

Mayor and Council Session
Join In-Person at 700 Doug Davis Drive, Hapeville, GA 30354
Or, View Live Stream at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes>

January 5, 2021 6:00 PM

Agenda

1. Call to Order
2. Roll Call
Alan Hallman
Mike Rast
Travis Horsley
Mark Adams
Chloe Alexander
3. Welcome
4. Pledge of Allegiance
5. Invocation
6. Public Hearing - In addition to the public comments made by citizens at the meeting, interested parties may submit written comments to the City Clerk via email or telephonically by 5PM on January 4th. In order for comments to be read into the record at the meeting, all correspondence must include the sendee's name, address, agenda item and position regarding public hearing (pro or con). All sendees must confirm receipt of their public comment with the City Clerk prior to the deadline stated above. Written public comments will be read into record alternating with in-person comments.
- 6.I. Consideration on an Amendment to the Code of Ordinances, City of Hapeville, Georgia, Chapter 93 (Zoning), Article 2 (General Provisions), Section 93-2-23 (Extended-stay hotels) - 1st Reading
Background:
Consideration of a text amendment to amend and update the provisions regarding the maximum number of extended-stay hotels allowed within the City.

The City of Hapeville's Code of Ordinances, Section 93-2-23 allows for four extended stay hotels. Three extended stay hotels are delineated in the Code. Extended stay hotels are defined in the Code (Sec 93-1-2) as a building that otherwise meets the definition of "hotel," but in which cooking facilities are included in more than 20 percent of its total guest rooms. The TownePlace Suites development located at 3424 Norman Berry Drive (Parcel 14 0127 LL1263) was developed as the fourth extended stay hotel. The Parcel ID has been added to the Code section.

The Planning Commission considered this item on December 15, 2020 and recommended approval. Staff supports their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Ordinance - Text Amendment Extended Stay Hotels (02604890xA0B3B)
2. Planner's Report Extended Stay
3. LEGAL ADV - 01-05-2021_Extended Stay Hotels Ordinance

6.II. Consideration and Action on Alcohol Beverage License Request for Otta at Virginia LLC at 971 Virginia Avenue

Background:

Otta at Virginia LLC has completed all of the necessary steps in the alcohol license application process, and therefore, they are requesting approval from Mayor and Council. All departmental reports have been received, advertising has been completed, and staff has no questions or major concerns with this application. City Manager and Staff recommends approval.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Application
2. City Planners Report
3. Code Enforcement Report
4. Fire Inspection

7. 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.

8. Consent Agenda

8.I. Approval of Minutes - 12/8/2020 and 12/21/2020

1. Mayor and Council Session 12082020
2. Special Called Meeting Minutes 12212020

8.II. Consideration and Action to Amend November 17, 2020 Council Meeting Minutes to Correct Language in Public Hearing Item

Background:

Attached for consideration and action is a revised copy of the November 17, 2020 meeting minutes. This copy updates language in the summary for item 5.I Consideration on an Amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 3.1 (Zones), Section 93-3.1-2 (Zoning Map) - 1st Reading. The words "opposition and "all in opposition" has been removed from the summary as there were some confusion on whether people were in favor of the rezoning or opposed the rezoning.

Documents:

1. Mayor and Council Work Session 11-17-2020

9. Old Business

10. New Business

10.I. Consideration and Action on Organizational Appointments

Background:

Attached for consideration and action is the 2021 organizational appointment ordinance.

Service board applications for re-appointments were received from some board members with expired terms. Linda Williams (Ethics Committee) and Tania Wismer (Development Authorities) have both declined re-appointment. Vacant seats will be advertised in the local newspaper and website. We are still awaiting responses from members on the Design Review Committee and Ethics Committee.

Documents:

1. Ordinance - Annual Appointment of Officers
2. Board Appointment Spreadsheet

10.II. Consideration and Action on Amendment to Code of Ordinances, City of Hapeville, Georgia Chapter 17 (Finance and Taxation), Article 5 (Occupational Taxes), Section 17-5-6 (Each line of business identified on business registration).

Background:

Consideration of a text amendment to update the City's occupational tax code to provide clarification of requirements for obtaining an occupational tax permit. Staff recommends waiving first reading.

Documents:

1. Ordinance - Sec. 17-5-6 (OTC)

10.III. Consideration and Action on Use of Hoyt Smith Center on February 27, 2021 for Home-Brew Special Event

Background:

The Covert Hops Society organization has submitted a Home-Brew special event application for their 28th Annual Peach State Brew Off event. The organization requests to host the event at the Hoyt Smith Center on February 27, 2021 from 9AM-12PM. Less than 10 members will gather to complete the final process for judging entries. There will be no prizes or raffles for the event and all CDC guidelines will be followed in regard to COVID 19.

Documents:

1. Home Brew Special Events Application_Redacted
2. Sec._5_6_18.____Home_brew_special_events.

10.IV. Discussion on Potential uses for Old Hapeville Clinic

Background:

The City is in discussions with Fulton County for securing the usage of the old Health Building on King Arnold. The City is evaluating current space in the downtown area. Including Public Works, Firehouse 1, Fire Administration, City Hall and Community Services. Several buildings are need of major repair. The City is evaluating options for space and usage. City Staff is in

process of estimating costs for repairs and maintenance of its buildings, inclusive of estimating base costs for rehabbing the Health Building. As part of the process, staff is soliciting Council discussion on its thoughts for potential uses.

11. City Manager Report

12. 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.

13. Mayor and Council Comments

14. 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).

15. 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.

DRAFT

1 **STATE OF GEORGIA**
2 **CITY OF HAPEVILLE**

3
4 **ORDINANCE NO. _____**

5
6 **AN ORDINANCE TO AMEND CHAPTER 93 (“ZONING”), ARTICLE 2 (“GENERAL**
7 **PROVISIONS”), SECTION 93-2-23 (“EXTENDED-STAY HOTELS”) OF THE CODE OF**
8 **ORDINANCES, CITY OF HAPEVILLE, GEORGIA; TO PROVIDE FOR**
9 **SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN**
10 **EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

11
12 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
13 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
14 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,

15
16 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
17 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
18 the legislative body of the City; and,

19
20 **WHEREAS**, amendments to any of the provisions of the City’s Code may be made by
21 amending such provisions by specific reference to the section number of the City’s Code; and,

22
23 **WHEREAS**, existing ordinances, resolutions, rules and regulations of the City and its
24 agencies now lawfully in effect not inconsistent with the provisions of the City’s charter shall
25 remain effective until they have been repealed, modified or amended; and,

26
27 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
28 by ordinance; and,

29
30 **WHEREAS**, the procedures required for amending the City’s zoning ordinance have been
31 satisfied, including, but not limited to, notice and public hearings; and,

32
33 **WHEREAS**, the governing authority of the City finds it desirable to amend and update the
34 provisions regarding the maximum number of extended-stay hotels allowed within the City.

