

Mayor and Council Session
700 Doug Davis Drive
Hapeville, GA 30354

May 7, 2019 6:00PM

MINUTES

1. Call to Order: Mayor Hallman called the Council Session to order at 6:07pm at 700 Doug Davis Drive, Hapeville, GA 30354.

2. Roll Call:

Mayor Alan Hallman
Alderman Mike Rast
Councilman at Large Travis Horsley
Councilman Ward I Mark Adams
Councilman Ward II Chloe Alexander

3. Welcome

4. Pledge of Allegiance was led by Mayor Hallman.

5. Invocation was given by Paster Atkins.

6. PRESENATION

6.1 State of the City Presentation by Mayor Hallman

Mayor Hallman gave the State of the City Address providing the citizens of the community an update on the State of the City. The remarks covered last year's accomplishments and some of the future policy directions for 2019.

7. PUBLIC HEARING

7.1 Consideration and Action on Conditional Use Permit for the Construction of a 74-Unit Senior Housing Development at 325 Sunset Avenue

Mayor Hallman opened a public hearing to hear staff, applicant and public comments in favor of and in opposition. No comments were made. The public hearing was closed. Alderman Rast pointed out that the applicant was present at the hearing in April and gave good detailed information for this project.

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

8. Questions on Agenda Items –

Adam Branbridge
JR Atkins
Joseph Harper

9. CONSENT AGENDA

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- 9.I Approval of Minutes – April 2 and April 16, 2019
- 9.II Approval of Executive Session Minutes – April 2 and April 16, 2019

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

10. OLD BUSINESS

10.I Consideration and Action on Mobile Food Vendor Ordinance – 2nd Reading

Councilman Horsley stated that essentially the idea was to allow for a waiver for events hosted at a non-profit site that has a 501(c)(3) status; and additionally, have a waiver of the application fee for a City sponsored event. Councilman Alexander confirmed that the vendor for City sponsored events would go through the application process; however, there would be a waiver of the fee.

City Attorney, Ms. Patel confirmed that there would be two ordinances: food truck ordinance and a transient merchant ordinance. Once this is hashed out, the other one will be very similar.

Mayor and Council discussed parking. Mayor Hallman mentioned the parking situation at the Methodist Church during the Jazz on the Lawn. They are parking on S. Fulton Avenue because there's no place for parking. He suggested including something in the application stating that this type of parking (parking on the right of way as long as not obstructing traffic flow) can be approved at application time. City Attorney, Ms. Ransaw said the cleanest way is to include in the ordinance so it will be clear. Councilman Adams added that if our residents cannot park on the grass, he doesn't think anyone should park on the grass.

Ms. Patel verified which revisions Mayor and Council wanted to make to the ordinance.

MOTION: Councilman Horsley made a motion to allow for Pastor Atkins to speak, Councilman Alexander seconded. Motion carried 4-0. Mr. Frank Hembree was asked to send his issues to Mr. Young by this Friday.

Councilman Alexander said that residents aren't allowed to park on the grass because it eventually kills the grass and creates erosion and a potential eye soar; where the intent of the special event is a short period of time. Councilman Adams said having an event every month could lead to potential wear on the grass. Ms. Patel stated the way the 90 day permit is worded right now, if the vendor has a food truck, he or she could roll in on the grass that he has permission to and park there every single day until 10PM but cannot stay overnight. Council was ok with parking on public grass with the exception of Councilman Adams.

MOTION: Councilman Horsley made a motion to table item to allow for verbalized comments to be inserted into the edited version for the next reading, Councilman Adams seconded. Motion carried 4-0.

10.II Consideration and Action on Vacant Building Fee Ordinance – 2nd Reading

MOTION: Councilman Adams made a motion to approve the Vacant Building Fee Ordinance, Alderman Rast seconded. Discussion: Councilman Horsley verified the fee with legal for failing to register. Motion carried 4-0.

11. NEW BUSINESS

11.I Consideration and Action on Caduceus USA's Request to Use Jess Lucas Park for Annual Employee Back to School Jamboree on July 13

MOTION: Councilman Horsley made a motion to approve the request, Councilman Adams seconded. Discussion: Councilman Alexander questioned if the event was for employees only. Motion carried 4-0.

11.II Consideration and Action on Proclamation Recognizing Municipal Clerks' Week
Mayor Hallman read the proclamation and thanked the City Clerk for the hard work that she does.

MOTION: Alderman Rast made a motion to approve the proclamation, Councilman Alexander seconded. Motion carried 4-0.

11.III Consideration and Action on Final Audit Fee for the 2018 – Additional Funding

MOTION: Councilman Adams made a motion to approve the additional funding, Alderman Rast seconded. Discussion: Alderman Rast asked about the total amount for the audit. Mr. Young clarified the amount the City would pay which is \$67,000. Councilman Adams asked what process would be put in place to help mitigate the overrun in the future. Mr. Young said the finance group is revamped and that the Assistant Finance Director would start at the end of May. We are changing our consultant that does some of the audit prep work and next year will be smoother. Mr. Young added that an audit generally runs \$50,000 and that Mauldin & Jenkins are the best in the region. Motion carried 4-0.

11.IV Consideration and Action on Agreement with Fulton County Arts Council Grant in Amount of \$10,000

MOTION: Councilman Horsley made a motion to approve and authorize the Mayor to sign the Letter of Authority and the contract, Councilman Adams seconded. Discussion: Councilman Alexander acknowledged all the hard work that goes into applying for a grant. She appreciates Bianca Howard as she always seems excited. Motion carried 5-0.

