



CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

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://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes>

July 18, 2023 6:00 PM

AGENDA

1. CALL TO ORDER:

2. ROLL CALL:

Alan Hallman
Mike Rast
Brett Reichert
Mark Adams
Chloe Alexander

3. WELCOME:

4. PLEDGE OF ALLEGIANCE:

5. INVOCATION:

6. PRESENTATIONS:

7. PUBLIC HEARING:

7.I. Consideration and Action of a Text Amendment to the Zoning Procedures- Second Reading

Background:

An amendment in accordance with House Bill 1405 (2021), amendments to the City of Hapeville Code of Ordinances regarding public notices, hearings, and procedures for making (and appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and changes to single-family zoning provisions of the code.

The Planning Commission considered this item on June 13, 2023 and recommended approval. Staff supports their recommendation.

Staff Comments:

Public Comments:

Supporting Document(s):

1. Ordinance for Text Amendment of Zoning Code (03346370-2xA0B3B)
2. Planner's Report Text Amendment Zoning Procedures 2023
3. Summary Minutes - 6-13-2023
4. Legal Adv. 07-18-2023_Amendment Zoning Procedures_2

8. 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.

9. CONSENT AGENDA:

9.I. Consideration and Action to approve the June 20th, Council Meeting Minutes.

Supporting Document(s):

1. Drafted Minutes 06202023

10. OLD BUSINESS:

11. NEW BUSINESS:

11.I. Consideration and Action to approve the Surplus 9 Police Department Vehicles.

Background:

The police department has nine vehicles that are no longer serviceable for use. Most of the vehicles are either wrecked or not running. Therefore, staff is requesting that the Mayor and City Council declare the following vehicles surplus city property and allow the police department to place them for sale on the public auction site, GovDeals. Pictures of the vehicles are located within the agenda packet.

The vehicles are as follows:

1998 Ford Crown Victoria V.I.N. 2FAFP71W3WX123664
1998 Ford Crown Victoria V.I.N. 2FAFP71W0WX174085
1999 Ford Crown Victoria V.I.N. 2FAFP71WXXX239753
2006 Ford Crown Victoria V.I.N. 2FAFP71W46X148847
2011 Ford Crown Victoria V.I.N. 2FABP7BV3BX134629
2003 Ford Explorer VIN 1FMZU62X23UA19722
2012 FORD FUSION VIN 3FAHP0HG7CR145501
2004 CHEVY TRAILBLAZER Vin 1GNDS13S842267953
2009 Chrysler Gem Car vin 5ASGRGA489F05017

Supporting Document(s):

1. Image 1
2. Image 2
3. Image 3
4. Image 4
5. Image 5
6. Image 6
7. Image 7
8. Image 8
9. Image 9

12. CITY MANAGER REPORTS:

13. 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.

14. MAYOR AND COUNCIL COMMENTS:

15. 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).*

16. 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.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SEVERAL SECTIONS OF THE CODE OF ORDINANCES, CITY OF HAPEVILLE, GEORGIA IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE OF GEORGIA'S ZONING PROCEDURES LAW (O.C.G.A. § 36-66-1 et. seq.) AS IT PERTAINS TO PUBLIC NOTICES, HEARINGS, PROCEDURES FOR MAKING (AND APPEALING TO THE SUPERIOR COURT) ZONING DECISIONS, QUASI-JUDICIAL LAND USE RELATED DECISIONS, AND CHANGES TO SINGLE-FAMILY ZONING PROVISIONS OF THE ZONING CODE AND FOR OTHER PURPOSES.

W I T N E S S E T H:

WHEREAS, the Mayor and Council shall have full power and authority to provide for the execution of all powers, functions, rights, privileges, duties and immunities of the City of Hapeville (hereinafter "City"), its officers, agencies, or employees granted by the City's Charter or by state law; and

WHEREAS, the municipal government of the City and all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be the legislative body of the City; and

WHEREAS, amendments to any of the provisions of the City's Code may be made by amending such provisions by specific reference to the section number of the City's Code; and

WHEREAS, existing ordinances, resolutions, rules and regulations of the City and its agencies now lawfully in effect not inconsistent with the provisions of the City's charter shall remain effective until they have been repealed, modified or amended; and

WHEREAS, every official act of the Mayor and Council which is to become law shall be by Ordinance; and

WHEREAS, the Georgia General Assembly amended its Zoning Procedures Law (O.C.G.A. § 36-66-1 et. seq.) in 2021; and

WHEREAS, the governing authority of the City finds it desirable to amend and update the zoning procedures of its Code in accordance with the Georgia General Assembly's Amendment to the Zoning Procedures Law by July 1, 2023; and

WHEREAS, the procedures required for amending the City's zoning ordinance have been satisfied, including, but not limited to, notice and public hearings.

**BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF HAPEVILLE, GEORGIA THAT:**

Section One. Chapter 2 (Administration), Article 2 (Mayor and Council), Section 2-2-5 (Rules and Procedures of Mayor and Council) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to strike subsection (f)(7) entirely and replace it with the following:

(a) Any aggrieved party shall have thirty (30) days from the date of written notification to file an appeal from the council's decision with the superior court as provided in the following stated procedures.

1. Appeals of zoning decisions as defined O.C.G.A. § 36-66-3(4) shall be appealed pursuant to O.C.G.A. § 36-66-5.1(a)(1) and shall be filed with the Fulton County Superior Court within thirty (30) days of the date of the decision to be appealed; and

2. Appeals of quasi-judicial decisions as defined by O.C.G.A. § 36-66-3(1.1) shall be appealed pursuant to O.C.G.A. § 36-66-5.1(a)(2) and shall be filed with the Fulton County Superior Court within thirty (30) days of the date of the decision to be appealed.

Section Two. Chapter 87 (Planning), Article 3 (Board of Zoning Appeals) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to rename Section 87-3-6 (Public hearings on appeals) to Sec. 87-3-6. (Public hearings on quasi-judicial decisions) and strike it entirely and replace it with the following:

(a) The board of appeals shall fix a reasonable time for the hearing of appeals or other matters referred to it, and give at least thirty (30) days' public notice thereof within a newspaper of general circulation in the City, and decide the appeal within a reasonable time. A notice of the hearing shall also be mailed at least thirty (30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing. Upon a hearing, any party may appear in person, or by agent or attorney.

(b) Quasi-judicial officers, boards, or agencies means an officer, board, or agency created by the city to exercise delegated, quasi-judicial zoning powers including hearing appeals on administrative decisions by such officers, boards or agencies and hearing and rendering decisions on applications for variances, special administrative permits, special exceptions, conditional use permits, or other similar permits pursuant to standards for the exercise of such quasi-judicial authority adopted by the city.

Section Three. Chapter 87 (Planning), Article 3 (Board of Zoning Appeals) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to add a new Section 87-3-10 (Certiorari to Fulton County Superior Court) to read as follows:

(a) In order to comply with O.C.G.A. § 36-66-5.1(c), the Mayor, Chairman of the Planning Commission, and/or Chairman of the Board of Appeals, as appropriate, is authorized to issue certiorari bonds and certificates of costs upon confirmation with city staff that such approvals are appropriate.

(b) For purposes of certiorari proceedings, the Mayor, Chairman of the Planning Commission, and/or Chairman of the Board of Appeals, as appropriate, is authorized to accept service on behalf

of the person's respective board as a respondent. The Mayor is authorized to accept service of process on behalf of the city as the opposite party.

Section Four. Chapter 93 (Zoning), Article 3.2 (Conditional Uses) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to strike Section 93-3.2-1 (Permit required) in its entirety and replace with the following:

(a) Zoning districts established herein permit certain uses which are allowable therein provided they meet specified conditions, as set forth therein and here. No such use shall be permitted until a conditional use permit has been issued authorizing such use. The procedures for granting such permits shall be in accordance with the following stated procedures.

(1) When an application for a conditional use permit is received, the building official shall review for compliance, and provided that the application is compliant with the standards of this Code, the Planning Commission shall set a time and place for a meeting to review and issue its recommendation for the conditional use permit.

(2) After the Planning Commission has made their recommendation, the City shall hold a public hearing and cause notice of the hearing to be published in a newspaper of general circulation in the city at least thirty (30) days before the hearing. Such notice will state the application number (if any number is assigned), owner's name, property location, its area, time, place and subject of the hearing. At least thirty (30) days before the public hearing, notice of the time, place, and subject of the hearing will be sent in writing by U.S. mail to the owner whose property or interest is the subject of such hearing. Copies of all such letters will be maintained in the applicant's file for permanent record.

Section Five. Chapter 93 (Zoning), Article 3.2 (Conditional Uses) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to strike Section 93-3.2-5 (Special use permit procedures) entirely and replace it with the following:

(a) Mayor and Council may in considering a special use permit, following a public hearing that shall follow the notice procedures stated below, impose reasonable conditions deemed necessary to the protection or benefit of owners of adjacent and nearby properties to ensure compatibility of the proposed development or use with surrounding uses. The decision of Mayor and Council concerning consideration of a special use shall be given to the applicant in writing by certified U.S. mail to the address indicated in the application. Aggrieved applicants shall have thirty (30) calendar days from the date of receipt of the notice in which to petition the Superior Court of Fulton County for writ of certiorari.

(1) When an application for a special use permit is received, the Mayor and Council will set a time and place for a public hearing on the special use permit. Notice of the hearing must be published in a newspaper of general circulation in the city at least thirty (30) days before the hearing. Such notice will state the application number (if any number is assigned), owner's name, property location, its area, time, place and subject of the hearing. At least thirty (30) days before the public hearing, notice of the time, place, and subject of the hearing will be sent in writing by U.S. mail to the owner whose property or interest is the subject of such hearing. Copies of all such letters will be maintained in the applicant's file for permanent record.

Section Six. Chapter 93 (Zoning), Article 25 (Amendments), Section 93-25-4 (Notification and public hearing by Mayor and Council) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to include new subsections (g) and (h) to read as follows:

(g) Any proposed action that includes zoning decisions for rezoning of property, special use of property, or variance or conditions concurrent with a rezoning or special use shall only require one hearing pursuant to O.C.G.A. § 36-66-4(a).

(h) Procedures for zoning decisions as defined in O.C.G.A. § 36-66-3(4) that amend zoning classifications or definitions related to single-family residential uses so as to authorize multifamily uses on the subject property pursuant to such classifications or definitions shall be in accordance with the following stated procedures.

(1) Notwithstanding any other provisions to the contrary, when a proposed zoning decision relates to an amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision must be adopted in the following manner:

a. The zoning decision shall be adopted at two regular meetings of the city council making the zoning decision, during a period of not less than twenty-one (21) days apart; and

b. Prior to the first meeting provided for in subparagraph a of this paragraph, at least two public hearings shall be held on the proposed action. Such public hearings shall be held at least three months and not more than nine months prior to the date of final action on the zoning decision. Furthermore, at least one of the public hearings must be held between the hours of 5:00 P.M. and 8:00 P.M. The hearings required by this paragraph shall be in addition to any hearing required under subsection (a) of this Code section. The local government shall give notice of such hearing by:

i. Posting notice on each affected premises in the manner prescribed by sections (c), (d), (e), and (f) of this Code section; provided, however, that when more than 500 parcels are affected, in which case posting notice is required every 500 feet in the affected area; and

ii. Publishing in a newspaper of general circulation within the territorial boundaries of the city a notice of each hearing at least fifteen (15) days and not more than forty-five (45) days prior to the date of the hearing. Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will authorize multifamily uses or give blanket permission to the property owner to deviate from the zoning requirements of a single-family residential zoning of property in classification previously relating to single-family residential uses. The published notice shall be at least nine column inches in size and shall not be located in the classified advertising section of the newspaper. The notice shall state that a copy of the proposed amendment is on file in the office of the clerk or the recording officer of the city and in the office of the clerk of the Superior Court of Fulton County for the purpose of examination

and inspection by the public. The city shall furnish anyone, upon written request, a copy of the proposed amendment, at no cost.

(2) The provisions of paragraph (1) of this subsection shall also apply to any zoning decisions that provide for the abolition of all single-family residential zoning classifications within the territorial boundaries of the city or zoning decisions that result in the rezoning of all property zoned for single-family residential uses within the territorial boundaries of the city to multifamily residential uses of property.

(3) This subsection shall not apply to zoning decisions for the rezoning of property from a single-family residential use of property to a multifamily residential use of property when the rezoning is initiated by the owner or authorized agent of the owner of such property.

Section Seven. Chapter 93 (Zoning), Article 25 (Amendments), Section 93-25-5 (Hearing procedures of Mayor and Council) of the Code of Ordinances, City of Hapeville, Georgia is hereby amended to include a new subsection (c) to read as follows:

(c) Procedural guidelines shall be available for distribution to the general public.

Section Eight. Codification and Certify. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the city.

Section Nine. Severability.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Ten. Repeal of Conflicting Ordinances. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section Eleven. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2023.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

Sharee Steed, City Clerk

APPROVED BY:

City Attorney



**Department of Planning and Zoning
Planner's Report**

DATE: June 5, 2023
TO: Adrienne Senter
FROM: Lynn Patterson
RE: **Zoning Public Hearing Procedures**

BACKGROUND

In 2021, the Georgia General Assembly passed House Bill 1405. This bill revised Georgia's Zoning Procedures Law in Title 36 of the Official Code of Georgia Annotated. In accordance with House Bill 1405 and such that the City may comply with the new law on or before July 1, 2023, the Staff and the City Attorney are presenting the text amendment of its Code of Ordinances which governs zoning procedures regarding public notices, hearings, and procedures for making (and appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and single-family zoning provisions.

In broad summary, the text amendments address two major components of the City's zoning hearings. The text amendments increase the notification and advertising period for quasi-judicial zoning decisions (conditional use permits, zoning variances, rezonings, and text amendments) to 30 days instead of 15 days. The zoning procedures for City-initiated rezonings of properties from single-family residential to multi-family residential include posting of properties, 2 public hearings, 2 Council meetings for consideration and longer periods between public hearings and meetings for consideration and action.

The proposed text amendments are attached.

RECOMMENDATION

Staff recommends approval of the text amendments for compliance with State Law.



Brian Wismer, Chairman
Lucy Dolan, Vice Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas

**Called Planning Commission Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354**

June 13, 2023 6:00 PM

SUMMARY MINUTES

1. Called to Order at 6:03 PM.

2. Roll Call

Brian Wismer, Chairman
Lucy Dolan, Vice Chairman
G. Leah Davis
Rob Hall - Absent
Miller Radford
Jeanne Rast
Cliff Thomas

3. Approval of Minutes

3.I. Minutes of May 9, 2023

MOTION ITEM: Cliff Thomas made a motion to approve the minutes of May 9, 2023, as submitted. Leah Davis seconded the motion. Motion carried: 5-0.

4. New Business

4.I. Zoning Procedures

Text Amendment

Background:

An amendment in accordance with House Bill 1405 (2021), amendments to the City of Hapeville Code of Ordinances regarding public notices, hearings, and procedures for making (and appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and changes to single-family zoning provisions of the code.

Findings

In 2021, the Georgia General Assembly passed House Bill 1405. This bill revised Georgia's Zoning Procedures Law in Title 36 of the Official Code of Georgia Annotated. In accordance with House Bill 1405 and such that the City may comply with the new law on or before July 1, 2023, the Staff and the City Attorney are presenting the text amendment of its Code of Ordinances which governs zoning procedures regarding public notices, hearings, and procedures for making (and

appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and single-family zoning provisions.

In broad summary, the text amendments address two major components of the City's zoning hearings. The text amendments increase the notification and advertising period for quasi-judicial zoning decisions (conditional use permits, zoning variances, rezonings, and text amendments) to 30 days instead of 15 days. The zoning procedures for City-initiated rezonings of properties from single-family residential to multi-family residential include posting of properties, 2 public hearings, 2 Council meetings for consideration and longer periods between public hearings and meetings for consideration and action.

RECOMMENDATION

Staff recommends approval of the text amendments for compliance with State Law.

MOTION ITEM: Miller Radford made a motion recommending approval of the zoning procedures text amendment. Cliff Thomas seconded the motion. Motion carried: 5-0.

5. Next Meeting Date – July 11, 2023 at 6:00 p.m.

6. Adjourn

MOTION ITEM: Lucy Dolan made a motion to adjourn the meeting at 6:11 p.m. Cliff Thomas seconded the motion. Motion carried: 5-0.

Respectfully submitted by,

Brian Wismer, Chairman

Adrienne Senter, Secretary



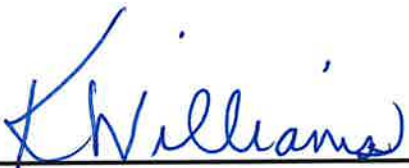
CITY OF HAPEVILLE
3468 NORTH FULTON AVENUE
ATLANTA, GA 30354

PUBLISHER'S AFFIDAVIT

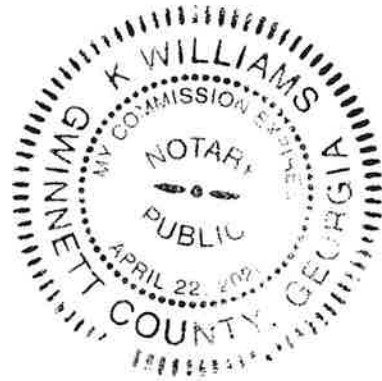
STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 06/27/2023.





Subscribed and sworn to before me this June 27, 2023



NOTICE
City of Hapeville

The City of Hapeville provides public notice of a public hearing on **July 18, 2023, 6:00 PM, 700** Doug Davis Drive, Hapeville, Georgia 30354 to consider, in accordance with House Bill 1405 (2021), amendments to the City of Hapeville Code of Ordinances regarding public notices, hearings, and procedures for making (and appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and changes to single-family zoning provisions of the code.
#0000669832:6/27-1AS



CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

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://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes>

June 20, 2023 6:00 PM

MINUTES

1. **CALL TO ORDER:** by Mayor Hallman at 6:02 PM
2. **ROLL CALL:** All Members of Council, with the exception of Councilman Alexander, were present, which constituted a quorum.
 - ✓ Alan Hallman
 - ✓ Mike Rast
 - ✓ Brett Reichert
 - ✓ Mark Adams
 - × Chloe Alexander
3. **WELCOME:** Mayor Hallman welcomed all to the June 20th Meeting.
4. **PRESENTATIONS:**
 - 4.I. LGBTQ+ Pride Month Proclamation

Mayor Hallman read the Proclamation Recognizing LGBTQ+ Pride Month. The proclamation acknowledges the achievements, contribution of the LGBTQ+ Pride community.
 - 4.II. Juneteenth Holiday Proclamation

Mayor Hallman read the Proclamation Recognizing the Juneteenth Holiday. The proclamation acknowledges the Black community for their achievements, contribution, and sacrifices.
5. **PUBLIC HEARING:**
 - 5.I. Consideration of a Text Amendment to the Zoning Procedures- First Reading

Staff Comments: Dr. Patterson stated that the Zoning amending ordinance is housekeeping. She further noted that the general assembly passed House Bill 1405. In summary, it extends the period for notification for conditional use permits, special use permits, and anything with a quasi-judicial decision associated with it in a public hearing. The extended change would reframe from 15 days to 30 days. In addition, Dr. Patterson noted that the most impacted difference is that any zoning procedure that is City initiated would require a series of public hearings than performed previously. She stated that there is a minimum time period between the advertising, the first public hearing, and the second public hearing before the approval of the Council. Amending the Zoning Ordinance will ensure the City complies with the state regulations.

Public Comments: There were no public comments made on this item.

- **Not action was taken.** This stood as the first reading.

5.II. Consideration & Action to approve the 2023-2024 Budget Ordinance - Second Reading
Ordinance 2023-06

Staff Comment: Finance Director Randy Brewer presented the Council with the fiscal year 2023-2024 Budget. He stated that no changes were made from the 1st reading. Mr. Brewer noted that the assessments had been completed regarding the City's property tax. However, Fulton County has not submitted the digest. He further pointed out that the City should receive enough collections to meet the budget obligation from the preliminary indication.

City Manager Tim Young followed up, stating that staff has not received the preliminary digest. However, staff received a raw real estate data file for real property. Mr. Young explained to Council that staff got an email from Fulton County on Friday stating that the County was delayed. Mr. Young noted that the County recently asked the City to send them the City's exemptions today with a due date of the next day. He estimates that staff may receive the initial digest by the end of the week.

Public Comments: There were no public comments made on this item.

MOTION: Councilman Adams made a motion to approve on the 2023-2024 Budget **Ordinance 2023-06**, Alderman Rast provided a second. **Motion carried 3-0.**

6. **QUESTIONS ON AGENDA ITEMS:** None

7. **CONSENT AGENDA:**

7.I. Consideration and Action to approve the May 16th, Council Meeting Minutes.

7.II. Consideration and Action to approve the June 6th, Council Meeting Minutes.

7.III. Consideration and Action to approve the June 6th, Executive Session Minutes.

MOTION: Alderman Rast made a motion to approve the consent agenda, Councilman Reichert provided a second. **Motion carried 3-0.**

8. **OLD BUSINESS:** None

9. **NEW BUSINESS:**

9.I. Consideration and Action to approve **Resolution 2023-07**, which authorizes the execution of a Cooperative Agreement with Fulton County to continue receiving CDBG funds for fiscal years 2024,2025, and 2026.

MOTION: Alderman Rast made a motion to approve **Resolution 2023-07**, which authorizes the execution of a Cooperative Agreement with Fulton County to continue receiving CDBG funds for fiscal years 2024,2025, and 2026, Councilman Adams provided a second. **Motion carried 3-0.**

9.II. Consideration and Action to approve the Main Street Board's Request to Use the Arts Alley, Art Box, and Jess Lucas Park for the Atlanta Celebrates Photography Event.

MOTION: Councilman Reichert made a motion to approve the Main Street Board's Request to Use the Arts Alley, Art Box, and Jess Lucas Park for the Atlanta Celebrates Photography Event, Councilman Adams provided a second. **Motion carried 3-0.**

9.III. Consideration and Action to approve the Main Street Board's Request to Use the Arts Alley and Art Box for the #FreeArtHapeville Event.

MOTION: Councilman Adams made a motion to approve the Main Street Board's Request to Use the Arts Alley and Art Box for the #FreeArtHapeville Event, Alderman Rast provided a second. **Motion carried 3-0.**

9.IV. Consideration and Action to approve the Laps for Chatt Walkathon.

MOTION: Alderman Rast made a motion to approve the Laps for Chatt Walkathon, Councilman Adams provided a second. **Motion carried 3-0.**

9.V. Consideration and Action to Provide an Extra Holiday for Employees on July 3rd.

MOTION: Councilman Adams made a motion to Provide an Extra Holiday for Employees on July 3rd, Alderman Rast provided a second. **Motion carried 3-0.**

10. **CITY MANAGER REPORTS:** City Manager, Tim Young spoke about the Following items:
- Thanked Council for the open discussion and approval regarding the Budget.
 - Updated Council on the tax digest and millage rate from Fulton County. Mr. Young stated that once the preliminary indication is released, he will invite the City's Finance Consultant, Mr. Ed Wall, to the first meeting in August to discuss it in detail.
 - Mr. Young announced the City participated in a ribbon cutting and grand opening for Piedmont Urgent Care and Jake's Ice Cream.
 - Mr. Young announced that the City will host a Parking forum on June 28th at 6 pm.
 - Mr. Young reminded Council and the audience that he and some members of the Governing Body will be attending the 2023 Annual GMA convention in Savannah from June 23rd-26th.

11. **PUBLIC COMMENTS:** None

12. **MAYOR AND COUNCIL COMMENTS:**

Alderman Rast asked City Manager Tim Young to introduce the guest Attorney, Mr. Brandon Palmer, to all. Mr. Palmer stood in for Attorney Lajuana Ransaw. Alderman Rast thanked Mr. Palmer for his attendance at the meeting.

Councilman Adams had no additional comments at this time. He thanked everyone for coming to the Council meeting.

Councilman Reichert Thanked City staff involved in grand openings and ribbon cuttings this week. He also thanked the team who played a part in launching the splash pad. Councilman Reichert stated that the splash pad has been a massive success for the community.

Mayor Hallman echoed the sentiments of the Council with regard to the splash pad and ribbon cuttings/ grand openings. The splash pad has been welcomed and received well by the community. Mayor Hallman wished all a safe and wonderful 4th of July Holiday and thanked all for being a part of their local government.

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

AMEND AGENDA:

MOTION: Councilman Adams made a motion to amend the agenda to allow Public Comments before adjournment, Councilman Reichert provided a second. **Motion carried 3-0.**

PUBLIC COMMENTS:

1. Timothy Austin

14. **ADJOURN:**

MOTION: Alderman Rast made a motion to adjourn at 6:39PM, Councilman Reichert provided a second. **Motion carried 3-0**

Respectfully submitted,

Alan Hallman, Mayor

Sharee Steed, City Clerk

















