



#### **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>

January 9, 2024 6:00 PM

### **MINUTES**

1. **CALL TO ORDER:** by Mayor Hallman at 6:04 PM
2. **ROLL CALL:** All Members of Council were present, which constituted a quorum.
  - ✓ Alan Hallman
  - ✓ Mike Rast
  - ✓ Brett Reichert
  - ✓ Mark Adams-present via telephone
  - ✓ Chloe Alexander
3. **WELCOME:** Mayor Hallman welcomed all to the January 9<sup>th</sup> Meeting.
4. **PLEDGE OF ALLEGIANCE:** The pledge of allegiance was recited in unison.
5. **INVOCATION:** Given by Pastor Barry Odom.
6. **PRESENTATIONS:**
  - 6.I. Oath of Office - Administered by Honorable Fulton County Superior Court Judge Eric Dunaway.
    - i. Swearing-In for Mayor Alan Hallman
    - ii. Swearing-In for Alderman at Large Michael Rast

Honorable Judge Eric Dunaway administered the oath of office to Mayor Alan Hallman and Alderman at Large Michael Rast, officially inaugurating them into their respective roles
  - 6.II. Oath of Office - Administered by Honorable Mayor Alan Hallman.
    - i. Swearing-In for Chief of Police, Bruce M. Hedley

Honorable Mayor Alan Hallman administered the oath of office, officially appointing Chief Bruce Hedley as the Chief of Police for the City of Hapeville.
7. **PUBLIC HEARING:**
  - 7.I. Consideration and Action of an amendment to the Code of Ordinances, Chapter 90 (Subdivisions) - Second Reading. **Ordinance 2024-02**

**Background:**  
Consideration of an amendment to the Code of Ordinances, Chapter 90 (Subdivisions), Sections 90-1-1 (Purpose, authority and jurisdiction), 90-1-2 (Procedure for plat approval), 90-1-4 (Development prerequisite to final approval) for the purpose of amending the subdivision ordinance.

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

**Staff Comments:** City Planner, Dr. Lynn Patterson briefly stated to the Council that this marks the second reading, specifically addressing accessory structures. As extensively discussed in the preceding meeting, the primary objective of the proposed changes is to distinguish between residential and commercial accessory structures. She affirmed that the amendments aim to establish enhanced standards for construction or, at the very least, provide clarification on existing construction standards, along with addressing non-conforming uses. Without delving into extensive detail, Dr. Patterson offered to address any questions the Mayor or Council may have.

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

**MOTION:** Alderman Rast motioned to approve the amendment to Code of Ordinances, Chapter 90 (Subdivisions); Councilman Alexander provided a second. **Motion carried 4-0.**

- 7.II. Consideration and Action of an amendment to the Code of Ordinances, Chapter 93 (Accessory Uses) - Second Reading. **Ordinance 2024-03**

**Background:**

Consideration of an amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 1 (Title, definitions and application of regulations), Sections 93-1-2 (Definitions), 93-2-5 (Accessory uses, accessory structures, yard requirements of accessory structures, outbuildings and fences), and 93-2-6 (Abatement) for the purpose of amending the accessory uses ordinance.

This Planning Commission considered this item at the November 13, 2023, meeting and recommended approval. Staff supports their recommendation.

**Staff Comments:** Dr. Patterson highlighted that the current session constitutes the second reading. She clarified that one section pertains to subdivisions, while another addresses accessory structures. Dr. Patterson acknowledged an earlier conflation of these sections and emphasized that a distinct consideration is reserved for non-conforming uses. She apologized for any confusion and expressed willingness to address any questions.

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

**MOTION:** Councilman Reichert motioned to approve the amendment to the Code of Ordinances, Chapter 93 (Accessory Uses); Alderman Rast provided a second. **Motion carried 4-0.**

- 7.III. Consideration and Action of an amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 3 (Nonconforming Uses) - Second Reading. **Ordinance 2024-04**

**Background:**

Consideration of an amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 3 (Nonconforming uses), Sections 93-3-2 (Nonconforming uses permitted), 93-3-5 (Restoration), 93-3-6 (Abandonment), 93-3-9 (Enlargement), and 93-3-11 (Notice to owners of nonconforming property) for the purposes of amending the nonconforming uses ordinance.

**Staff Comments:** Dr. Patterson provided no additional commentary on this item.

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

**MOTION:** Councilman Reichert motioned to approve the amendment Code of Ordinances, Chapter 93 (Zoning), Article 3 (Nonconforming Uses); Councilman Alexander provided a second. **Motion carried 4-0.**

**8. QUESTIONS ON AGENDA ITEMS:**

1. Aubrey Dyer- Public Comment submitted via email.

**9. CONSENT AGENDA:**

- 9.I. Consideration and Action to approve November 14, 2023, Council Meeting minutes.
- 9.II. Consideration and Action to approve December 5, 2023, Council Meeting minutes.
- 9.III. Consideration and Action to approve the December 12, 2023, Special Called meeting minutes.
- 9.IV. Consideration and Action to approve the December 12, 2023, Executive Session meeting minutes.

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

**10. OLD BUSINESS:** None

**11. NEW BUSINESS:**

- 11.I. Consideration and Action to approve the Organizational Appointments Ordinance.  
**Ordinance 2024-01**

**MOTION:** Alderman Rast made a motion to approve the Organizational Appointments; Councilman Alexander provided a second. **Motion carried 4-0.**

- 11.II. ~~Discussion of Waste Pro Contract Renewal.~~ Consideration and Action to approve the Waste Pro Contract Renewal

In a presentation to the Council, Community Service Director Lee Sudduth conveyed that the staff had received a non-renewal letter, shedding light on the financial dynamics of the City's Solid Waste services, which operate within an enterprise fund. Mr. Sudduth underscored that the funding for solid waste is directly derived from the rates charged to customers or associated fees. Despite efforts to curtail losses over the past three years, the Solid Waste services have been consistently operating at a deficit.

Mr. Sudduth acknowledged that the initial engagement with Waste Pro had yielded positive outcomes, particularly in facilitating changes to collection methods that were previously labor-intensive and outdated. This transformation, though essential, required substantial personnel and equipment. Notably, Sudduth highlighted that most contractors would typically shy away from providing such intricate services, making Waste Pro a strategic choice for the City. Despite operational losses over the past three years, efforts have been made to mitigate losses by partnering with Waste Pro, a contractor that facilitated changes in collection methods. Mr. Sudduth emphasized the inherent challenges associated with contractors, citing turnover and lack of pride in work.

The decision not to renew Waste Pro's contract has brought the City to a critical juncture. The lack of a price increase in over two decades and the refusal of Waste Pro to renew at the existing rate have compelled a reassessment. Mr. Sudduth presented two viable options for consideration: continuing with Waste Pro at an increased cost or bringing the service in-house. Concerns about quality control and the need for route familiarity prompted monitoring of Waste Pro, a practice now reconsidered as the City contemplates resuming the service internally. Mr. Sudduth acknowledged the advantages and disadvantages of both approaches, highlighting the multifunctional role of the City's personnel when not engaged in contracted waste services.

Mr. Sudduth delved into the complexities of recycling, emphasizing its rising costs. While curbside recycling has been well-received, global market shifts and changes in recycling dynamics have impacted the economic viability of the service. The presentation concluded with an invitation for consensus on whether to continue with Waste Pro at an increased rate or transition the waste services back to city management.

-----Councilman Adams exited the meeting via telephone at 7:02 P.M.-----

**AMEND AGENDA:**

**MOTION:** Alderman Rast motioned to amend the agenda to take action on non-renewal of the Waste Pro contract pending in April and the purchase of additional waste cans; Councilman

Alexander provided a second. **Motion carried 3-0.**

**MOTION:** Alderman Rast motioned to not renew contract with Waste Pro; Councilman Alexander provided a second. **Motion carried 3-0.**

**MOTION:** Councilman Reichert motioned to purchase trash cans not to exceed \$110,00.00; Alderman Rast provided a second. **Motion carried 3-0.**

11.III. Discussion of the Hapeville Service League request.

**DISCUSSION:** Ms. L'Tesse Reese, a member of the Hapeville Service League, expressed gratitude for the remarkable group of women comprising the league. Providing a brief historical context, she recounted the league's inception in 1950, initiated by pioneering women. Ms. Reese lauded the league as an integral part of Hapeville, describing them as the community's heartbeat due to their widespread impact.

She detailed the league's multifaceted contributions, such as supporting the Family Life Center, preparing boxes for needy families, delivering meals to the elderly, awarding annual scholarships, and collaborating with the Kiwanis Club in toy drives. Emphasizing their ubiquitous presence, Ms. Reese mentioned their ongoing efforts, including organizing the annual spaghetti dinner and her specific task of handling donations. She is asking the Governing Body for a donation to contribute towards the annual spaghetti dinner. Ms. Reese stated that the allotment set for the dinner is \$750.00.

**Mayor Hallman** addressed the audience, highlighting the unique situation of the city governed by the state's anti-gratuities clause, which imposes limitations on fund donations. Following the Mayor's commentary, City Attorney Lajauna informed the audience that the city may collaborate with charitable organizations promoting public welfare, typically 501(c)(3) or nonprofit entities. Any donation or fund allocation would necessitate a formal partnership agreement, emphasizing the prohibition of direct donations without receiving goods or services under the anti-gratuities clause.

**This was a discussion item only; No action was taken**

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

Budget Planning:

- Working on midyear budget adjustments. Adjustments information to be presented for first reading on February 6th and second reading on February 20th.
- Changing fiscal year from July 1st to September 30th for a short period.
- Limited budgeting during the three-month transition period.
- Detailed budgeting process for the new fiscal year starting October 1st.
- Meeting with council in June or July to discuss accounts and departmental information.

Upcoming Events:

- Black History Month plans in February, involving the depot, Christ Church.
- Butterfly parade scheduled for the end of March, with workshops starting soon.

13. **PUBLIC COMMENTS:**

1. Linda Williams
2. Lucy Dolan

14. **MAYOR AND COUNCIL COMMENTS:**

**Councilman Reichert** expressed gratitude to the residents who attended the meeting, with special acknowledgment to Mayor Hallman and Alderman Rast for their re-election as Mayor and Alderman. He extended congratulations to Chief Headley, welcoming him to Hapeville and expressing anticipation for collaboration. Additionally, Councilman Reichert thanked Community Services for the vibrant and colorful transformation of the downtown area, attributing the beauty to significant resident input.

**Alderman Rast** expressed gratitude to everyone, acknowledging Mayor Hallman's earlier remarks. He highlighted those individuals mentioned by the Mayor also contributed significantly to his reelection campaign, appreciating residents' support and the confidence bestowed upon him for another four years of service. Alderman Rast expressed thanks and appreciation to all residents.

**Councilman Alexander** echoed the sentiments expressed by her fellow Councilmembers, offering congratulations to the Mayor and alderman. She conveyed her anticipation of continuing to serve alongside them and extended wishes for happy holidays and a happy New Year. Councilman Alexander

also extended a welcome to the newest staff member, Chief Hedley.

**Mayor Hallman** expressed gratitude for the support, love, kindness, and consideration received from the community, emphasizing the personal and deeply ingrained connection to Hapeville. He highlighted the genuine dedication of the city officials, stating that the responsibilities go beyond a mere job, running in their blood. Reflecting on the enhanced beautification efforts, especially with the holiday lights, Mayor Hallman echoed Councilman Reichert's appreciation and emphasized the significance of showcasing the heart of Hapeville. He acknowledged the hard work of the Community Service crew, even in unfavorable weather, and he expressed appreciation for their efforts. Mayor Hallman extended thanks to Rick Glavosek for his exceptional service as Chief of Police, recognizing his accessibility and care for the community. Transitioning to Chief Hedley, Mayor Hallman anticipated the same level of accessibility and dedication, emphasizing the importance of community connection.

- 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).*

**MOTION:** Councilman Alexander made a motion to go into recess; Alderman Rast provided a second. **Motion carried 3-0.**

**MOTION:** Councilman Reichert made a motion to go into executive session at 7:33PM; Alderman Rast provided a second. **Motion carried 3-0.**

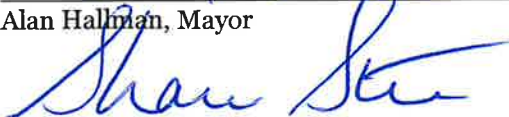
**MOTION:** Alderman Rast made a motion to convene back into regular session at 7:52 PM, Councilman Reichert second. **Motion carried 3-0.**

- 16. ADJOURN:**

**MOTION:** Alderman Rast motioned to adjourn at 7:53 PM; Councilman Reichert provided a second. **Motion carried 3-0**

Respectfully submitted,

  
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Alan Hallman, Mayor

  
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Sharee Steed, City Clerk