 1, 2018, if approved.

Alderman Rast asked are the high cost claims funneled through the grant program and is that the purpose of the grant program to handle these claims? Mr. Strickland said yes. Councilman Alexander asked how does that change year to year? Mr. Strickland said the claims are evaluated on an annual basis. Councilman Alexander asked is there a cap, a maximum dollar amount of claims that can be taken out of the pool. Mr. Strickland said there is no cap, as long as they’re an employee and they qualify.

Councilman Alexander asked about retirees? Mr. Strickland said that the city plan would always be primary. The plan currently covers 134 retirees.

There is no out of network deductibles with this plan. Also, another benefit is that they only spend the money only as claims come in, usually end up with 20-30% in the City's bank account.

Mr. Strickland's recommendation is to implement the program effective September 1st and fund the grant programs starting August 1st.

Mayor Hallman asked was the grant program a high-risk pool that the City is contributing to? Mr. Strickland said that the City will be paying for the consultants they use to get the grants and to apply to the City's claims and to pull out of the pool. This will need to be done before switching over to the new plan.

Councilman Adams asked when does Kaiser expire? City Manager, Tim Young confirmed that the City is currently month to month.

Mayor Hallman asked about the administrator/broker services? Mr. Strickland said that this function would shift to Ebenefix.

Alderman Rast asked where does the grant program fall under, is it under the Affordable Care Act or was it prior to the act? Mr. Strickland said they have a consulting firms that does this for them. And, there are other programs that are available for specific diseases, and they are able to compile several programs together to remove high cost from the plan.

MOTION: Alderman Rast made a motion to accept the recommendation form staff to change Healthcare plan provider to StrongSide Solutions EBenefix, Councilman Adams seconded. Motion carried 3-0.

City Attorney, John O'Neal stated that item 10.IV needed to be readdressed because Councilman Alexander had mentioned having the language in section D "prior to completion" to be removed and he didn't believe that that motion was made and as the language currently is written, a traffic engineer would need to make a recommendation to Mayor and Council to approve the temporary traffic devices before city staff could actually implement them. Mr. O'Neal's recommended if the goal is to have immediate implementation, will need to make a motion to reopen, make another motion to approve subject to the removal of language from prior to engineer in the first sentence of section D, then the agenda would need to be amended to approve that and to direct staff to insert temporary traffic devices.

MOTION: Councilman Adams made a motion to reconsider agenda item 10.IV, Alderman Rast seconded. Motion carried 3-0.

MOTION: Councilman Alexander made a motion to approve the ordinance for traffic calming subject to adding the language to section A that says two of the three conditions listed has to be met and striking the language from section D that states upon recommendation of the traffic engineer, Councilman Adams seconded. Motion carried 3-0.

MOTION: Councilman Adams made a motion to add to the agenda the testing for speed tables on Wheeler Street to see the effectiveness of a temporary speed table, Alderman Rast seconded. **Discussion:** Councilman Alexander said that Wheeler and Russell have the same issues even if it is a test. If we test one, we need to test the other. There is a high concentration of kids on both streets. Councilman Adams made a motion to amend his motion to approve testing implementation of speed tables on both Wheeler and Russell Streets, Alderman Rast seconded. **Motion carried 3-0.**

- 10.VI Consideration and Action to Enter into an Agreement with Amezcua's Finished Concrete Inc. In the Amount of \$27,825.00 for the Demolition and Renovation of the Kitchen in the Hoyt Smith Center.

MOTION: Alderman Rast made a motion to approve the agreement, Councilman Adams seconded. **Discussion:** Councilman Alexander asked how many bids were received? Recreation Director, Tod Nichols said the he had received three bids. **Motion carried 3-0.**

- 10.VII Consideration and Action to Approve Lusk & Company Inc. in the Amount of \$2,113,401 for the Construction of the Hapeville Theatre.

MOTION: Alderman Rast made a motion to approve Lusk & Company Inc. in the amount of \$2,113,401 for construction of the Hapeville Theatre, Councilman Adams seconded. **Discussion:** Councilman Alexander said that the language in the ordinance for 8% states that three pennies go to DMO and can be used for certain theatrical activities. Would the construction of the theatre count? Mr. Young said that he is not sure the DCA will allow that. He has asked three times and received the following breakdown: 3 ½ cents of advertising, 1 ½ bricks and mortar, and 3 cents to the general fund.

Councilman Alexander asked would the existing façade change at all? David Burt stated that they might paint the brick themselves later on. Councilman Alexander asked how long is the agreement with Academy Theatre? Mr. Burt confirmed that the agreement is six years.

Councilman Adams said once it gets fully up and running that the contract is re-evaluated, making sure that everything has been met.

Councilman Alexander asked if Academy Theater is spending money for the stage and the seating, when they leave, do the City owe them anything? Mr. Burt said they might want to take their seating, lighting and sound; anything that can be unhooked physically, they would take. Mr. Young said that an out clause can be negotiated.

Councilman Alexander asked does the estimate include any interior design and fixtures that will be inside of the theatre excluding seating and stage? Mr. Burt said it includes house lighting, built in tables and anything that is required for a building to have a Certificate of Occupancy. Lauren Fye said that if they raise the money for fancy chandeliers, the chandeliers would belong to the theatre. **Motion Carried 3-0.**

10.VIII Discussion Initiated by Councilman Alexander to Migrate the Southern Circuit Film Series to Saturday.

Consensus of Council is to migrate the film series to Saturday. Mr. Young said we'll need to address internal things such as staffing and overtime. Ms. Rentz said this will start next season in the fall.

10.IX Discussion Initiated by Councilman Horsley on Downtown Parking Issue

Community Services Director, Lee Sudduth confirmed that the signs had been turned and restriped on the business side had been done; however, the other side is torn up.

Councilman Alexander asked about the corner of N. Central and N. Fulton, is that striped to show that there is no parking? Or, will that be striped? Mr. Sudduth said that it is currently not a space and there is a law about not parking close to an intersection. Mayor Hallman said that maybe it can be marked better when the paving is finished. Councilman Alexander also asked about getting a sign there that reads "no parking". The space is striped now but people still park there.

Councilman Adams asked had there been any thought about the time of day to actually turn from N. Central and N. Fulton (turning left going both directions)? Alderman Rast said there has been discussion about that. Councilman Alexander stated that the issue she foresees is that people will turn down Sam Hape Plaza, which is worse than making a left on N. Fulton.

Councilman Alexander said another issue is with the alley way having huge trucks parked on N. Central. Is there a way that we can make that side of the street 15-minute unloading or loading and then make two-hour parking on the other side? Some trucks can get in the alley way, but not all trucks. Or, designate a few of the existing parking spots going west on N. Central toward 85 as loading and unloading only?

Alderman Rast said the parking should be studied. Councilman Alexander said that there needs to be better signage to show where parking is located.

Mayor Hallman instructed staff to look at and bring back to Council at the second meeting in August.

10.X Discussion Initiated by Councilman Adams on Traffic Calming to be Presented by the Neighborhood Associations: Cofield Park, Azalea Park, VA Park, and Northwoods.

Jan Boelene presented before Council stating that the problems are getting worse and would really like to be a part of the proposal citywide; have a townhall meeting to hear from everyone. Susan Bailey suggested that delivery trucks deliver in front of City Hall. Ms. Bailey mentioned to petition GDOT about making the turn in on N. Fulton & N. Central a left turn during certain hours. Councilman Alexander said she agrees with having a townhall meeting, but with some sort of structure.

10.XI Discussion Initiated by Councilman Adams on the I-85 Sound Barrier

Mayor Hallman said that the funds were tied to a project that never happened; could take the resolution and revised it and get neighborhoods to sign petitions. Mayor Hallman instructed the City Manager to have this all put together in another couple of months.

11. City Manager Report - none

12. Public Comments:

Lucy Dolan
Lauren Fye
Mike Murphy
Charlotte Rentz
Daniel Ray
Larry Martin

13. Mayor and Council Comments – none

14. Executive Session:

MOTION: Alderman Rast made a motion to go into Executive Session for Real Estate and Litigation, Councilman Adams seconded. Motion carried 3-0. Councilman Adams made a motion to go into recess, Alderman Rast seconded. Motion carried 3-0.

MOTION: Councilman Adams made a motion to go into executive session at 8:50pm, Councilman Alexander seconded. Motion 3-0.

No action taken.

MOTION: Councilman Adams made a motion to reconvene into open meeting, Alderman Rast seconded. Motion carried 3-0.

MOTION: Councilman Adams made a motion to modify the agenda to add the approval of the execution of the joint defense agreement with Fulton County and other Fulton County Cities, Councilman Alexander seconded. Motion carried 3-0.

MOTION: Councilman Adams made a motion to approve the execution of the joint agreement with Fulton County and other Fulton County Cities, Councilman Alexander seconded. Motion carried 3-0.

15. Adjourn

MOTION: Councilman Alexander made a motion to adjourn at 9:52, Councilman Adams seconded. Motion carried 3-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk