



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 WORK 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=650&key=-1&mod=-1&mk=-1&nov=0>

October 18, 2022 6:00 PM

MINUTES

1. **CALL TO ORDER:** by Mayor Hallman at 6:07 PM
2. **ROLL CALL:** All Members of 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 October 18th Meeting.
4. **PUBLIC HEARING:**
 - 4.I. Consideration and Action to rezone the properties located at 3410 North Fulton Avenue and 3396 Park Avenue from R-SF to R-5.

The Planning Commission considered this request on October 11, 2022, and recommended approval provided the applicant includes a landscape buffer on the northern property line between the R-5 zone, one family attached and detached, and the R-SF, Residential-Single Family zone. Staff supports their recommendation.

Staff Comments: City Planner Dr. Lynn Patterson summarized the background for this rezoning request to Council. Dr. Patterson acknowledged that the current parcels have six single-family dwellings on the two non-conforming properties and a wooded greenspace along North Fulton Avenue. She asserted that the paved "street" (Park Place) is not an official street for the City and does not meet City street criteria regarding widths, curb, gutter, sidewalks, etc. In addition, the utilities located throughout the project are undersized and would require upgrading. Dr. Patterson affirmed that these conditions render the site difficult for redevelopment as single-family lots, which has been proposed in prior iterations. She stated that the proposed rezoning from R-SF to R-5 would allow for a 22-unit attached single-family development with interior circulation and a common area. Dr. Patterson recommended that the proposed zoning change to R-5 be required for the two properties' assemblage redevelopment. Multiple iterations for the properties have been examined using single-family detached schemes. However, it has been proven difficult given the property's shape and infrastructure. She confirmed that a rezoning to R-5 would permit redevelopment while limiting it to residential use only. She specified that staff requires revisions to the site plan, including a shift in one of the units along N. Fulton Ave to four units and any others identified once a formal site plan is submitted and reviewed. Staff recommends that Council approves the request to rezone in accordance with the Planning Commission.

Applicant Comments: Mr. Roger Fisher of the Allen Group spoke on behalf of Stream Funding Group, LLC. Mr. Fisher addressed the need for the modifications and answered questions concerning the rezoning of properties 3410 North Fulton Avenue and 3396 Park Avenue.

Public Comments:

1. Joe Anderson
2. Ben Martinez
3. Stephanie Rapolo
4. Thomas Garrett
5. Glen Summer
6. Glinda Holder
7. Deanna
8. Kelly Singleton
9. Jenna Shands
10. Deanna Abulehdeir

MOTION: Councilman Reichert made a motion to table the rezone for properties located at 3410 North Fulton Avenue and 3396 Park Avenue from R-SF to R-5 until the November 1 Council meeting, Councilman Adams provided a second.

Councilman Reichert rescinded the motion to table item 4.I. Councilman Adams rescinded the second for the motion to table item 4.I. **Motion to table failed**

MOTION: Councilman Reichert made a motion to *deny* the rezoning request for properties located at 3410 North Fulton Avenue and 3396 Park Avenue from R-SF to R-5, Councilman Adams provided a second. **Motion passed 4-0**

- 4.II. Discussion on an Ordinance to Amend the City of Hapeville's Ward Boundaries.

Staff Comments: No additional comments were provided by staff.

Public Comments:

1. Anne Cruz

DISCUSSION: Mayor Hallman stated that the only revision that need to be correct would be the change to Steward Avenue. Mayor informed Council that Stewart Avenue needs to be stricken and Dogwood Drive needs to be put in its place. Steward Avenue is no longer a street in the City. **This was a discussion item only; No action was taken.**

5. **QUESTIONS ON AGENDA ITEMS:**

1. Jason Morrison-*Submitted via email*
2. James Jordan

6. **CONSENT AGENDA:**

- 6.I. Consideration and Action to approve September 27, 2022, Special-Called Council Meeting minutes.
- 6.II. Consideration and Action to approve October 4, 2022, Council Meeting minutes.

MOTION: Alderman Rast made a motion to approve the consent agenda, Councilman Alexander provided a second. **Motion carried 4-0.**

7. **OLD BUSINESS:** None

8. **NEW BUSINESS:**

- 8.I. Consideration and Action to approve **Resolution 2022-14** Comprehensive Plan.

MOTION: Councilman Adams made a motion to approve **Resolution 2022-14** Comprehensive Plan. Councilman Reichert provided a second. **Motion carried 4-**

O.

8.II. Discussion on Amendment of the City of Hapeville's Marijuana Ordinance.

Councilman Reichert stated he was the Council member who proposed this change. He noted that this would allow the City ordinance to align with reality. Councilman Reichert said this is not a personal issue; however, during his campaign last year, he heard stories of many being derailed due to a criminal record involving marijuana possession, which can be extremely costly. Councilman Reichert acknowledges that this can and does hinder people when trying to apply for various benefits or even jobs. He stated that in the State of Georgia, it is legal to have a medically prescribed prescription for low-dose oil-based cannabis for medical reasons, although it is not legal in the State. Therein lies one central point to change the law on a local level. Councilman Reichert further stated that although he did not attend the Hemp Festival hosted in the City of Hapeville. He was informed that the festival was very enlightening and educational and that it was very advocacy oriented. He asserted this would not make cannabis legal. No city in the State of Georgia can overrule the state law. Only the State can change its laws, but the State does give municipalities the ability to adjudicate these cases. He proposed that a simple change on behalf of the City can make a misdemeanor crime into a citable offense, which is the same as a traffic citation. This change will allow the City to align with national changes that are occurring regarding marijuana laws.

DISCUSSION: This was a discussion item only; No action was taken. Staff will come back before Council with a proposed ordinance. Staff will gather information from the Police Department and other local Municipalities and set the fee amount.

9. CITY MANAGER REPORTS: City Manager, Tim Young spoke about the Following items:

- Update on Local option, Sales Act (L.O.S.T) negotiations is still ongoing and will continue into December.
- Property Taxes was billed and mailed out.
- Staff is working on the admin details for the short-term rental ordinance. Mr. Young stated that information for the process would be available at the end of November.

10. PUBLIC COMMENTS:

1. James Jordan
2. David Whitney -*Submitted via email*

MOTION: Councilman Adams made a motion to reopen public comments. Councilman Alexander second. **Motion carried 4-0.**

PUBLIC COMMENTS CONT...:

3. Jenna Shands

11. MAYOR AND COUNCIL COMMENTS:

Councilman Reichert- Thanked everyone who came out. He noticed the large crowd and expressed appreciation for residential participation during this process.

Councilman Adam- Thanked all for their participation in their local government. He stated that this past weekend was very eventful. He thanked city staff for their hard work on the weekend events and all who supported and attended.

Alderman Rast- No Comment at this time.

Councilman Alexander- Thanked city staff for the successful event of the chili cook-off.

Mayor Hallman- Thanked all for coming out and being a part of the local government. He stated that the City strives to run an open, honest, and we appreciate the residents for being here and part of it. Mayor Hallman commends Family Life Ministries and all the staff for their hard work. He also stated that the Southern Independent film series at the theater; this past Monday was very well attended. He informed the Governing Body and audience that he and the City Manager would be meeting with Delta to see if a memorial that commemorates the 1960s Home of a nursery explosion.

12. EXECUTIVE SESSION:

MOTION: Alderman Rast made a motion to go into executive session at 7:51PM. Councilman Alexander second. **Motion carried 4-0.**

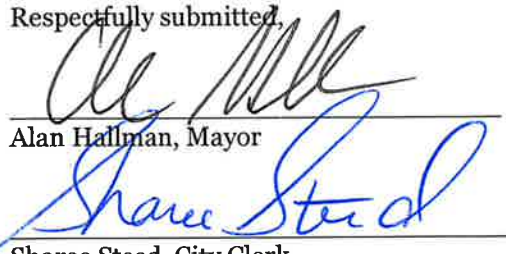
MOTION: Councilman Adams made a motion to go into recess, Councilman Alexander second. **Motion carried 4-0.**

13. ADJOURN:

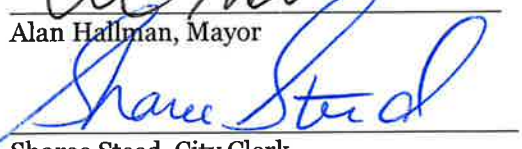
MOTION: Councilman Alexander made a motion to convene back into regular session, Councilman Adams second. **Motion carried 4-0.**

MOTION: Alderman Rast made a motion to adjourn at 8:12 PM, Councilman Reichert provided a second. **Motion carried 4-0.**

Respectfully submitted,



Alan Hallman, Mayor



Sharee Steed, City Clerk