35
36 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
37 **THE CITY OF HAPEVILLE, GEORGIA THAT:**

38
39 **Section One.** Chapter 93 (Zoning), Article 2 (General Provisions), Section 93-2-23
40 (Extended-stay hotels) of the City Code of Ordinances is hereby amended by striking subsection
41 (c) in its entirety, and replacing it with the following language:

- 42
43 (c) *Maximum number of certificates of occupancy available.* The number of certificates of
44 occupancy allowed, at one time, for the operation of an extended-stay hotel within the
45 City shall not exceed four. The lots of the holders of certificates of occupancy, existing
46 on the date of adoption of the ordinance from which this section derives, for extended-

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stay hotels in the city bear the Fulton County Parcel Identification numbers of 14 0127 LL0356, 14 0127 LL1107, 14 0098 00090476, and 14 0127 LL1263.

Section Two. 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 Three. 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 Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

ORDAINED this _____ day of _____, 2020.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

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ATTEST:

Crystal Griggs-Epps, City Clerk

APPROVED BY:

Priya M. Patel, City Attorney



DATE: December 10, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Extended Stay Hotel, Parcel 14 0127 LL1263**

BACKGROUND

The City of Hapeville's Code of Ordinances, Section 93-2-23 allows for four extended stay hotels. Three extended stay hotels are delineated in the Code. Extended stay hotels are defined in the Code (Sec 93-1-2) as a building that otherwise meets the definition of "hotel," but in which cooking facilities are included in more than 20 percent of its total guest rooms. The TownePlace Suites development located at 3474 Norman Berry Drive (Parcel 14 0127 LL1263) was developed as the fourth extended stay hotel. The Parcel ID has been added to the Code section.

Proposed Change (in red)

- (c) Maximum number of certificates of occupancy available. The number of certificates of occupancy allowed, at one time, for the operation of an extended-stay hotel within the City shall not exceed four. The lots of the holders of certificates of occupancy, existing on the date of adoption of the ordinance from which this section derives, for extended-stay hotels in the city bear the Fulton County Parcel Identification numbers of 14 0127 LL0356, 14 0127 LL1107, 14 0098 00090476, and 14 0127 LL1263.

RECOMMENDATION

Staff recommends approval.

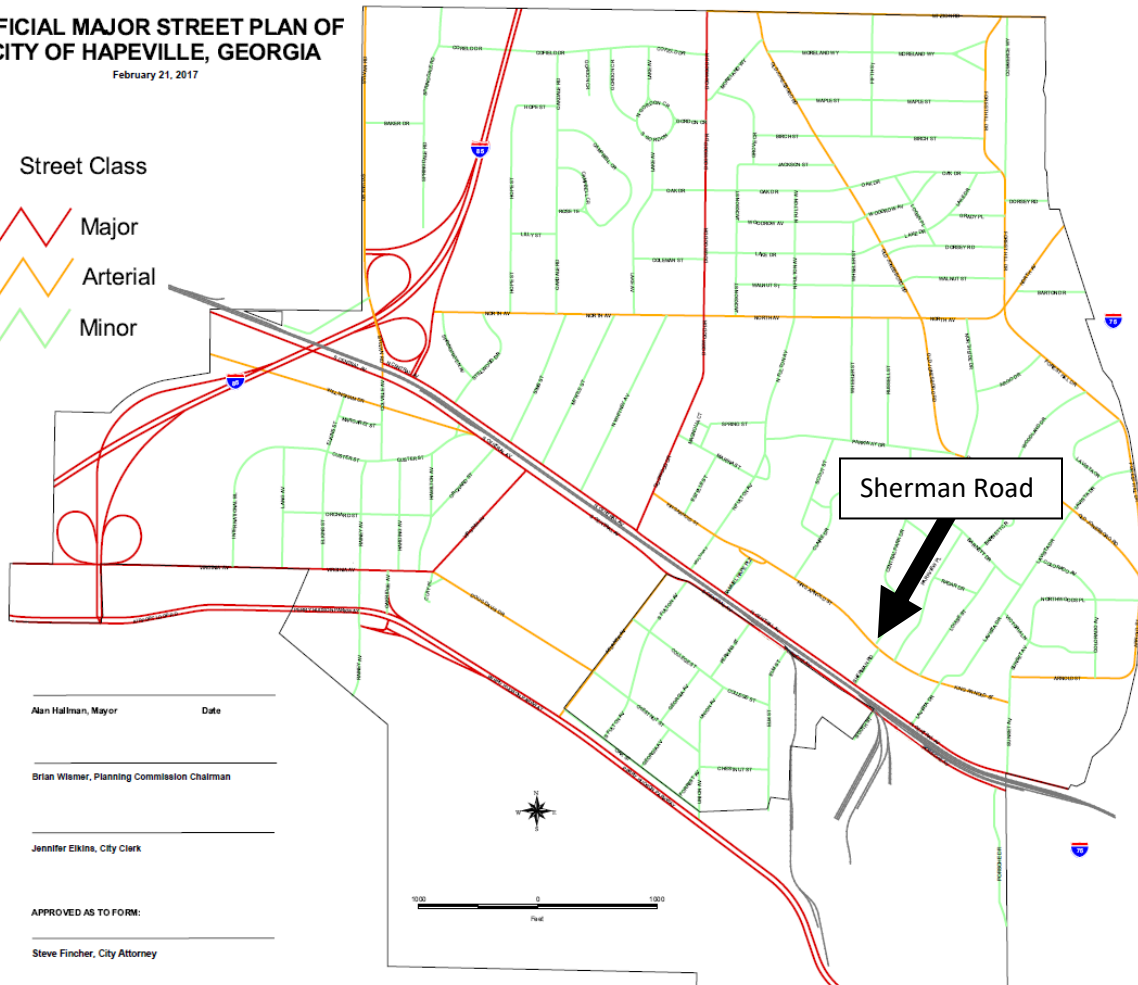
**OFFICIAL MAJOR STREET PLAN OF
CITY OF HAPEVILLE, GEORGIA**
February 21, 2017

Street Class

Major

Arterial

Minor



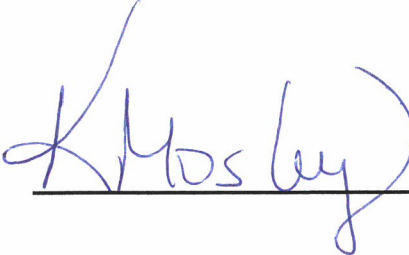


CITY OF HAPEVILLE
3468 NORTH FULTON AVENUE
ATLANTA, GA 30354

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: 12/18/2020.