11.V Consideration on Booting Ordinance – 1st Reading

City Attorney, Ms. Ransaw said most of the major cities are now having booting ordinances because there are unlicensed, unregistered parties coming in and putting boots on cars. There is no regulation as far as criminal background or anything about claims that their boots were damage by vehicle owners. The car is trespassing on private property and if there is sufficient notification to that person prior to them parking there, then they are trespassing, and their vehicle can be booted. The draft ordinance as it is written will provide provisions. Some agencies have moved to electronic boots to avoid confrontation. This is totally up to the vendor.

Ms. Ransaw said she thinks the key part of the ordinance is the vetting process to make sure those that are here, are registered. Ms. Ransaw confirmed that the rates have to be reasonable and would have to be advertised.

Councilman Alexander asked if DUI could be added to the list for background checks. Also, with multiple businesses' parking lot, can we require each and every spot to be labeled. Ms. Ransaw said some owners may not want booting in their lot. Councilman Alexander also asked is there a way to require language on the sign that the booting company has 30 minutes to respond. Ms. Ransaw said we can put the response time on there, but her concern is how big the sign will be if on every parking space.

11.VI Discussion Initiated by Councilman Horsley on Optotraffic Model Ordinance

City Attorney, Ms. Patel stated she had reviewed House Bill 978 and had spoken to Mr. Bennett about this. There is no ordinance or resolution requirement for the City to install automated speed detection devices. However, the City wouldn't be opposed to drafting a resolution, but there's no need to do an ordinance. The City has a traffic citation division based on City code; so, this would be something they would be responsible for. Mr. Bennett stated that every single department that they've worked with and continue to work with have drafted an ordinance. They haven't had any issues. At some point it has to go to court. The ordinance puts the fees that the violator commits, that goes towards the jurisdiction. It put in an ordinance that would allow the money to go to the local jurisdiction and not the state. Ms. Patel stated based on how the City's code reads, there is a fee structure already in place in the traffic citation division. We would just need to update that fee structure to include speeding tickets received by these devices. She is not opposed to drafting an ordinance, but there is no requirement by the state. Councilman Horsley made a motion to waive procedures to allow for public comment to allow Mr. Bennett to speak, Councilman Adams. Motion carried 4-0.

Mr. Bennett explained that the citation is similar to getting a parking ticket. It doesn't affect insurance or driver's license. Alderman Rast asked has the Police Department commented on this. Chief Glavosek said he had a couple of concerns which included having an officer sitting in the office to do process, in fact, what we should do if we have an officer, we should put the officer in that area to actually handle the issue and bring the issue to court. And, even with Optotraffic's own data, it didn't really show a significant number of speeders that we should consider changing what's going on there.

Mr. Bennett highly recommended doing a city ordinance so it could help protect the City and the public can view and weigh in on as well. They would also include the code section on the actual citation. Mayor Hallman, Alderman Rast, and Councilman Adams yielded to legal whether an ordinance should

be drafted. Councilmembers Horsley and Alexander said an ordinance is needed. Ms. Patel said no this is wrong with doing an ordinance; timewise, not going to be difficult.

The consensus of Mayor and Council is for legal to draft an ordinance although an ordinance is not required by law.

12. City Manager Report:

Mr. Young thanked the team for Cinco de Mayo and for participation and assistance with Spin the District. He stated that the public notice for the public hearings concerning the budget would print in next week's newspaper. He said this is probably the most difficult budget he has worked on so far because of trying to continue to build some items up within the City and build fund balance at the same time, which doesn't necessarily go together. A draft budget will be out in the next week. He thinks that it will be a better one than the one this year. Mr. Young confirmed that a budget calendar will be published in the newspaper.

13. Public Comments:

Daniel Ray
Melvin Traynum

14. Mayor and Council Comments-

Councilman Alexander said thanks for Cinco de Mayo and thanks to Lee Sudduth and Pete. She said Pete is an avid gardener. He offered to donate plants. Alderman Rast said today was the first day for privatized garbage pickup. He said there were 1-2 instances with language barriers, but overall, it went well. Councilman Adams said thanks for coming out. Councilman Horsley said Happy Public Service Recognition week. He asked when would the RFP for water meters go out. Mr. Sudduth confirmed that the RFP would be coming up at the next Council meeting. Councilman Horsley mentioned the FEMA flood map and that the action from FEMA never occurred. He needs to know who to talk to at FEMA. Lastly, he asked Chief Bloodworth about an extension to apply for more money from FEMA and what did we use the \$89,000 for.

15. Executive Session –

MOTION: Councilman Adams made a motion at 8:34PM to go into executive session to discuss real estate and litigation, Councilman Alexander seconded. Motion carried 4-0. Councilman Adams made a motion to go into recess, Councilman Alexander seconded. Motion carried 4-0. Councilman Adams made a motion to go into executive session, Councilman Alexander seconded. Motion carried 4-0.

No action taken.

MOTION: Councilman Horsley made a motion to go in recess, Alderman Rast seconded. Motion carried 4-0. Councilman Horsley made a motion to reconvene, Councilman Alexander seconded. Motion carried 4-0. Councilman Alexander made a motion to adjourn executive session, Councilman Adams seconded. Motion carried 4-0.

16. Adjourn –

MOTION: Councilman Alexander made a motion to adjourn, Councilman Horsley seconded. Motion

carried 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk