

Mayor and Council Work Session

700 Doug Davis Drive

Hapeville, GA 30354

September 18, 2018 6:00PM

MINUTES

1. Call to Order: Mayor Hallman called the work session to order at 6:05pm 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 thanked everyone for coming out and also congratulated Alderman Rast on the birth of his first grandchild.

4. PRESENTATION

4.I Recognition of the Paint the Town Volunteers and Sponsors by Linda Murray

Ms. Murray recognized the sponsors and volunteers for the Paint the Town Revitalization Program stating that they had completed 64 houses and overall 78 projects citywide. Sponsors included Chick fil A, Porsche, Wells Fargo, Meadows & Ohly, City of Hapeville, Marco's Pizza, Home Depot, Gosports Warehouse, Team Pelky and Cavok.

5. PUBLIC HEARING

5.I FY2018 Tax Millage Hearing

Mayor Hallman opened the Public Hearing to hear public comments which included comments from Larry Martin, Brendan Cornwell, and George Rogan. There were no comments made from staff; however, Mr. Young did clarify the budget number as \$3.95 million for real property taxes and stated that this is the number that had been provided since June.

Councilman Horsley asked for clarification on reducing half a mill and if there was a desire to reduce in a form or fashion and/or to provide extra homestead, how does that promulgate in terms of hearings that have already been published? Mr. Young said it doesn't change the published hearings. Mayor Hallman said that they're voting to set the millage rate at the final public hearing. Alderman Rast said the hearings are meant to determine which direction to go in. Mayor Hallman added a word of caution that the 2017 and 2018 digests haven't been approved so they're basing both the budgets and the desire on the millage rate on numbers out of their control, or that they don't know for certain what they'll be.

Councilman Alexander said she thinks the wisest step that would acknowledge people values have increased while being aware that neither of the tax digests have been approved for this year and prior year, would be to consider looking at exemptions that would impact people who need it the most.

Councilman Adams said to keep in mind that once those homestead exemptions are increased, it is very difficult to take them back therefore we need to do our due diligence and make sure to look into every possibility under the sun before deciding to do that. Mayor Hallman closed the public hearing.

5.II Consideration and Action to Amend the A-D Zone (Arts Overlay District) – 1st Reading

Mayor Hallman opened the Public Hearing to hear comments from the public and staff in which there were none made. Mayor Hallman closed the hearing.

5.III Consideration and Action to Consider a Conditional Use Permit at 685 N. Central Avenue

Mayor Hallman opened the Public Hearing to hear comments from the public and staff in which there were none made. Councilman Alexander said she struggles with conditional use permits. She feels it puts the city in a position to be accused of being prejudicial; saying no to one business and yes to another for whatever reason. Councilman Adams said he struggles with it too and how to promote equitability among the conditional use permit presented before Council. Mayor Hallman stated that zoning is not concrete and can change from time to time and that the Planning Commission vet these items and put a lot of thought into them. Public Hearings are conducted to make sure everyone has an equitable say. Councilman Horsley verified that the business is not a traditional coin laundry, its for commercial businesses. Mayor Hallman closed the hearing.

MOTION: Alderman Rast made a motion to approve, Councilman Horsley seconded for discussion. Councilman Horsley said he cannot see approving this use as it does not seem to fit the feel of the downtown corridor. Councilman Adams asked about the brief discussion regarding the property location in the arts district and the applicant’s interest in supporting the arts district. Dr. Patterson said the applicant is willing to paint a mural on this building. Councilman Alexander said it is close to single family homes and don’t know what kind of traffic a commercial dry cleaner would bring if using large trucks to deliver things. Mayor Hallman said that Council needs to look at zoning holistically. Councilman Adams asked how does dry cleaning fits into the art district? It goes back to the type of businesses we want. Motion denied 1-3 (Councilmembers Horsley, Adams and Alexander opposed).

