

CITY OF HAPEVILLE, GEORGIA
MEETING OF MAYOR AND COUNCIL

March 5, 2013

MINUTES

6:00 PM Work Session

I. Call to Order

Alderman Ray called the meeting to order at 6:00 PM at 700 Doug Davis Drive, Hapeville, Georgia 30354.

II. Roll Call

Mayor Alan Hallman - absent
Alderman at Large Ann Ray
Councilman at Large Richard Murray
Councilman Ward 1 Jimmy Lovern
Councilman Ward 2 Lew Valero

III. Informal discussion of Agenda Items

Paul Koster, City Attorney informed the Council that a spouse of the member of Council could sit on another board or commission of the City, however, disclosures would have to be made in accordance with the Ethics Ordinance.

Bill Werner, City Manager, stated that the grants are advancing for North Central and that the audit had been completed.

Tom Morris, Fire Chief, stated that the Department was gearing up for the CERT class on March 25th and that several Firefighters were being recognized tonight for a cardiac save.

Tod Nichols, Recreation Manager, stated that two teams won the state tournament 8 and 14 year old.

Lee Sudduth, Interim Director of Community Service, stated that the Department was preparing for baseball season.

Allie O'Brien, Main Street and Marketing Manager, stated that the Georgia Cities Foundation had approved Slideways' application, and that South Arts had awarded the grant for next year film series.

Rick Glavosek, Police Chief, stated that the Certification Audit had been completed and that Officers would be deputized next week.

Bill Johnston, Planning and Zoning Consultant, stated that Slideways had been issued an occupational tax permit and zoning certificate, 3 home occupational tax permits were issued and a variance for vinyl siding was issued.

Paul Koster, City Attorney, stated that the proposed House Bill in regards to cell towers would limit the amount of rental income generated by cities on the towers.

Rick Glavosek, Police Chief, stated that Ironsky was up and running right now.

Paul Koster, City Attorney, stated that the Council would need to amend the Agenda to go into Executive Session at this time instead of in Council Session.

MOTION: Councilman Lovern made a motion Councilman Murray seconded a motion to amend the Agenda to add executive session for a legal matter. Motion carried 3-0.

MOTION: Councilman Murray made a motion Councilman Valero seconded a motion to enter into Executive Session for legal at 6:40 PM. Motion carried 3-0.

MOTION: Councilman Lovern made a motion Councilman Murray seconded a motion to enter into Open Session at 6:55 PM. Motion carried 3-0.

IV. Adjournment

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to adjourn the meeting at 6:56 PM. Motion carried 3-0.

7:00 PM Council Session

I. Call to Order

Alderman Ray called the meeting to order at 7:00 PM at 700 Doug Davis Drive, Hapeville, Georgia 30354.

II. Roll Call

Mayor Alan Hallman - absent
Alderman at Large Ann Ray
Councilman at Large Richard Murray
Councilman Ward 1 Jimmy Lovern
Councilman Ward 2 Lew Valero

III. Welcome

IV. Pledge of Allegiance - Richard Murray

V. Invocation - Rev. Pritchard

VI. Presentation

A) Recognition of Fire Department Shift C for a Cardiac Save - Tom Morris

VII. Approval of Minutes February 5 and 19, 2013 - tabled

VIII. Public Hearing

Alderman Ray called the Public Hearing to order at 7:02 PM.

A) 1st Reading (as amended) of Ordinance 2013-02 Commercial Parking Lots
Summary and Background
This Ordinance establishes definitions for airport parking facility, car rental agency, and commercial parking lot, and establishes special use permit procedures in connection thereto.

Staff Comment - Bill Johnston
Public Comment - none
Mayor and Council Comment -

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to continue the Public Hearing to March 19th at 6:00 PM at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Motion carried 3-0.

B) 1st Reading Ordinance 2013-04 Abandonment of Nonconforming Use
SUMMARY AND BACKGROUND
The Planning Commission has recommended amending certain provisions of the nonconforming use section of the zoning ordinance to improve the monitoring, notification, and enforcement process associated with the loss of "legal nonconforming use" status by the owner. Criteria for determining what constitutes abandonment are also proposed.

Staff Comment - Bill Johnston
Public Comment - None
Mayor and Council Comment -

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to continue the Public Hearing to March 19th at 6:00 PM at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Motion carried 3-0.

C) 1st Reading Ordinance 2013 -05 Exemption of Existing Developments
SUMMARY AND BACKGROUND
The Planning Commission has recommended a text amendment that would exempt developed properties from the strict enforcement of parking, floor area, and sidewalk width requirements. The ordinance standards are intended for new development and can place a burden on properties that have been developed for many years.

Staff Comment - Bill Johnston

Public Comment - None

Mayor and Council Comment -

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to continue the Public Hearing to March 19th at 6:00 PM at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Motion carried 3-0.

Alderman Ray closed the Public Hearing at 7:25 PM.

IX. Public Comments on Agenda Items - None

X. Old Business

A) Motion to Adopt Ordinance 2013-03 Hotel/Motel Tax

1st Reading February 19, 2013

SUMMARY AND BACKGROUND

Updates to the to the City's current hotel/motel tax ordinance were recommended as part of the City's hotel/motel tax audit and revenue collection process. This Ordinance amends the City's hotel/motel tax ordinance in accordance with those recommendations.

MOTION: Councilman Lovern made a motion Councilman Valero seconded a motion to adopt Ordinance 2013-03. Motion carried 3-0.

B) Appointment for Board and Committee Members

MOTION: Councilman Valero made a motion Councilman Murray seconded a motion to appoint Susan Perry to the Development Authority. Motion carried 3-0.

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to extend the Moratorium on Commercial Airport Parking for 30 days. Motion carried 3-0.

XI. New Business

A) Consideration to enter into a letter of engagement with Regina C. King, CPA L.L.C. for financial consultant in the amount f \$75.00 per hour.

MOTION: Councilman Valero made a motion Councilman Lovern seconded a motion to enter into a letter of engagement with Regina C. King, CPA LLC for financial consultant in the amount f \$75.00 per hour.

Discussion: Councilman Murray stated that the City was without a Finance Director at this time and Ms. King's services would not exceed the budgeted amount.

Motion carried 3-0.

B) Consideration to enter in an Agreement with Smith, Conley and Associates for accounting services in an amount not to exceed \$25,000.00.

Summary and Background

This Agreement will allow the City to working with Smith, Conley and Associates for accounting services as it searches for a new Finance Director.

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to enter in an Agreement with Smith, Conley and Associates for accounting services in an amount not to exceed \$25,000.00. Motion carried 3-0.

C) Motion to adopt Resolution 2013-02 Cell Towers

Summary and Background

This Resolution supports other South Fulton Municipal Governments in their opposition to Georgia House Bill 176 which would erode the local governments authority to regulate cell towers with in their jurisdictions.

MOTION: Councilman Lovern made a motion Councilman Murray seconded a motion to adopt Resolution 2013-02. Motion carried 3-0.

XII. Public Comments

Brian Wismer

Linda Williams

XIII. Mayor and Council Comments

Councilman Lovern stated that the 8 year old and the 14 year old teams won state championship.

Councilman Valero stated that there was an ongoing coyote problem.

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to remove the Executive Session. Motion carried 3-0.

~~XIV. Executive Session~~

~~For the legal matter.~~

XV. Adjournment

MOTION: Councilman Murray made a motion Councilman Lovern seconded a motion to adjourn the meeting at 7:51 PM. Motion carried 3-0.

Respectfully submitted,

Ann Ray, Alderman

Jennifer Elkins, City Clerk