Subscribed and sworn to before me this December 21, 2020

A Seals
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires July 23, 2023

NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, January 5, 2021 at 6:00 p.m.** in the Municipal Annex, 700 Doug Davis Drive, Hapeville, Georgia 30354. All attendees will be required to wear a face covering and practice social distancing in accordance with the requirements set forth by state law and public health regulations. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A. § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes> to consider the following request:

Consideration of an amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 2 (General Provisions), Section 93-2-23 (Extended-stay hotels) for the purpose to amend and update the provisions regarding the maximum number of extended-stay hotels allowed within the City.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at cepps@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on January 4, 2021. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record during the meeting. Citizens may not make comments on public hearing agenda items via teleconference/videoconference.
#0000503913:12/18-1AS



Administrative Services Department
3468 North Fulton Avenue
Hapeville, GA 30354
Phone: (404) 766-3004
Fax: (404) 669-3302

Alcohol Beverage License Application

Instructions: This application must be typed or printed legibly and executed under oath. Each question must be fully answered. If space provided is not sufficient to answer the question please use a separate sheet of paper.

Holding an alcohol beverage license with the City of Hapeville is a privilege.

Date: 09/10/2020 ☒ New ☐ Amended

Contact Name: NADEEM ALI Phone: [REDACTED]

Business/Trade Name: OTTA AT VIRGINIA AVE LLC

D/B/A: FOOD MART

Email: otters971@gmail.com

Emergency Contact Name: NADEEM ALI Phone: [REDACTED]

Business Address: 971 VIRGINIA AVE, HAPEVILLE, GA, 30354

TYPE OF BUSINESS

- | | |
|---|---|
| ☒ Convenience Store | ☐ Specialty Beverage Store |
| ☐ Grocery Store | ☐ Restaurant |
| ☐ Hotel/Motel | ☐ Restaurant under 2,000 Sq. Ft. |
| ☐ Package Store | ☐ Wholesale |
| ☐ Manufacturer | ☒ Other: <u>WITH GASOLINE</u> |

TYPE OF LICENSE AND FEES

	Retail	On-Premise Consumption	Wholesale/Manufacturer
☒ Beer/Wine	\$3,150.00	☐ Beer/Wine \$3,150.00	☐ Beer/Wine \$3,150.00
☐ Package	\$5,000.00	☐ Beer/Wine/Liquor \$5,000.00	☐ Beer/Wine/Liquor \$5,000.00

On-Premise Consumption below 2,000 Sq. Ft.	
☐ Beer	\$750.00
☐ Wine	\$750.00
☐ Liquor	\$1600.00

APPLICANT INFORMATION

Please submit a passport photograph of owner(s) with completed application.

Full Name: NADEEM ALI Date of Birth: 08/05/1969

Revised March 2018

Current Address: 3974 BENNIGAN LN, DULUTH, GA, 30097

Spouse Name: ANISA ALI

Address of Applicant (if different for the past 5 years):

3974 BENNIGAN LN, DULUTH, GEORGIA, 30097

Name and Location of Employers for the last five years: DUNKIN DONUT, SUWANEE, GA

Have you been arrested in the last five years? ☐ Yes ☒ No (If yes, explain)

Has your spouse been arrested in the last five years? ☐ Yes ☒ No (If yes, explain)

BUSINESS INFORMATION

Type of business entity: ☒ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Other

Has an Occupational Tax Certificate been obtained and paid for said business? ☒ Yes ☐ No (If not issued by the City of Hapeville please include a copy with application.)

Federal Tax ID Number: 85-0993533

State Tax ID Number: 20331935513

Do you own the property? ☐ Yes ☒ No (If no, please provide name, address, and contact number for the landlord. A copy of the Lease must be attached to this application.) CAWTHON-HOLLUMS PROPERTIES INC

965 VIRGINIA AVE, HAPEVILLE, GA, 30354, USA - PHONE: (404) 762-5515

Name each person(s) having a financial interest in the Establishment.

Full Name	Position	Social Security Number	Address	% of Interest
NADEEM ALI	MANAGIN MEMBER	[REDACTED]	3974 BENNIGAN LANE, DULUTH, GA 30097	100%

Have you or anyone with interest in the establishment ever or do you currently hold an alcohol beverage license with any other municipality, county, or state? ☐ Yes ☒ No

If so, have you or anyone holding interest in the establishment ever been placed on probation or had your license revoked? ☐ Yes ☒ No (If yes, please explain on separate sheet of paper and attach hereto.)

Provide name, address, Social Security Number, and phone number for each Manager if different from owner. A passport photograph, Personnel Statement, and Background Check must be submitted for each manager.

Full Name	Social Security Number	Address	Phone Number

BUSINESS SPECIFIC INFORMATION

County Tax Parcel ID 14 012700040336 Zoning District _____

Nearest Intersection: _____

Building Square Footage: 4,000 Business Square Footage (if not using entire building): _____

Patio/Outdoor Dining Square Footage (if applicable): N/A

Number of Parking Spaces for business? (Attach site plan showing designated, striped parking and lighting)
20

If shared parking, detail of how many are dedicated to the business and details of other businesses sharing parking (addresses). see attached exhibit A

Hours/days of operation: 24 HOURS

Description of adjacent properties (residential/commercial) _____

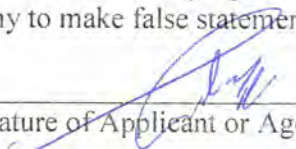
If application is for Retail Sale, attach a surveyor's certificate containing the following information:

- ☐ A scale drawing of the building and/or proposed building
- ☐ The proposed off-street parking facilities available to the building and all outdoor lighting on the premises
- ☐ The exact location of the business, including street address, ward, and county tax map number
- ☐ Current zoning classification of the location
- ☐ The distance from the business to each of the following: the nearest school, church building, and the nearest alcoholic treatment center owned and operated by state, county or municipality.

VERIFICATION OF APPLICATION

I hereby make application for an Alcohol Beverage License for the City of Hapeville. I understand that holding this license is a privilege. I do hereby affirm and swear that the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand the City of Hapeville reserves the right to enforce any and all ordinances regardless of payment of license fee and further that it is my/our responsibility to conform with said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I can

read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville pursuant to O.C.G.A. §16-10-20.



Signature of Applicant or Agent

NADEEM Ali

Print or Type Name

I certify that Nadeem Ali (name of applicant) personally appeared before me, and that he signed his name to the foregoing statements and answers made therein, and under oath, has sworn that said statements and answers are true.

This 17 day of SEP, 2022



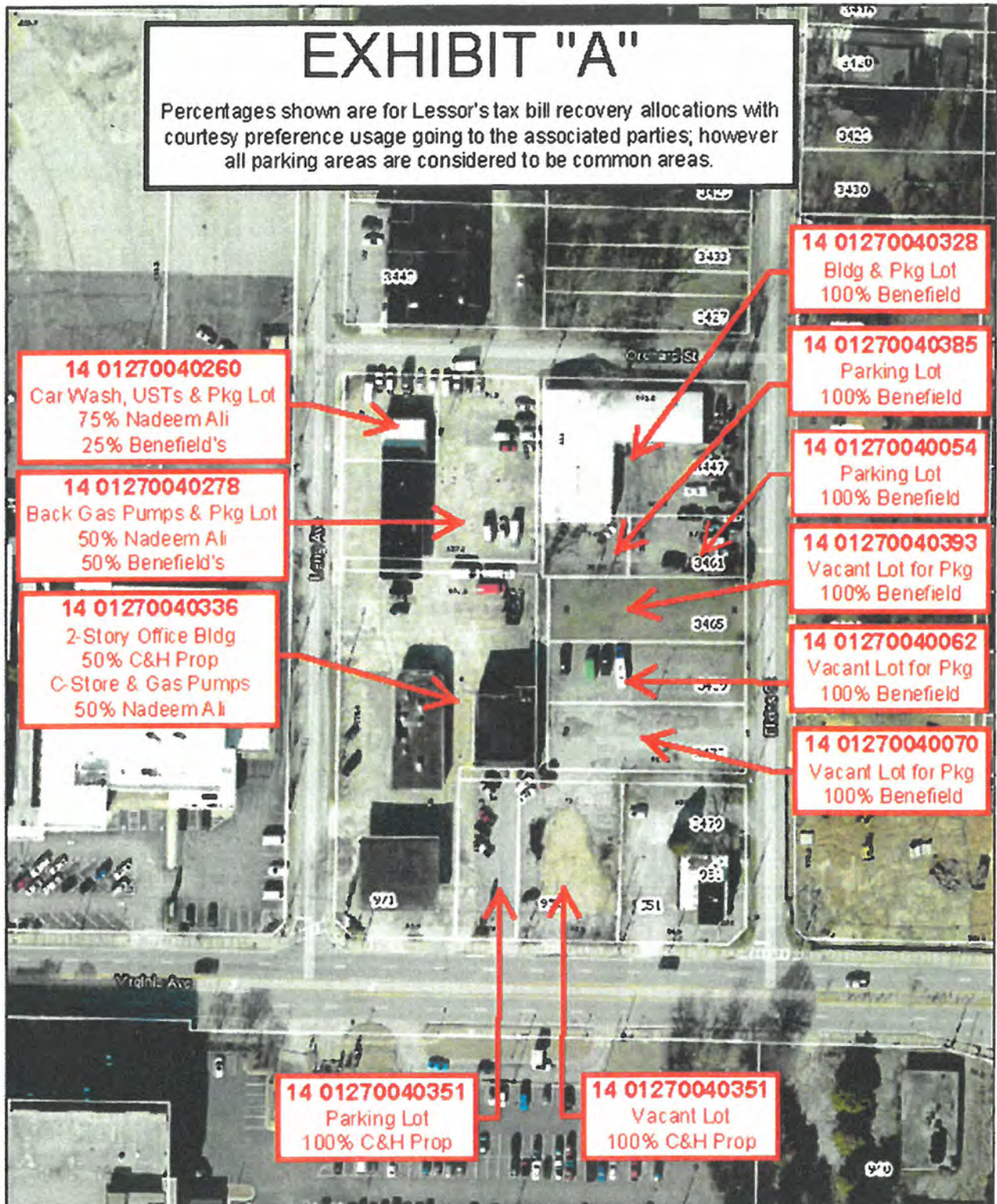
Notary Public

My commission expires on: 11/14/22



EXHIBIT "A"

Percentages shown are for Lessor's tax bill recovery allocations with courtesy preference usage going to the associated parties; however all parking areas are considered to be common areas.



0 40 80 120



Date: 10/21/2020

Fulton County GIS

Fulton County provides the data on the map to you for your use "as is". The data are not guaranteed to be accurate, dated, or complete. The values shown on the map are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for errors or omissions resulting from the use of this data, even if Fulton County is advised of the possibility of such errors.



3 of 3

Lessor: Lessee: Agent:

7. Marital Status ☐ Single ☒ Married ☐ Widowed ☐ Divorced ☐ Separated

8. If married, give Spouse's full name ANISA ALI

9. Physical Description of Applicant _____ Race ASIAN Sex M Height 5'-08"

Weight 180 lb Age 51 Hair Color BLACK Eyes BROWN

10. Education and training specific to restaurant/alcohol field.

TIPS TRAINING PROGRAM

11. Have you ever used or been known by any other name ☒ Yes ☐ No

12. List maiden name, names by former marriages, former names changed legally or otherwise, aliases or nicknames. For each, list the period during which you were known by this name. NICK

13. Are you a registered voter in the State of Georgia ☒ Yes ☐ No

County registered

GWINNETT

Number of years registered

4 YEARS

14. For the last calendar year, did you file and pay any County property tax ☒ Yes ☐ No

Name of County

GWINNETT

15. For the last calendar year, did you file and pay any City property tax ☒ Yes ☐ No

Name of City

DULUTH

16. Employment record for the past ten (10) years (Give most recent experience first, if self-employed give details)

	From	To	Employer	Occupation Duties	Reason for leaving
(a)	2006 TO 2016 AFZEEN ENTERPRISE, OWNER, SOLD THE BUSINESS				
(b)	2016 TO CURRENT AT DUNKIN DONUT, MANAGER				
(c)					
(d)					
(e)					
(f)					
(g)					
(h)					

17. List, with your most recent place of residence first, all of your residences for the past ten (10) years

	Date From/To	Street	City	State
(a)	1999/TO-DATE	3974 BENNIGAN LN,	DULUTH,	GA, 30097
(b)				
(c)				
(d)				
(e)				

20. Military Service ☐ Yes ☒ No

List Serial Number _____ Branch of Service _____
Period of Service _____ Date of Discharge _____
Type of Discharge received _____

21. Have you ever been convicted of a felony relating to violence, illegal substances, gambling, theft or alcohol use, or of a crime opposed to decency and morality, or who has been convicted of a crime involving violation of the ordinances of the city or any other city or county relating to the use, sale, taxability or possession of malt beverages, wine or liquor, or violations of the laws of the state and federal government pertaining to the manufacture, possession, transportation or sale of

malt beverages, wine or intoxicating liquors, or the taxability thereof within five (5) years preceding this application? ☐ Yes ☒ No

22. Full name of dealer and trade name, if any, submitting application of which this personnel statement is a part.

NO

23. Position of applicant in dealer's business.

N/A

24. Does applicant have any ownership/profit sharing interest in business? ☐ Yes ☐ No
Describe.

State annual salary of applicant or the estimated annual profit or compensation derived from this business. \$

25. Do you have any financial interest in any bar, lounge, tavern, restaurant, or other place of business where alcoholic beverages are sold and consumed on the business premises? ☒ Yes ☐ No If Yes, explain.

316 BUSINESS HOLDING LLC, OWNER

26. Do you have any financial interest or are you employed in any wholesale or retail liquor business other than the business submitting the license application of which this personnel statement is a part? ☐ Yes ☒ No If Yes, give names and locations and amount of interest in each.

27. Do you have any financial interest or are you employed in any business engaged in distilling, bottling, rectifying or selling (wholesale, retail or manufacturing) alcoholic beverages in this State or outside this State which has not otherwise been disclosed in this statement. ☐ Yes ☒ No If yes, explain.

28. Have you ever had any financial interest in an Alcoholic Beverage business which was denied a liquor permit ☐ Yes ☒ No If yes, explain.

29. Has any Alcoholic Beverage business in which you hold or have held any financial interest or have been employed, ever been cited for any violation for the rules and regulations of the State Revenue Commissioner relating to the sale and distribution of distilled spirits. ☐ Yes ☒ No If yes, explain.

NO

30. Have you ever been denied a bond by a commercial surety company? ☐ Yes ☒ No
If yes, explain.

31. Are you related by blood, marriage or adoption to any persons engaged in any business handling alcoholic beverages, whiskeys or liquors in the State of Georgia.
☐ Yes ☒ No

32. Personal References. Give three (3) personal references, not relatives (i.e., former employers, fellow employees or school teachers who are responsible adults, business or professional men or women) who have known you well during the past five (5) years.

Name NIZAR JANMOHAMMAD

Residence

3792 RIDGE GROVE WAY, SUWANEE, GA, 30024

Business Address

3250 PEACHTREE INDUSTRIAL BLVD STE#203, DULUTH, GA, 30096

Telephone Number

Number of Years Known

15 YEARS

Name

AMIN PANJWANI

Residence

615 CROYDAN LANE ALPHARETTA GA 30022

Business Address

615 CROYDAN LANE ALPHARETTA GA 30022

Telephone Number

Number of Years Known

20 YEARS

Name

AKBAR PUNJANI

Residence

8450 SAINT MARLO FAIRWAY DR DULUTH GA 30097

Business Address

1800 HIGHWAY 138 NE, CONYERS, GA 30013

Telephone Number

Number of Years Known

20 YEARS

33. Attach two (2) passport-size photographs (front view). Write name on back of photographs and also the name of dealer submitting a license application. Initial here if such photographs are attached. ^{NA}

34. There must be submitted with this personnel statement the fingerprints of applicant on two (2) fingerprint cards, which will be furnished by the City of Hapeville. Initial here that such fingerprint cards are attached. NA

NOTE: Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath or affirmation and subject to the penalties of false swearing and it includes all attached sheets submitted herewith.

Verification

I, NADEEM ALI, applicant, do solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a City of Hapeville license as a dealer in alcoholic beverage and liquors are true, and no false or fraudulent statement or answer is made therein to procure the granting of such license. I hereby submit for an Alcoholic Beverage Privilege License Personnel Statement for the City of Hapeville. I do hereby swear or affirm that the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this statement and any related application and any action taken on this statement and any related application. I understand the City of Hapeville reserves the right to enforce any and all ordinances regardless of payment of license fees and further that it is my/our responsibility to conform to said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I can read the English language and I freely and voluntarily have completed this statement. I understand that it is a felony to make false statements or writings to the City of Hapeville pursuant to O.C.G.A. § 16-10-20.

[Signature]
Applicant's Signature
(Full name in ink)

NADEEM ALI
Applicant's Name
(Print or Type)

I certify that

Nadeem Ali

(the above named applicant)

is personally known to me, and that he signed his name to the foregoing statements and answers made therein, and, under oath, has sworn that said statements and answers are true.

This 17 day of SEP, 2020

Notary Public

Seal:

personnel statement



UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY

IMMIGRATION AND NATURALIZATION SERVICE

No. 36671877

Personal description of holder
(as of date of naturalization)

Date of birth

Sex

Height 5 feet 8 inches

Marital status

Country of former nationality

I certify that the description given is true, and that the photograph affixed hereto is a likeness of the

It is known that pursuant to an application filed with the Secretary of Homeland Security

at ATLANTA, GEORGIA

The Secretary having found that:

NADEEM NOOR ALI

residing at DULUTH, GEORGIA

having complied in all respects with all of the applicable provisions of the naturalization laws of the United States, being entitled to be admitted as a citizen of the United States, and having taken the oath of allegiance as a citizen, conducted by

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

at MORROW, GEORGIA

on SEPTEMBER 15, 2014

such person is admitted as a citizen of the United States of America.

for Deputy

U. S. Citizenship and Immigration Services



ATTENTION: A COPY OF THIS DOCUMENT IS A FEDERAL OFFENSE AND IS PROHIBITED BY LAW

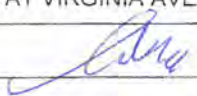
DEPARTMENT OF HOMELAND SECURITY



Employee List

List ALL employees. Use full complete names (No initials). Attach additional pages if needed.

Business Name & Address: OTTA AT VIRGINIA AVE LLC & 971 VIRGINIA AVE, HAPEVILLE, GA, 30354

Date and Signature of Owner:  9/17/2020

Name	Address/Phone	DOB	SSN	Employment Date	Position
AUGUSTIN, ANN L	100 Linsley way, covington, GA			06/22/2020	Cashier
CALLOWAY, CHRISTY T	1430 Lanvele Dr, Atlanta, GA			08/24/2020	Cashier
HODO, JR, VERBON	1357 Bluefield dr, Atlanta, GA			06/25/2020	Cashier
HUMPHRIES, MIGON S	2400 Campbellton Rd, Atlanta			07/28/2020	Cashier
MCLEROY, TONI L	4060 Janice Dr, AptD2, East P			06/25/2020	Cashier
MIDDLEBROOKS, LATOIA	62 Harwell rd, Atlanta, GA 3031				Cashier
MISHER, DORA Q	12A Scarlett Dr, Jonesboro, GA			06/23/2020	Cashier
RICKS, EBONY M	640 New Town Cir, Atlanta, GA			06/24/2020	Cashier
SCOTT KIMBRO, TWANA	3122 Harris Dr, East point, GA			06/23/2020	Cashier
WHITFIELD, SHUNTE M	4013 Melia Dr, Atlanta, GA, 303				Cashier
WILLIS, MARVIN B	1409 Georgia Ave, East Point, G				Cashier
MEALER, KEVIN A	401 Las Brasis Ct, Peachtree C			06/22/2020	Cashier

Employee List.doc

CITY OF HAPEVILLE

3468 N FULTON AVE.
HAPEVILLE, GA 30354-1466

COMMERCIAL OCCUPATIONAL TAX PERMIT

LICENSE YEAR: 2020

LICENSE TYPE: CONVENIENCE STORE WITH GASOLIN

LICENSE NUMBER: 20200025

EXPIRATION DATE: 3/31/2021

ISSUED TO: OTTA AT VIRGINIA AVE. LLC

LOCATION: 971 VIRGINIA AVE.
HAPEVILLE GA 30354

THIS LICENSE MUST BE POSTED AND IS NON-TRANSFERABLE


City Clerk

This certificate must be displayed in a conspicuous place in the licensee's establishment. City Hall must be notified of any changes to address, ownership, or licensee. This permit is subject to revocation for cause. In accepting this Permit, the licensee hereby acknowledges and affirms that: a) the information provided to gain this certificate is true, complete and accurate and any inaccuracy may be considered cause for invalidation of this certificate; b) the City of Hapeville may enforce any and all ordinance, regardless of payment of fees or issuance of this certificate; c) it is the responsibility of the licensee to conform with said ordinances in full; and d) Licensee affirms that this certificate has been issued based upon representations made by the Licensee under oath and the Licensee understands that false statement made to the City are punishable as a felony under section 16-10-20 O.C.G.A.

CITY OF HAPEVILLE, GEORGIA
CERTIFICATE OF OCCUPANCY

THIS CERTIFICATE IS ISSUED PURSUANT TO THE REQUIREMENTS OF THE HAPEVILLE GEORGIA CITY ORDINANCES CERTIFYING THAT AT THE TIME OF
ISSUANCE THIS STRUCTURE WAS IN COMPLIANCE WITH THE VARIOUS ORDINANCES OF THE JURISDICTION REGULATING BUILDING CONSTRUCTION
OR USE. NO CHANGE IN THE EXISTING OCCUPANCY OF THE BUILDING CAN BE MADE UNLESS A NEW CERTIFICATE OF OCCUPANCY IS ISSUED.

DATE: JULY 26, 2020

USE CLASSIFICATION: COMMERCIAL

BUSINESS NAME: OTTA AT VIRGINIA AVE LLC

BUSINESS OWNER: NADEEM ALI

CERTIFICATE OF OCCUPANCY NO: 20-CO-07-026 ADDRESS: 971 VIRGINIA AVENUE
HAPEVILLE, GEORGIA 30354

ZONING: U-V: URBAN VILLAGE

SPECIAL CONDITIONS:

B. C. Hall
FIRE MARSHAL

[Signature]
DIRECTOR OF COMMUNITY SERVICES

☒ APPROVED

STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

OTTA AT VIRGINIA AVE LLC

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **05/07/2020** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **05/11/2020**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed

Secretary of State

Filing Date: 5/7/2020 11:38:44 AM

BUSINESS INFORMATION

CONTROL NUMBER	20065988
BUSINESS NAME	OTTA AT VIRGINIA AVE LLC
BUSINESS TYPE	Domestic Limited Liability Company
EFFECTIVE DATE	05/07/2020

PRINCIPAL OFFICE ADDRESS

ADDRESS	971 VIRGINIA AVE, HAPEVILLE, GA, 30354, USA
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REGISTERED AGENT

NAME	ADDRESS	COUNTY
NADEEM ALI	3774 BENNIGAN LANE, DULUTH, GA, 30097, USA	Gwinnett

ORGANIZER(S)

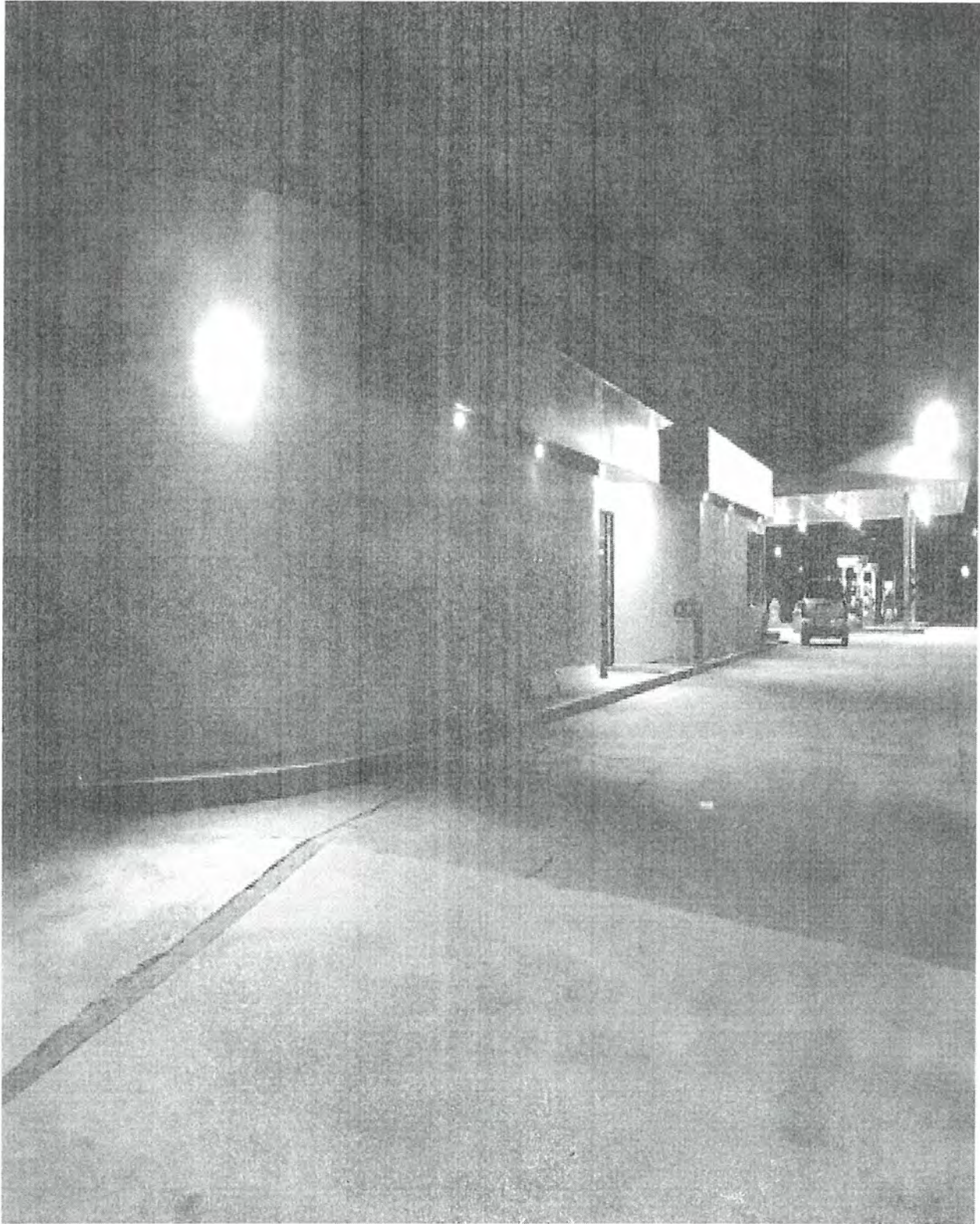
NAME	TITLE	ADDRESS
NADEEM ALI	ORGANIZER	3774 BENNIGAN LANE, DULUTH, GA, 30097, USA