5.IV. Consideration and Action to Consider a Temporary Use Permit at 579 North Avenue

Mayor Hallman opened the Public Hearing to hear comments from the public and staff. No public comments were made; however, the City Planner, Dr. Patterson stated that this is in the CR zone which is Commercial – Residential. After reviewing the application, there were some questions about the services offered. Some of the services qualified as a day spa which are only allowed in the RMU or UV district. However, given that additional services are provided, that is what qualifies it as a beauty salon. A beauty salon is listed as a permitted use in C-1; however, in order to be classified as C-1 zoning permitted use, Mayor and Council has to approve a temporary use permit that is good for six months in which the applicant has to come back after six months to apply. After two continuous six months

periods, the applicant can come back as a conditional use to be made permanent. Dr. Patterson added that the only thing that would give her pause if made permanent, is to be very wary if massages were added to the list of services. If Mayor and Council is ok with it, it would actually qualify as a day spa which is different. The applicant, Charlotte Adams addressed the makeup of the building.

MOTION: Councilman Horsley made a motion to approve the temporary use permit for six months, Councilman Adams seconded. Motion carried 4-0.

6. Questions on Agenda Items:

George Rogan
Charlotte Adams
Brendon Cornwell
Bryndis Roberts

MOTION: Councilman Adams made a motion to move the “public comments” section after the “questions on agenda items” section, Councilman Horsley seconded. Motion carried 4-0.

7. PUBLIC COMENTS:

Bryndis Roberts
George Rogan
Mary Ann Akers
Charlene Duran
Frank Cranford
Carolyn Routh

8. CONSENT AGENDA

8.I Consideration and Action to Enter into a Memorandum of Understanding with Hapeville Elementary School to Allow for Emergency Evacuation of School Facilities to the Tom Morris Sports Complex.

8.II Consideration and Action on the MOA for South Fulton Comprehensive Transportation Plan and Authorization for Mayor to Sign Document.

8.III Consideration and Action to Approve Mullins Brothers in the Amount of \$121,872 for the Paving of Jackson Street with 2018 LMIG Funds and Move the Paving of Doug Davis Drive to Year 2019.

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

9. OLD BUSINESS

9.I Transient Merchants Ordinance Amendment – 2nd Reading

Councilman Horsley made a motion, Councilman Adams seconded. Discussion: Councilman Alexander pointed out conflicting sections of the ordinance and suggested additional updates.

Councilman Horsley withdrew his motion, Councilman Adams withdrew his second. Councilman Adams said that the ordinance needs to be simple as possible. Mayor Hallman suggested creating a committee to hash it out.

MOTION: Councilman Horsley made a motion to table the item to the second meeting in October so two council members can meet with staff and legal, Councilman Adams seconded. Motion carried 4-0.

10. NEW BUSINESS

10.I Consideration and Action on Local Motion & Spin the District Special Event Open Container District

MOTION: Councilman Adams made a motion to approve the outlined open container district for Local Motion 2018 scheduled for September 22nd, Alderman Rast seconded. Motion carried 4-0.

10.II Consideration and Action on Mural for the Jess Lucas Y-Teen Park Public Restroom Building

MOTION: Councilman Horsley made a motion to approve the mural for Jess Lucas Y-Teen Park Public restroom building, Councilman Adams seconded. Motion carried 4-0.

10.III Time Change for Regular Meeting Ordinance – 1st Reading
Mayor Hallman said this would stand as the first reading.

10.IV Discussion Initiated by Mayor Hallman on Implementing Rules for Public Comments and Presentations. Mayor Hallman stated he and the City Clerk had met to talk through this and feel like the guidelines are fair. Mayor Hallman verified that a timer of some sort would be used to keep track of time.

10.V Consideration and Action on E911 Model Resolutions and to Authorize the Mayor to Sign Documents

MOTION: Councilman Horsley made a motion to approve the E911 Model Resolutions and to Authorize the Mayor to Sign the Documents, Alderman seconded. Motion carried 4-0.

10.VI Discussion Initiated by Councilman Adams About Enforcing the City's Yard Debris Policy. Councilman Adams said there is a lot of debris that is basically taking over the streets and he thinks that it is time to get a better handle of it. According to the solid waste policy, all rubbish must be bagged and secured in either a commercial or yard type plastic bag and placed on property of location that is adjacent along the front property line sidewalk. This is not happening. If able to get a grasp

effective 2019, could curve out having to add additional staff to the department. Councilman Adams confirmed that implementing in Spring 2019 would allow enough opportunity to educate appropriately. Alderman Rast added if a resident violates the policy, the resident would need to be notified that the items cannot be picked up and provided a list of private vendors to them.

10.VII Discussion Initiated by Councilman Adams on Conducting a Noise Decibel Study

Councilman Adams said it would be money well spent to increase the quality of life. The funding was previously approved over 21 years ago. He wants to get it back on the docket to get some momentum going. Mr. Sudduth said he will reach out to ARC to inquire about funding from them. Also, he will check on the price for including both ends. There was a consensus to move forward with adding to the next agenda.

10.VIII Discussion Initiated by Councilman Horsley on Multi-Family Housing Inspection Ordinance

Councilman Horsley said that the Cities of Duluth, Doraville and Roswell have been working to draft language that brings a little bit of control as it relates to inspections for multi-family households. Their code allows for a private certified building inspector to be hired by the owner. There are ethical codes that must followed. If caught falsifying can be fined up to \$1000 per unit/falsified document. Council Horsley confirmed that Duluth's ordinance became effective in August. Mayor Hallman said he is concerned about the constitutionality of this because its bifurcating one section of society and holding them to a different standard that others are not being held to. Mayor Hallman added that he supports the goal but doesn't want to get into any constitutional trouble. Councilman Alexander expressed concerns about targeting a certain demographic of people or certain type of landlords. Mayor Hallman said the next step is to have the legal team to take a look at the ordinance to see what concerns they may have.

10.IX Discussion Initiated by Councilman Horsley to Review the Extensive Amount of Probable Code Violations in the Northeastern Corridor of the City

Councilman Horsley said he realize that there is a lot of code enforcement issues in the northeastern corridor. He drives around documenting minor Code Enforcement violations monthly. He asked if a checklist could be provided in which he could offer a more efficient list of what he sees is wrong. Councilman Alexander suggested looking into tracking software to see how well Code Enforcement complaints are being managed and tracked. Chief Glavosek confirmed that crimereports.com picks up every complaint and it populates onto a map with specific addresses. Councilman Alexander also mentioned utilizing H-Cops for enforcing. Chief Glavosek said they never wanted to put H-Cops into an enforcement position. They are intended to be ambassadors for the city. Chief Glavosek confirmed that a new employee will start next week in Code Enforcement.

11. City Manager Report –

Mr. Young stated the following: Town Hall Meeting on 9/24 scheduled for 7PM; waiting on radio proposals and will have information at the next meeting to vote on; and mentioned the activities scheduled for the upcoming weekend.

12. Mayor and Council Comments

Councilman Horsley – thanked Chief Glavosek for hearing him out on the Code Enforcement issues.

Councilman Adams – thanked everyone for coming out and thanked the staff. He is looking forward to having fun at Happy Days and Local Motion this weekend.

Alderman Rast – asked is there any desire to revisit the applicant that was denied because there was some information that wasn't heard earlier.

Councilman Alexander – said that her goal is not to make people angry. She looks at the information that is given to her and tries to make a decision based on if she was the person what would she do. Ms. Adams was given an opportunity to speak and we didn't ask the other applicant to speak; and had he been given the opportunity to speak she probably would have made a different decision.

MOTION: Councilman Adams made a motion to reopen the agenda to amend it to reconsider item 5.III, Councilman Alexander seconded. Discussion: Councilman Adams added that something will need to be done to enhance the building. Motion carried 4-0.

MOTION: Councilman Adams made a motion to approve the conditional use for 685 N. Central Avenue for Dry Cleaners, Councilman Alexander seconded. Discussion: Councilman Horsley said he would like to see landscaping on the property. Councilman Adams amended his motion that staff will work with applicant to make the front parking lot of the building more aesthetically pleasing with landscaping, Councilman Alexander seconded. Motion carried 4-0.

Mayor Hallman stated that the mid-month work session has become another meeting. We will try and get back to having an actual work session to get ready for the meeting.

13. Executive Session:

MOTION: Councilman Horsley made a motion at 8:45PM to go into executive session to discuss real estate and personnel, Councilman Adams seconded. Vote 4-0.

Councilman Adams made a motion to recess, Councilman Horsley seconded. Vote 4-0.

Councilman Horsley made a motion to go into executive session, Councilman Adams seconded. Vote 4-0.

No action taken.

Councilman Alexander made a motion to reconvene in open meeting, Councilman Horsley seconded. Vote 4-0.

14. Adjourn –

MOTION: Councilman Adams made a motion to adjourn at 9:15PM, Councilman Horsley seconded. Vote 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk