

## Mayor and Council Work Session

700 Doug Davis Drive

Hapeville, GA 30354

August 20, 2019 6:00PM

### MINUTES

1. Call to Order: Mayor Hallman called the Council Session to order at 6:03pm at 700 Doug Davis Drive, Hapeville, GA 30354.

2. Roll Call:

Mayor Alan Hallman

Alderman at Large Mike Rast

Councilman at Large Travis Horsley

Councilman Ward I Mark Adams

Councilman Ward II Chloe Alexander

3. Welcome

4. PRESENTATIONS

4.I Outstanding Georgia Citizen Award Presented to Dr. Pizza by Senator Donzella James

A representative from Senator Donzella James' presented Dr. Pizza the Outstanding Georgia Citizen Award on behalf of Senator James' office, citizens of Georgia and the Office of the Secretary of State. Senator James sent her regrets for not being able to attend. Dr. Pizza thanked the Office of Senator James and others and told the reasons he started his practice in Hapeville.

4.II Southern Fulton Comprehensive Transportation Plan Presentation by Inga Kennedy

Keli Kemp presented the plan's overview, vision, goals, and the next steps. Ms. Kemp said public meetings will be held in September to engage the public and other meetings will be held with additional stakeholders. The vision will be updated once the online survey closes out according to what they hear from the public through the engagement exercises. They will also establish new goals, objectives and metrics. They are excited about isolating the impacts of projects to specific jurisdictions.

4.III Mobile App and Administrative Web-Based Portal Presentation by Ron Freeman

Mr. Freeman talked about and demonstrated the mobile app "It'sMyTown". The smartphone app is powered by a content management platform where municipalities, public safety agencies and convention visitor bureaus share information and real-time updates with residents, visitors and commuters. The app is available to iOS and Android users. The price is based off population; therefore, the price for Hapeville would be \$5000/year. There is also an implementation fee of \$850.00 and in 10-14 days, the app can be up and running. Currently, there are 6000 users. They just started to sell this year. He said the app is available for download at any time, no registration is needed. It will take a good year and commitment on the City's end to make sure it works for the City. They provide full support.

4.IV Recognition of Carolyn Meier's Retirement

Mayor Hallman presented Carolyn Meier with a plaque thanking her for 25 years of dedicated service to the City. City Manager, Tim Young also thanked Ms. Meier for her service.

## 5. PUBLIC HEARING

### 5.I. Consideration of a Special Exception at 876 Virginia Avenue – Drive Through

A public hearing was opened to hear from staff, applicant and the public. Dr. Patterson stated that this item came awhile back but since then the code has changed. The concern at the time was that traffic backing up through Virginia Avenue and was unable to approve at that time. Restaurants and drive-through restaurants have been redefined since then. The new language allows for pedestrian safety and thought to traffic. The Planning Commission recommended approval as the drive-through would be specific to the business; should the business sell, it would need to come back for approval. The Planning Commission recommends a right only sign at Virginia Avenue. Staff recommended in order to enhance pedestrian safety, different treatments to place across the driveway. Staff supports the Planning Commission's recommendation.

Councilman Horsley asked whether the drive-through would be shared. Dr. Patterson confirmed it would be single. Councilman Adams questioned the traffic study since it compared Hapeville to Sharpsburg as the populations are different. Councilman Alexander said she thinks it may set a precedent that if there's an existing drive-through and a new business comes in that it should just be allowed? It sets us up as seeming discriminatory. What prevents this from happening? She said she doesn't have an issue with this one, but in the future, if the same thing happens. Mayor Hallman said this is why this is being considered for a special exception. It's being individually considered.

Councilman Adams asked Dr. Patterson had there been a negative impact in the Virginia Avenue neighborhood. Dr. Patterson said not particularly. Councilman Adams asked if there is negative impact, would the applicant be willing to meet with the neighborhood association. The applicant confirmed that he would be willing to meet.

Applicant's representative, Phillip Jones explained the prior need for the special exception adding that a drive-through will help circulate traffic. Traffic Engineer, Van Wilburn stated that very few people will go to a Smoothie King for a primary stop. It's always passerby traffic that stops. Sharpsburg is between Newnan and Peachtree City and 25,000 cars higher than what's on Virginia Avenue.

Rod Mack stood to speak during the public comment section.

**MOTION: Alderman Rast made a motion to approve based on the Planning Commission's three recommendations, Councilman Horsley seconded. Discussion: Councilman Horsley asked about the use of DoorDash and online orders. The applicant said they do use a delivery service; however, they only get 15 delivery orders per week. Motion carried 4-0.**

### 5.II Consideration on Text Amendment on Setback Definition – 1<sup>st</sup> Reading

A public hearing was opened to hear staff and public comments. Dr. Patterson stated this was a housekeeping item. There were no public comments. Reading of ordinance stood as a first reading.

### 5.III Consideration on Text Amendment on Waiting Period for Rezoning – 1<sup>st</sup> Reading

A public hearing was opened to hear staff and public comments. Dr. Patterson stated this is state law and is currently not in City code. However, we do have the ability to increase the time period. She recommends maintaining six months. There were no public comments. Reading of ordinance stood as a first reading.

5.IV Consideration on Text Amendment on Home Occupation Definition - 1<sup>st</sup> Reading

A public hearing was opened to hear staff and public comments. Dr. Patterson stated this was a housekeeping item. The home occupation was changed about a year ago. The definition limited no assistance. This update would take the last line off of the definition so it's consistent. Councilman Alexander asked is there a limit on assistance. Dr. Patterson said she believes it is two. She also thinks that families are exempt. There were no public comments. Reading of ordinance stood as a first reading.

5.V Consideration on Text Amendment on A-D (Arts District Overlay) For Drive-Through – 1<sup>st</sup> Reading

Dr. Patterson said Regions Bank wants to replace there drive up teller window with an ATM machine but currently it is not permitted in the Arts District Overlay. Things are changing. It was confirmed by Chief Glavosek that a drive-through is a little bit safer especially after hours because the person is in their vehicle. There were no public comments. Reading of ordinance stood as a first reading.

6. QUESTION ON AGENDA ITEMS - Brian Wismer

**MOTION: Councilman Adams made a motion to waive time limit so Mr. Wismer could finish his comment, Councilman Horsley seconded. Motion carried 4-0.**

7. CONSENT AGENDA

7.I Consideration and Action on Proclamation Recognizing National Payroll Week for Hapeville, GA

7.II Consideration and Action on Resolution for a 12-Month Moratorium on Shareable Mobility Devices (Scooters)

7.III Consideration and Action on Proposal from Artist Yo Yo Ferro for Mural on Interior Wall of the Performing Arts Center at 597 N Central Avenue; not to Exceed \$7500

7.IV Consideration and Action on Optotraffic Agreement and to Authorize the Mayor to Sign all Necessary Documents

7.V Consideration and Action on 2020 Legislative Agenda

7.VI Consideration and Action on Resolution Separating Clean and Beautiful from the City

**MOTION: Councilman Horsley made a motion to take out item 7.II in the consent agenda as he would be recusing himself, Councilman Adams seconded. Motion carried 4-0.**

**MOTION: Councilman Horsley made a motion to approve the consent agenda, Councilman Alexander seconded. Discussion: Councilman Horsley asked had there been any follow up on item 7.V. Mayor Hallman said there is a SFMA on Thursday and he will poll everyone. The agenda is not carved in stone. Alderman Rast asked had legal investigated the legality of MOST alongside the OST option tax. He wanted to know if you participate in LOST, are you not eligible for MOST?**

Mrs. Patel said in certain situations you can participate in LOST and MOST, but they have to be for different projects. She will look into and will have at the next meeting. She added that we do have time for 2021. Council agreed to wait to approve the amount for item 7.III. Motion carried 4-0 for the consent agenda.

7.II Consideration and Action on Resolution for a 12-Month Moratorium on Shareable Mobility Devices (Scooters)

**MOTION: Alderman Rast made a motion to approve, Councilman Alexander seconded for discussion. Councilman Alexander said she doesn't like scooters but feel like there is a solution between completely banning them. There's no way to really enforce a ban. She said she probably wouldn't support the moratorium. She apologized because she did support it last time. Alderman Rast said he hasn't seen a moratorium as long as 12 months. He said he could support something shorter and even if we pass the 12 month moratorium and if staff is ready to bring a recommendation prior to the moratorium deadline, he would be in favor of it. Councilman Adams asked how feasible is it to get something sooner. Mrs. Patel said 12 months is to allow for the state to possibly pass something for this. Mayor Hallman said he doesn't think we want to completely abandon the idea because how do you get people from the bus stop to restaurants or to downtown. However, the first order of business as elected officials is to protect the safety and welfare of residents and businesses.**

**Councilman Alexander suggested adopting map that restricts golf carts. This would keep the shareable mobility devices off the busiest streets that would be the most dangerous. Motion carried 2-1-1 (Councilman Alexander opposed, and Councilman Horsley recused himself).**

## 8. OLD BUSINESS

8.I Consideration and Action on Ordinance to Amend Residential Driveway Requirement – 2<sup>nd</sup> Reading

Councilman Adams mentioned the previous comments made earlier by Brian Wismer concerning river rock and pea gravel. Councilman Adams said he is okay with river rock as some are nice. Councilman Alexander said she was under the consumption that that is a permeable pavement.

**MOTION: Councilman Horsley made a motion to allow Mr. Wismer to speak, Councilman Adams seconded. Motion carried 4-0.**

Mr. Wismer said the language in there is concerning pavement. He said it can be used with some sort of sealant on it, but he was referring to loose landscaping such as country garden driveway. Councilman Horsley said he likes river rock, pea gravel, and slate. Councilman Alexander said it comes in a lot of different sizes and textures. Mayor Hallman suggested tabling to research pea gravel. Mrs. Patel suggested changing language to include having a driveway with decorative grass in middle; a majority of concrete/asphalt pavers.

**MOTION: Councilman Horsley made a motion to table item, Alderman Rast seconded. Discussion: Councilman Alexander said she doesn't think a little strip necessitate tabling the item. Alderman Rast withdrew his seconded, Councilman Horsley withdrew his motion. Councilman Adams made a motion to approve, Alderman Rast seconded. Motion carried 3-1 (Councilman Horsley opposed).**

## 9. NEW BUSINESS

### 9.I Consideration on Text Amendment on DRC Board Attendance Requirement – 1<sup>st</sup> Reading

Mayor Hallman said that he thinks Council should take heed to Mr. Wismer's comments and find a gentler way of including in language. A member may run into a health problem, traveling for jobs etc. He said it probably should be made more than just a certain number of absences. Alderman Rast said there has to be guidelines. Councilman Alexander said having guidelines prevents people from missing meetings just because they know they can. Councilman Adams asked are those boards receiving compensation. Consensus is to have staff massage the language. Reading of ordinance stood as first reading.

### 9.II Consideration on Text Amendment on Board Procedures – 1<sup>st</sup> Reading

Consensus is to massage the language of this text amendment. Councilman Horsley commented on the use of teleconferencing. Reading of ordinance stood as a first reading.

### 9.III Discussion Initiated by Councilman Alexander on Sign Ordinance

Councilman Alexander said the biggest issue is the lapse in communication between parties. She understands the intent of the ordinance but when looking at the signs that are not in compliance, they are not violating that intent. The signs that are allowed, scrolling LED signs that are allowed in the art trail, but a hand painted artistic sign not obstructing the view of the business, is not allowed. This seems very counter to what the intent of those rules are in place for and it seems counter to what the vision of the City is. She understands rules have to be enforced but when they no longer seem reasonable, they need to be revisited and adjusted. Councilman Adams said he agrees with Councilman Alexander to revisit for appropriateness. He added that he didn't want Council to be reactionary to complaints received. The biggest gap is education of business owners. Councilman Alexander said she didn't realize that if appealing, it is \$395 which seems expensive. She suggested revisiting quickly as Christmas is coming up. She mentioned that Chick fil a paints their window every year for Christmas. Council instructed City Planner, Dr. Patterson to find out how other cities handle this their sign guidelines.

### 9.IV Discussion Initiated by Councilman Alexander on Next Steps with Food Well Alliance in Hapeville

Councilman Alexander proposed hosing a town hall with this in focus. She said she'll work with Mr. Young to set up a date.

Councilman Alexander said East Point beat us. East Point has several independently owned urban farms that supply larger markets, they have the farmer's market, and a start of a co-op. Food Well Alliance's goal was to support a city that already had infrastructure in place and to unite different organizations. However, Hapeville had the most diverse, engaged and most energetic food forum that they offered a \$10,000 grant. They are willing to give support with logistical help in hosting a town hall where they can help Hapeville create a cohesive plan for a good shot at the grant. Councilman Alexander would like to host a town hall with this being the focus. She will work with Mr. Young to set up a date.

### 9.V Discussion Initiated by Lee Sudduth on Commercial Dumpster Service

Consensus is for Mr. Sudduth to move forth with plan. Councilman Horsley desires to host a business forum.

Mr. Sudduth stated that they are getting requests from new businesses especially corporate businesses, to use a certain hauler. He said for the City, it's just a pass through. They're not happy

with our current one. A lot of cities are going to this because this will give a choice. Mr. Sudduth suggested not having too many waste haulers because they may leak juice. The hauler would pay the City a franchise fee. Alderman Rast asked would Mr. Sudduth's department regulate to certain days because it could contribute to the already congested areas. Mayor Hallman said if developing language, we would say they need to use one carrier with dumpster and compactor. Consensus is for Mr. Sudduth to move forth with plan. Councilman Horsley desires to host a business forum.

10. City Manager Report –

Mr. Young thanked Mr. Sudduth and Mayor and Council for the dog park opening. He said the water metering project is progressing. Qualifying for the November 5 General Election ends tomorrow, August 21. He stated that the City had received the report from Stantec and that the City needs to choose to accept and then take action (to go forward or not). He said that he had been working with Flocc on the estimated number of cameras to install in the City. It will cost \$50,000 a year that is not in the budget. He will bring to Council along with millage. The bond is available for refinancing. Millage rate will be set on October 1 or 15. Budget amendments are being looked at and will have no later than September since Fulton County is back on schedule. Assistant Finance Director, Chrislyn Turner stated that Finance had contacted banks concerning Pcards.

11. Public Comments –

Chandra Fowler  
Joseph Shorter  
Dr. Role

12. Executives Session –

**MOTION: Councilman Adams made a motion at 8:36PM to go into executive session for Legal and real estate, Alderman Rast seconded. Motion carried 4-0. Councilman Adams made a motion to go into recess, Alderman Rast seconded. Motion carried 4-0. Councilman Horsley made a motion to go into executive sessions, Councilman Adams seconded. Motion carried 4-0.**

No action taken.

**MOTION: Councilman Alexander made a motion to adjourn executive session, Councilman Horsley seconded. Motion carried 4-0.**

13. Adjourn –

**MOTION: Councilman Alexander made a motion at 8:52PM to adjourn meeting, Councilman Horsley seconded. Motion carried 4-0.**

Respectfully submitted,

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Alan Hallman, Mayor

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Crystal Griggs-Epps, City Clerk