

Mayor and Council Work Session

700 Doug Davis Drive
Hapeville, GA 30354

September 17, 2019 6:00 PM

Agenda

1. Call To Order
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. Public Hearing
 - 4.I. Consideration And Action On Text Amendment On Setback Definition - 2nd Reading

Background:

Consideration of a text amendment to Chapter 93 (Zoning), Article 1 (Title, definitions, and application of regulations), Section 93-1-2 (Definitions) to change the definition of setback. The Planning Commission considered this item on August 13, 2019 and recommended the Mayor and Council approve the text amendment as presented.

Staff Comment
Applicant Comment
Public Comment

Documents:

[ORDINANCE - TEXT AMENDMENT SETBACK DEFINITION.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT SETBACK DEFINITION.PDF](#)
[LEGAL ADV. - SETBACK ORDINANCE 8-20-2019.PDF](#)
[SUMMARY MINUTES - 8-13-2019.PDF](#)

- 4.II. Consideration And Action On Text Amendment On Waiting Period For Rezoning - 2nd Reading

Background:

Consideration of a text amendment to Chapter 93 (Zoning), Article 25 (Amendments), Section 93-25-9 (Reconsideration of Defeated Actions) to require a six-month waiting period for reconsideration of defeated rezoning proposals. The Planning Commission considered this item on August 13, 2019 and recommended the Mayor and Council approve the text amendment as presented.

Staff Comment
Applicant Comment
Public Comment

Documents:

[ORDINANCE - TEXT AMENDMENT WAITING PERIOD FOR REZONING.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT APPLICATION LIMITS.PDF](#)
[LEGAL ADV. - RECONSIDERATION OF DEFEATED ACTIONS 8-20-2019.PDF](#)
[SUMMARY MINUTES - 8-13-2019 \(1\).PDF](#)

4.III. Consideration And Action On Text Amendment On Home Occupation Definition - 2nd Reading

Background:

Consideration of a text amendment to Chapter 93 (Zoning), Article 1 (Title, Definitions, and application of regulations), Section 93-1-3 to change the definition of home occupation. The Planning Commission considered this item on August 13, 2019 and recommended the Mayor and Council approve the text amendment as presented.

Staff Comment
Applicant Comment
Public Comment

Documents:

[ORDINANCE - TEXT AMENDMENT HOME OCCUPATION DEFINITION.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT HOME OCCUPATION DEFINITION.PDF](#)
[LEGAL ADV. - HOME OCCUPATION ORDINANCE 8-20-2019.PDF](#)
[SUMMARY MINUTES - 8-13-2019 \(2\).PDF](#)

4.IV. Consideration And Action On Text Amendment On A-D (Arts District Overlay) For Drive-Through - 2nd Reading

Background:

Consideration of a text amendment to Chapter 93 (Zoning), Article 28. A-D Zone (Arts District Overlay), Section 93-28-8 (Prohibited uses) to the change the prohibited uses. The Planning Commission considered this item on August 13, 2019 and recommended the Mayor and Council approve the text amendment with a recommendation to add credit unions to the language. Staff supported their recommendation.

Staff Comment
Applicant Comment
Public Comment

Documents:

[ORDINANCE - TEXT AMENDMENT DRIVE THROUGHES.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT BANK DRIVE-THRU A-D.PDF](#)
[REGIONS BANK - REQUEST LETTER.PDF](#)
[LEGAL ADV. - ARTS OVERLAY DISTRICT 8-20-2019.PDF](#)
[SUMMARY MINUTES - 8-13-2019 \(3\).PDF](#)

4.V. FY2019 Tax Millage Hearing

Background:

Mayor and Council adopted the City Budget on final reading, June 18, 2019. The adopted Budget for FY 2019-20 is based on a recommended rate of 16.11 mills, unchanged from 2018. This rate has been advertised as required and is ready for adoption by Council. This is the first of three (3) hearings for that purpose. Three hearings are required by the state, due to the increase in Hapeville property tax assessments.

As has been well documented, the Fulton County Tax Commissioner has gained approvals for 2017 and 2018 property digests. At this point in time staff projects that the General Fund millage of 16.11 Mills will generate approximately \$4.86M in billable Real Property Taxes. The City Budgeted \$4.30M in Real Property taxes.

Staff Comment
Applicant Comment
Public Comment

Documents:

[MILLAGE - 5 YEAR.PDF](#)
[MILLAGE - ASSESSMENTS - FULTON COUNTY CITIES.PDF](#)

5. Questions On Agenda Items

The public is encouraged to communicate their questions, concerns, and suggestions during Public Comments. The Council does listen to your concerns and will have Staff follow-up on any questions you raise. Any and all comments should be addressed to the Governing Body, not to the general public and delivered in a civil manner in keeping with common courtesy and decorum.

6. Consent Agenda

6.I. Consideration And Action On Parade Route For Dia De Los Muertos Celebration And Parade.

Background:

Dia de los Muertos will include live music, authentic Mexican food and crafts, and local art. There are several maker workshops leading up to the main event in downtown Hapeville on November 2nd. The parade is an extension of the celebration. Attached for consideration and action are two proposed maps, with the difference being one shows a cross walk to the Depot Museum and activity at the Depot Museum.

Documents:

[DAY OF THE DEAD PARADE MAP.PDF](#)
[DAY OF THE DEAD PARADE MAP 2.PDF](#)

6.II. Consideration And Action On Open Container District For Dia De Los Muertos Celebration & Parade

Background:

Alexia Ryan of Beer Girl, LLC is requesting Mayor and Council's approval on the Open Container District map for the upcoming Dia de los Muertos Celebration & Parade event scheduled Saturday, November 2, 2019 from 4PM to 11PM. A map of the proposed open container area is attached for review.

Documents:

[OPEN CONTAINER DISTRICT MAP FOR DIA DE LOS MUERTOS CELEBRATION AND PARADE.PDF](#)

6.III. Consideration And Action On Open Container District For Atlanta Celebrates Photography Special Event

Background:

Alexia Ryan of Beer Girl, LLC is requesting Mayor and Council's approval on the Open Container District map for the upcoming Atlanta Celebrates Photography event scheduled Saturday, October 5, 2019 from 4PM to 10PM. A map of the proposed open container area is attached for review.

Documents:

[OPEN CONTAINER DISTRICT MAP FOR ATLANTA CELEBRATES PHOTOGRAPHY EVENT.PDF](#)

6.IV. Consideration And Action On Open Container District For LocalMotion Arts Festival

Background:

Alexia Ryan of Beer Girl, LLC is requesting Mayor and Council's approval on the Open Container District map for the upcoming LocalMotion Arts Festival event scheduled Saturday, October 19, 2019 from 8AM to midnight. A map of the proposed open container area is attached for review.

Documents:

[OPEN CONTAINER DISTRICT MAP FOR LOCALMOTION ARTS FESTIVAL EVENT.PDF](#)

6.V. Consideration And Action On Amendment To The Intergovernmental Agreement With Fulton County For Election Services

Background:

Attached is an amendment to the previously approved Intergovernmental Agreement (IGA) with Fulton County regarding Hapeville's elections later this year. The amendment has been developed as a result of a resolution passed by the Board of Commissioners on August 7th that changes the way municipal election costs are charged to cities. Each city will be charged \$2.96 per active registered voter for the General Election, and each city with a runoff will be charged \$2.46 per voter for the runoff.

A new Exhibit B is attached as well. The exhibit simply shows the number of active registered voters multiplied by \$2.96/\$2.46 since the cost is now based strictly on the number of registered voters.

The difference between the prior amount charged and the new amount is \$920.48 and will be refunded within 30 days of the complete execution of this amendment.

Documents:

[HAPEVILLE CONTRACT AMENDMENT.PDF](#)
[HAPEVILLE EXHIBIT B - NEW.PDF](#)
[HAPEVILLE EXHIBIT B AND INVOICE - OLD.PDF](#)

- 6.VI. Consideration And Action On Approving An Addendum For A One Year Extension With Republic Waste For Commercial Solid Waste Collection Services.

Background

With the current exclusive agreement expiring on October 1, 2019, this one year extension would provide the necessary time to revise the solid waste ordinance, conduct hauler interviews, process applications and provide businesses with adequate notice about the transition to the non exclusive agreement. This one year agreement has a \$ 1.50 increase for state and local fees and there is no franchise fee included. Once the transition is complete, businesses will have the opportunity to shop for the waste hauler that best meets their budget and waste hauling needs.

Documents:

[AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION SERVICE \(1\).PDF](#)
[EXHIBIT A FEE SCHEDULE OCTOBER 1, 2019.PDF](#)

- 6.VII. Consideration And Action On Approving The Low Bidder Excellere Construction LLC In The Amount Of \$ 428,400 For The Doug Davis Multi-Use Bike Path Project.

Background

The City received LMIG grant funds in the amount of \$ 72,158.56 for the paving of Doug Davis Drive. In order to take advantage of the wide width of Doug Davis Drive, the City is looking to do a Separated Multi-Use Bike Path that is consistent with AeroATL Greenway Plan and the Hapeville LCI Plan. The Multi-Use Path will run from Atlanta Avenue to Virginia Avenue. In addition to the LMIG grant, funding will come from the TSPLOST fund. The next lowest bid was Construction 57 Inc. in the amount of \$ 445,688.75.

Documents:

[DOUG DAVIS DRIVE CONCEPT ART - ELEVATED BIKE PATH.PDF](#)
[DOUG DAVIS DRIVE BIKE PATH BID TABULATION_FORM.PDF](#)

- 6.VIII. Consideration And Action To Select Grindline Skateparks As The Design/Build Contractor For The Hapeville Skatepark Project And Authorize Them To Start Design Work And Bring Back A Final Construction Amount For Approval.

Background:

Proposals were requested for selection of design/build firms for the Hapeville Skatepark Project. There were fourteen planholders, with only one firm submitting a proposal. Grindline Skateparks was the lone proposal. Grindline Skateparks was the contractor for the Atlanta 4th Ward Skatepark and the Arthur Langford Skatepark. If Grindline is selected, they would create a design for the skatepark and bring back a final construction amount for approval. This project would be located at the old recycling center and it would be funded with TPD funds.

Documents:

[SKM_368E19091212410.PDF](#)

- 6.IX. Consideration And Action On Property Damage Claims Recovery Service Agreement

Background:

On March 5, Todd Rhoad of Peachtree Recovery gave a presentation on Property Damage Recovery Service during the Council Session. As requested by Mayor and Council, Mr. Rhoad forwarded a model service agreement, references, and service guidelines to staff. Legal has reviewed and revised the service agreement for consideration and action.

Documents:

[PRS - PARTICIPANT MODEL AGREEMENT_HAPEVILLE_29AUG19.PDF](#)

6.X. Consideration And Action On Resolution Designating College Street A School Zone
Background:

Hapeville First Baptist Church has inquired about a school zone designation on College Street to ensure safe drop offs and pick up of children for their new school, Gateway Christian Academy. Attached for Mayor and Council's consideration and action is a resolution designating College Street as a school zone.

Documents:

[RESOLUTION - SCHOOL ZONE.PDF](#)
[EXHIBIT A_ \(004\).PDF](#)

7. Old Business

7.I. Consideration And Action On Text Amendment On DRC Board Attendance Requirement
- 2nd Reading
Background:

Consideration of a text amendment to amend Chapter 81 (Architectural Design Standards), Section 81-1-4 (Design Review Committee) for the purpose of updating the procedures for the Design Review Committee.

Attached for consideration and action is the revised text amendment.

Documents:

[ORDINANCE - TEXT AMENDMENT DRC BOARD ATTENDANCE REQUIREMENT.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT BOARD ATTENDANCE.PDF](#)

7.II. Consideration And Action On Text Amendment On Board Procedures - 2nd Reading
Background:

Consideration of a text amendment to amend Chapter 87 (Planning), Article 2 (Planning Commission) and Article 3 (Board of Zoning Appeals) for the purpose of updating the procedures for Planning Commission and Board of Zoning Appeals.

Attached for consideration and action is the revised text amendment.

Documents:

[ORDINANCE - TEXT AMENDMENT BOARD APPOINTMENTS.PDF](#)
[PLANNERS REPORT TEXT AMENDMENT BOARD ATTENDANCE \(1\).PDF](#)

8. New Business

8.I. Consideration And Action On I-85 Sound Barrier Resolution

Background:

On July 17, 2018, Mayor and Council had a discussion on the I-85 sound barrier. The consensus was to have the 2001 resolution updated and to have neighborhoods sign petitions. Attached for consideration and action is the updated resolution including the recent noise decibel study results. Staff is currently working to gather signatures for the petition.

Documents:

[RESOLUTION - I 85 SOUND BARRIER.PDF](#)
[CITY OF HAPEVILLE NOISE MEMO.PDF](#)

8.II. Discussion And Action Initiated By Councilman Alexander To Place A Moratorium On Sign Ordinance Enforcement In The Arts Overlay District While Staff Reviews Potential Text Amendments To The Current Language.

Background:

As the City continues to grow and progress, occasionally its ordinances need to be reviewed to align with the City's evolving trajectory and mission. The City's sign ordinance is currently based on the area of a design, not on aesthetics or other elements and don't necessarily counter the ordinance's original intent. A moratorium will give time for the language of the ordinance to be amended to reflect the current vision of the City.

8.III. Discussion Initiated By Councilman Horsley Regarding The Arts Alleyway And Pedestrian-Only Access At Certain Times

Background:

Councilman Horsley will initiate a discussion for the need for making the Arts Alleyway Pedestrian-Only from 5pm-5am on weekdays, and Pedestrian-Only on weekends from 5pm Friday to 5am Monday.

Documents:

[DISCUSSION REGARDING THE ARTS ALLEYWAY AND PEDESTRIAN ONLY ACCESS AT CERTAIN TIMES.PDF](#)

8.IV. Discussion Initiated By Councilman Horsley Regarding The Needed Signage For Speed Calming

Background:

Councilman Horsley will initiate a discussion on the needed signage as a response to complaints and concerns for residents as it relates to speeders, and requests for calming measures. Refer to the attached document for signage request.

Documents:

[DISCUSSION REGARDING NEEDED SIGNAGE FOR SPEED CALMING.PDF](#)

8.V. Discussion Initiated By Councilman Horsley Regarding Weekly City-Sponsored Food Vendor (Truck/Transient) Event

Background:

Councilman Horsley will initiate a discussion for the need for a reoccurring food truck and transient vendor event.

Documents:

[DISCUSSION REGARDING WEEKLY CITY-SPONSORED FOOD TRUCK AND TRANSIENT VENDOR EVENT.PDF](#)

9. City Manager Report
10. Public Comments
Members of the public wishing to speak shall sign in with the City Clerk prior to the start of the meeting. Time limitations for Registered Comments are three (3) minutes per person. The total Registered Comment session shall not last more than fifteen (15) minutes unless extended by Council. Each member of the public, who fails to sign up with the City Clerk prior to the start of the meeting, wishing to address Mayor and Council shall have a total of two (2) minutes. The entire general comment session for Unregistered Comments shall not last more than ten (10) minutes unless extended by Council.
11. Mayor And Council Comments
12. Executive Session
When Executive Session is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).
13. Adjourn

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.