

Hapeville Development Authority
3468 North Fulton Ave.
Hapeville, GA 30354
September 6, 2018 6:30PM

MINUTES

1. Call to Order: The meeting was called to order at 6:31PM at 3468 N. Fulton Avenue, Hapeville, GA 30354.
2. Roll Call:
 - Katrina Bradbury
 - Matt Morrison
 - Alan Hallman
 - Richard Murray - Absent
 - J. Allen Poole - Absent
 - Tania Wismer
 - James Newton – Arrived at 6:32PM
 - John Stalvey
 - Susan Bailey

MOTION: Alan Hallman made a motion to amend the agenda to move executive session to after item #2 - Roll Call, Vice Chairman Matt Morrison seconded. Motion carried 7-0.

3. **Alan Hallman made a motion to go into executive session at 6:35PM, John Stalvey seconded. Motion carried 7-0. Alan Hallman made a motion to go into recess, Vice Chairman Matt Morrison seconded. Motion carried 7-0. Alan Hallman made a motion to go into executive session for real estate, Tania Wismer seconded. Motion carried 7-0.**

No action taken during executive session.

MOTION: Alan Hallman made a motion to reconvene back into open meeting at 8:13PM, John Stalvey seconded. Motion carried 7-0. Alan Hallman made a motion to recess, John Stalvey seconded. Motion carried 7-0. Alan Hallman made a motion to reconvene in the open meeting at 8:17PM, John Stalvey seconded. Motion carried 7-0.

MOTION: Chairman Bradbury entertained a motion that the Development Authority would sign letter of intent and enter into a contract with the sell of the property normally called the Willingham property located at the corner of Central Avenue and Colville Avenue with the following terms:

- Purchase price shall be \$725,000 with purchaser paying any and all real estate commission and pay the Development Authority's closing cost not to exceed \$5000.
- Miller Lowry Developments to close on property January 31, 2019 unless the LDP has not been issued. In that case, the buyer has the right to extend contract 60 days to allow additional time for the LDP to be issued.
- All Parties agree the development shall yield 14-20 townhome building pads.

- **All parties agree the development shall include 2 commercial building pads containing 7,500 +/- leasable square feet on ground level. It is possible the buildings may have an additional second story to be determined in the exploration phase.**
- **The Development Authority will encourage the City to work with the developer to create traffic calming measures with parallel parking along Colville Avenue, possible parallel parking along Willingham and adding stop signs at the intersection of Willingham Drive and Elkins Street.**
- **The Development Authority will encourage the city to make their best effort to work with Miller Lowry Development on the exterior fence of the property. Specifically, the fence along Central Avenue to make it as appealing as possible for the City of Hapeville. The fencing will be subject to final approval by the Development Authority.**
- **The development will have its own homeowner's association that will be responsible for maintaining the property and all common areas.**
- **The Buyer to deliver to DA a draft contract within 10 days of executed LOI. And the motion to authorize the Chairman to sign all necessary agreements pending legal review.**

Allan Hallman made a motion to approve with caveat that part of the contract be that should this property not be developed as presented, then the Development Authority would exercise the right of first refusal for this property. Vice Chairman Matt Morrison seconded the motion. The motion carried 7-0.

4. Approval of Minutes for August 9, 2018 – Chairman Bradbury stated there was one change made in the minutes correcting the amount of money the Authority has. John Stalvey had one correction to on agenda item 6.I to change what he said to “need to be advertised as a joint meeting between the Development Authority and the City of Hapeville Development Authority because we did not advertise it as such.”

MOTION: John Stalvey made a motion to approve the minutes with updates, Susan Bailey seconded. Motion carried 7-0.

5. Financial Report – Chairman Bradbury stated the mortgage payment was collected and grass cutting fees were paid. Also, a transfer was made to pay the bond payment that was due.

6. Old Business

5.I. 748 Virginia Avenue - Environmental Update – David Burt stated he received the report on Friday afternoon and will send to Chairman Bradbury. Basically, it is a fair amount of contamination present; on a scale of 1-10, it's about a 5. Mr. Burt stated that there is really nothing else to do but send the report to the state. It will take about a month to hear back. Next, the remediation steps will need to be figured out. The building could be used while remediation is going on; however, there will not be a “no further action” letter so it would be unwise to sell to someone else. If the Authority is ok with remediation taking a couple of years, it will make it a lot cheaper. It will probably be best to have the group to come in and make a presentation. The Authority can also look into Brownfield grants and can talk to a grant writer. Mr. Hallman recommended getting legal opinion from a liability stand point about what steps should be taken. Chairman Bradbury

mentioned waiting until a response is received back from the state. Ms. Bailey said she would still like for them to come in to give a presentation.

5.II. Consideration and Action on the Landscaping Contract Revisions – Ms. Bailey stated that the changes made on the document is what they asked for. Chairman Bradbury mentioned placing the contract on the city’s website once the document is finalized.

MOTION: Tania Wismer made a motion to approve the contract revisions, Matt Morrison seconded. Motion carried 7-0.

5.III. Consideration and Action on Bylaws Pending Legal Review - A consensus was reached to update section 7 on page 5. The updates included changing “manager” to “person”, striking “or of a designee determined by the resolution of the Board of Directors” and striking the last sentence in section 7 on page 4. The City Clerk also confirmed that section 3 on page 5 was the Official Code of Georgia language. Chairman Bradbury said that she would add the bylaws for the City of Hapeville Development Authority on the next meeting agenda. She added except for the terms of members, the bylaws for the statutory can mirror the Development Authority’s bylaws so perhaps get legal review and then make the appropriate changes.

MOTION: Alan Hallman made a motion to have the bylaws reviewed by legal counsel, Susan Bailey seconded. Motion carried 7-0.

7. New Business

6.I. Filming Request at 748 Virginia Avenue – Chairman Bradbury stated that the request is not to film at the location, the request is to park at the gas station. It would be Monday from 7am-7pm. Typically, the pay to use the parking lot is \$500.

MOTION: Alan Hallman made a motion to deny the request, Tania Wismer seconded. Motion carried 7-0.

6.II Discussion of Name Change of the Authority – Alan Hallman said that the Authority needs to make sure the name can be changed without going back to the state. Chairman Bradbury said maybe consider leaving the name for this one and changing the other one.

MOTION: John Stalvey made a motion to table until such time it can be clarified whether or not the name can be changed, Tania Wismer seconded. Chairman Bradbury said she will follow up on this. Motion carried 7-0.

8. Public Comment - none

9. Adjourn –

MOTION: Alan Hallman made a motion to adjourn at 8:54PM, Vice Chairman Matt Morrison seconded. Motion carried 7-0.

Respectfully submitted,

Katrina Bradbury, Chairman

Crystal Griggs-Epps, City Clerk