



ALAN HALLMAN
MAYOR

MIKE RAST
ALDERMAN AT LARGE

BRETT REICHERT
COUNCILMAN AT
LARGE

MARK ADAMS
COUNCILMAN WARD I

CHLOE ALEXANDER
COUNCILMAN WARD II

MAYOR AND COUNCIL REGULAR SESSION

Join in person at 700 Doug Davis Drive, Hapeville, GA 30354 Or, visit the City's Website for live stream at <https://hapevillega.civicclerk.com/Web/Player.aspx?id=613&key=-1&mod=-1&mk=-1&nov=0>

May 3, 2022 6:00 PM

MINUTES

1. **CALL TO ORDER:** by Mayor Hallman at 6:04 PM
2. **ROLL CALL:** All Members of the Council were present, which constituted a quorum.
 - ✓ Alan Hallman
 - ✓ Mike Rast
 - ✓ Brett Reichert
 - ✓ Mark Adams
 - ✓ Chloe Alexander
3. **WELCOME:** Mayor Hallman welcomed all to the May 3rd Meeting.
4. **PLEDGE OF ALLEGIANCE:** The pledge of allegiance was recited in unison.
5. **INVOCATION:** given by Councilmen Reichert.
6. **PRESENTATIONS:** None
7. **PUBLIC HEARING:**
 - 7.I. Consideration and Action on Alcohol Beverage License request by TPG Overland Atlanta Beverage, LLC/ Kimpton Overland Hotel at Two Porsche Drive, Hapeville GA 30354.

Background:

The TPG Overland Atlanta Beverage, LLC/ Kimpton Overland Hotel has completed all of the necessary steps in the alcohol license application process, and therefore, they are requesting approval from the Mayor and Council. All departmental reports have been received and advertising has been completed.

Staff Comments: City Manager, Tim Younger indicated that all of the information provided to Mayor and Council is correct. He stated that this is change in ownership/management. Mr. Younger ensured that the applicant has completed all required steps to move forward with obtaining their alcohol license.

Applicant Comments: Applicants Hotel Controller, Jordan Kilpatrick, and Attorney Mindy Thompson were present for questions and comments.

Public Comments: No public comments were made for this public hearing item.

MOTION: Councilman Adams made a motion to approve Alcohol Beverage License request by TPG Overland Atlanta Beverage, LLC/ Kimpton Overland Hotel at Two Porsche Drive,

Hapeville GA 30354, Alderman Rast provided a seconded. **Motion carried 4-0.**

- 7.II. Consideration and Action on Alcohol Beverage License request by Pinnacle Spirits, LLC/The Brass Tap at 925 Virginia Ave Ste A, Hapeville GA 30354.

Background:

The Pinnacle Spirits, LLC/The Brass Tap has completed all of the necessary steps in the alcohol license application process, and therefore, they are requesting approval from the Mayor and Council. Staff ask that the Council approve the application with the condition that the applicant must obtain a final Certificate of Occupancy/Business License. All departmental reports have been received and advertising has been completed.

Staff Comments: No additional comments were provided by staff.

Applicant Comments: Applicants Shamir Rodriguez and Yuly Isaac were present for questions and comments.

Public Comments: No public comments were made for this public hearing item.

MOTION: Councilman Reichert made a motion to approve Alcohol Beverage License request by Pinnacle Spirits, LLC/The Brass Tap at 925 Virginia Ave Ste A, Hapeville GA 30354, *with the condition that they obtain the final Certificate of Occupancy.* Alderman Rast provided a seconded. **Motion carried 4-0.**

- 7.III. Consideration and Action on Alcohol Beverage License request by Marrietta St. Comedy, INC/ Uptown Comedy Corner at 1155 Virginia Ave Ste M, Hapeville GA 30354.

Background:

The Marrietta St. Comedy, INC/ Uptown Comedy Corner has completed all of the necessary steps in the alcohol license application process, and therefore, they are requesting approval from the Mayor and Council. All departmental reports have been received and advertising has been completed.

Staff Comments: No additional comments were provided by staff.

Applicant Comments: Applicant Angelo Sykes was present for questions and comments.

Public Comments: No public comments were made for this public hearing item.

MOTION: Councilman Alexander made a motion to approve Alcohol Beverage License request by Marrietta St. Comedy, INC/ Uptown Comedy Corner at 1155 Virginia Ave Ste M, Hapeville GA 30354, Councilmen Adams provided a seconded. **Motion carried 4-0.**

- 7.IV. Consideration and Action to rezone the properties located at 325 Sunset Avenue, 376 King Arnold Street, and 3394 LaVista Drive, more particularly described as Parcel Identification Numbers 14-0096-0006-014-1, 14-0096-0006-009-1, and 14-0066-0001-007-6 from U-V, Urban Village and R-1, One Family Residential to P-D, Planned Unit Development.

Background:

Alex Popham of Epic Development is requesting to rezone the properties located at 325 Sunset Avenue, 376 King Arnold Street, and 3394 LaVista Drive from U-V, Urban Village and R-1, One Family Residential to P-D, Planned Unit Development to construct 25 single family units on approximately 1.47 acres.

The Planning Commission considered this item on April 12, 2022 and recommended approval. Staff supports their recommendation.

Staff Comments: Dr. Patterson stated Epic Development is interested in purchasing the right of way that Arnold Street right of way, that goes through that property. She stated that should the property be developed as urban village. It can with, or without, the right of way, be

developed up to the maximum density, which exceeds the 25 units, that is being proposed. Dr. Patterson affirmed that a decision for planning a development, which would provide certainty to the city. When one rezones to a plan unit development, the developer has to adhere to the site plan that was approved. And that is the site plan that is being presented now. She expressed that both the Planning Commission and Design Review Board have review and approve the plan. She stated that the board of appeals heard this case because our plan unit development requires that parcel be a minimum of two acres to be rezoned plan unit development. These in total are 1.4 with the right of way, should they acquire the right of way, would then be 1.7, which is still below the threshold. Dr. Patterson ensured Council that is a wise, actual zoning designation for this because it does serve to reduce the density and does provide a sort of pocket neighborhood feel into the single family. This will allow for the city to have more control from what's going to be developed, should the developer not follow through, then this gets it reverts to its original. Dr. Patterson summarized the Planner's Report and addressed each compliance related to the request of rezoning.

Applicant Comments: Applicant Alex Popham, Rick Bennett and Jim LaVallee present for questions and comments.

Public Comments: Frank Crawford

MOTION: Alderman Rast made a motion to approve the rezone request of properties located at 325 Sunset Avenue, 376 King Arnold Street, and 3394 LaVista Drive from U-V, Urban Village and R-1, One Family Residential to P-D, Planned Unit Development to construct 25 single family units on approximately 1.47 acres, Councilman Alexander provided a seconded. **Motion carried 4-0.**

8. QUESTIONS ON AGENDA ITEMS: None

9. CONSENT AGENDA:

- 9.I. Consideration and Action to accept a \$59,000 grant from Georgia Recreation and Parks Association by way of the Georgia Department of Education.
- 9.II. Consideration and Action to approve the Courtware agreement for Court document handling.

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

10. OLD BUSINESS: None

11. NEW BUSINESS:

- 11.I. Consideration and action to approve the purchase of 6, 2022 Ford Ecoboost Utility Vehicles from Brannen Motor Company and fully outfitted at a cost of \$335,699.52.

MOTION: Councilman Adams made a motion to approve the purchase of 6, 2022 Ford Ecoboost Utility Vehicles from Brannen Motor Company and fully outfitted at a cost of \$335,699.52., Councilman Alexander provided a seconded. **Motion carried 4-0.**

- 11.II. Consideration and action to approve the addition of a Human Resources/Payroll Coordinator to the Human Resources Department.

MOTION: Alderman Rast made a motion to approve the addition of a Human Resources/Payroll Coordinator to the Human Resources Department, Councilman Adams provided a seconded. **Motion carried 4-0.**

- 11.III. Consideration and Action to approve the City Planner Transfer of Contract.

MOTION: Councilman Reichert made a motion to approve City Planner Transfer of Contract, Councilman Adams provided a seconded. **Motion carried 4-0.**

- 11.IV. Discussion on Short Term Rentals.

City Manager Tim Young gives details into the research that staff has been conducting to gather information on what's best for the city relating to short-term rentals. Mr. Young stated that he

understands that it can be concerning to residents when properties are being purchased to utilize properties as a short-term rental, especially without regulation being enforced. He indicated that he wanted to bring this topic back to council as open discussion to get insight on their expectations.

- **This was a discussion item only.** No action was taken.

DISCUSSION:

Mayor Hallman stated that there's a lot of movement in housing from what we're traditionally used to. He then asked Council, do we want to allow short-term rentals? Mayor Hallman expressed that before COVID Council was discussing putting a limitation on short-term rentals, adding a registration fee, and compliance monitoring with Host Compliance.

Alderman Rast indicated he had maintained the same view since these discussions began. He acknowledged that he is not a fan or in favor of short-term rentals. However, with the current development in the City. He indicated that it would be almost impossible to monitor within those developments short-term rentals, whether they exist or didn't exist if banned. Alderman Rast further stated that he is a strong proponent of not allowing short-term rentals in the R-1 zone, R-O, and RSF, to protect the integrity of single-family neighborhoods.

Councilman Alexander expressed that she did not necessarily agree with the prior statement. She stated that needs to be a balance between property owners that do the right thing and others that do not. Councilman Alexander indicated that if someone invests in a property, it is their right to use their property and generate income within the law. She stated that not allowing any short-term rental within any residential zone is extreme. Although there are horror stories out there, there are also unproblematic property owners doing the right thing. Councilman Alexander stated her most significant concern, in addition to that, is making sure that they are monitored so that we are collecting appropriate excise taxes.

Councilman Reichert stated his thoughts on this are pretty general. Although he has benefited from short-term rentals in the past. He noted that everyone necessarily would not want one next to their homes. He further stated a manageable balance should be created, allowing homeowners to manage their property in the way they want to. And if they're not managing their property and disrupting other neighbors, there should be some violation action.

Councilman Adams stated that he believes Airbnb does serve a purpose. However, does he think that Airbnb should be governed in order to limit the existence of established neighborhoods here and maintain the quality of life that the residents who are already here are accustomed to. Councilman Adams suggested adding stimulations such as: limiting the number of verified Airbnb in the area and having homeowners apply for a homestead exemption to determine whether actual homeowners own these properties versus a company coming in, buying out homes, and just renting them out.

The Council reached a consensus for staff to move forward with developing a drafted ordinance that will be presented to Council at the first meeting in June. Council would like for the ordinance to consist of a homestead exemption, limit the number of properties, limit the number of properties per owner, and create a registration process.

12. CITY MANAGER REPORTS:

- City Manager, Tim Young detail to Council the preliminary report for the Fy22-23 budget.

13. PUBLIC COMMENTS:

1. Susan Bailey
2. Frank Crawford

14. MAYOR AND COUNCIL COMMENTS:

Councilman Adams- Thank everyone for attending the council meeting.

Councilman Alexander- echoed Councilman Adams.

Councilman Reichert- Thanked to all the staff involved in the city-wide community yard sale last weekend, and in the subsequent bulk item pickup.

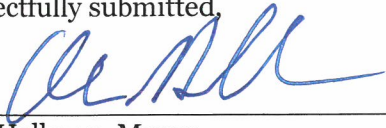
Mayor Hallman- informed all that the first local option sales tax negotiation meeting was last week, and he will keep everyone updated as time progresses.

15. EXECUTIVE SESSION: An Executive Session was not conducted at this meeting

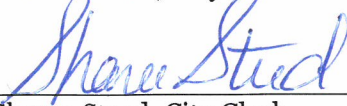
16. ADJOURN:

MOTION: Councilman Alexander made a motion to adjourn at 7:42PM, Councilman Adams provided a second. **Motion carried 4-0**

Respectfully submitted,



Alan Hallman, Mayor



Sharee Steed, City Clerk