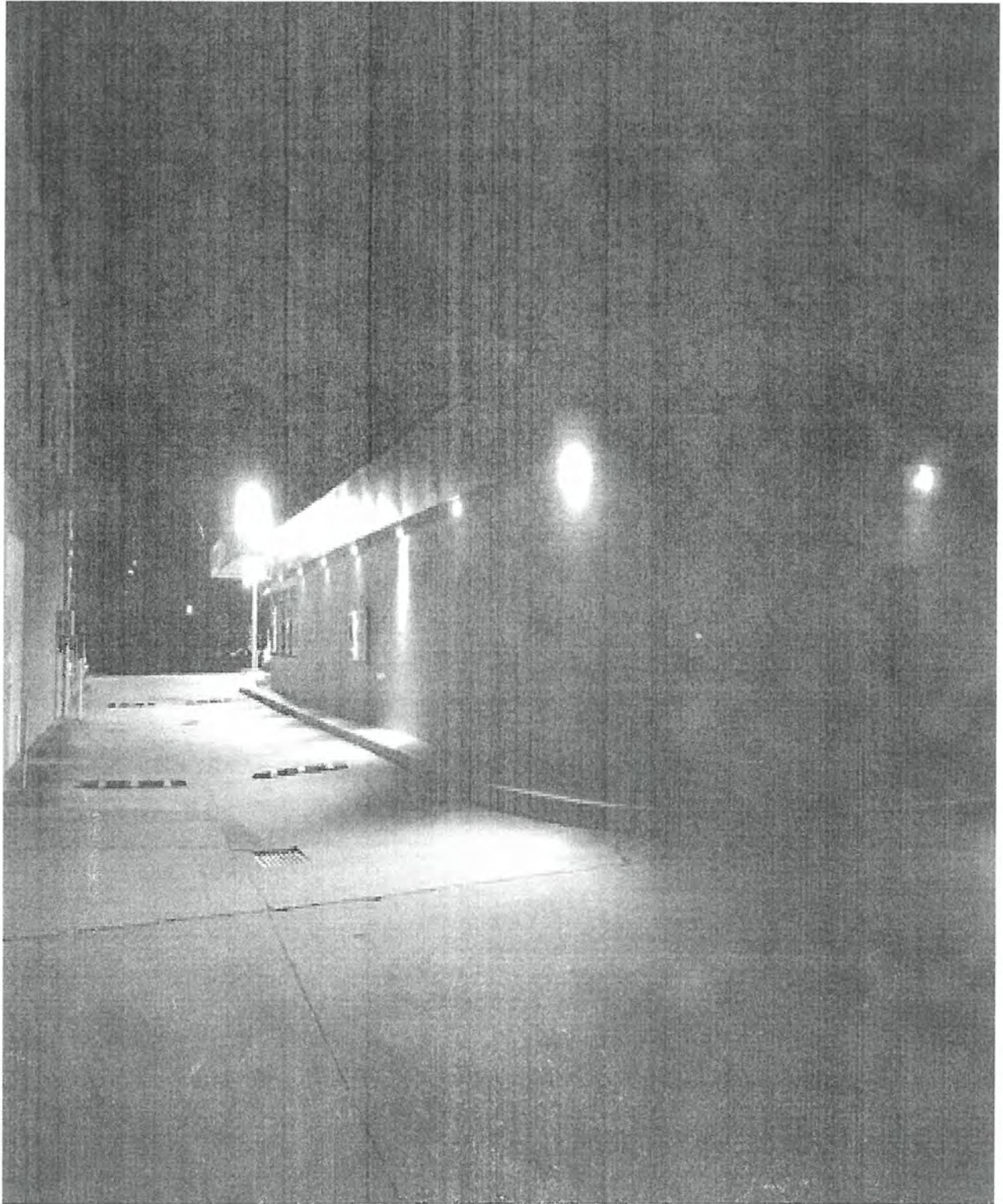
OPTIONAL PROVISIONS

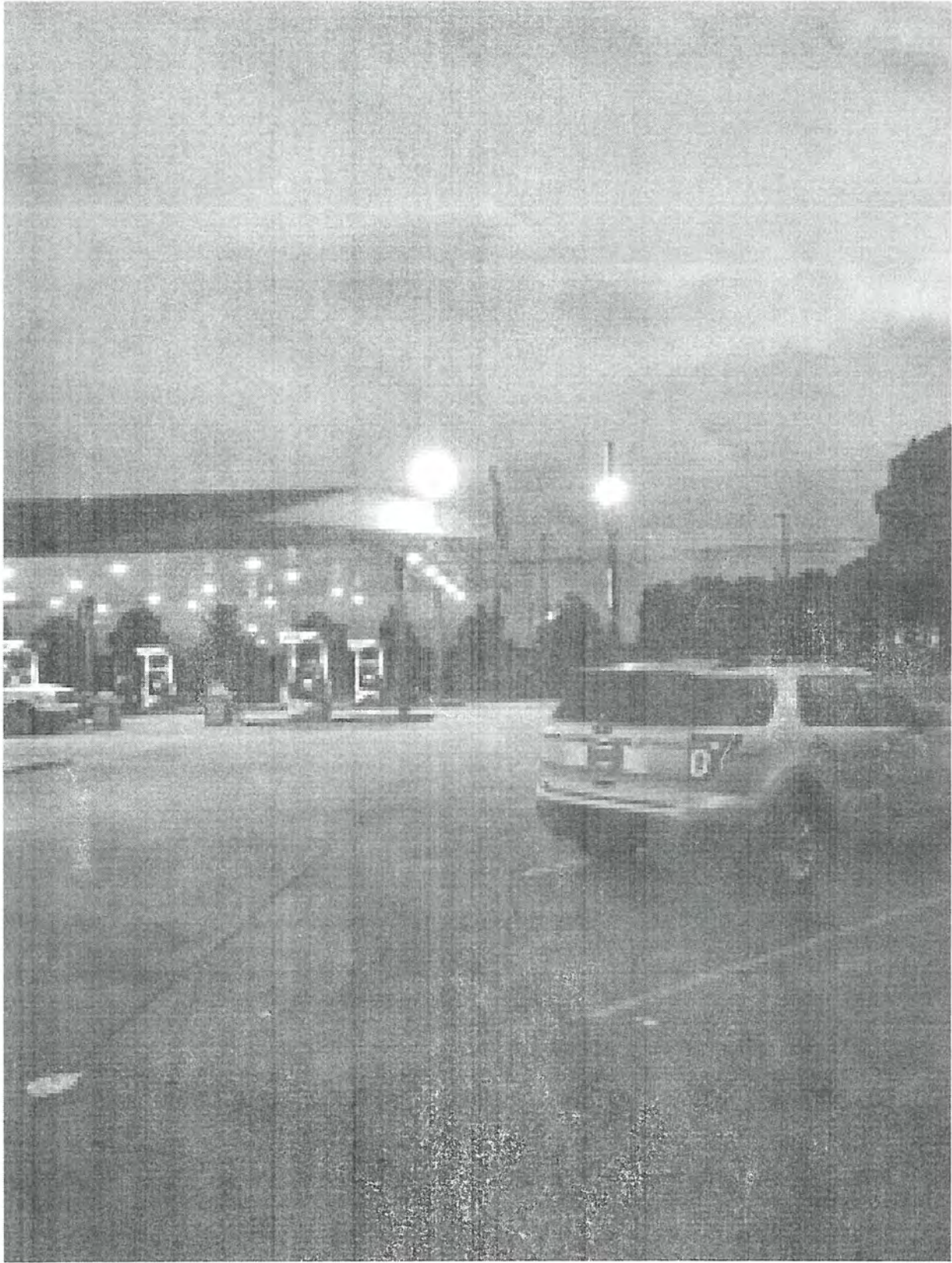
N/A

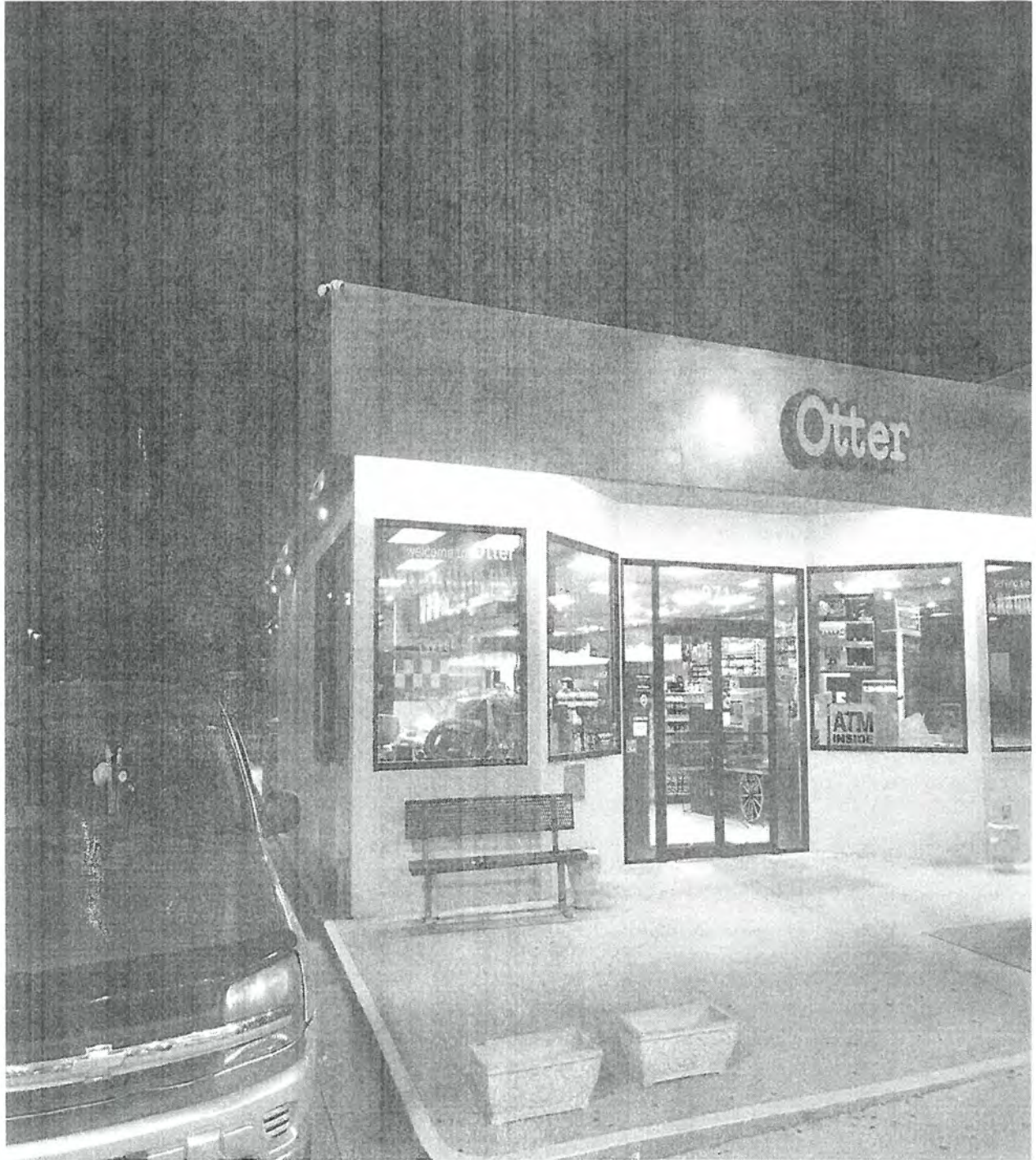
AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	NADEEM ALI
AUTHORIZER TITLE	Organizer









USA
Georgia
GOVERNOR Nathan Deal 0569

DRIVER'S LICENSE

DL NO. [REDACTED] DOB [REDACTED]
CLASS C
NADEEM NOOR
ALI

3974 BENNIGAN LN
DULUTH, GA 30097-8140
GWINNETT
Restrictions A End NONE
Iss 10/11/2017

Sex M Eyes BRO
Hgt 5'-08" Wgt 180 lb

DDI 322908166480045991

[Signature]

DONOR ♥

**ALCOHOL
LICENSE
SURVEY FOR:**

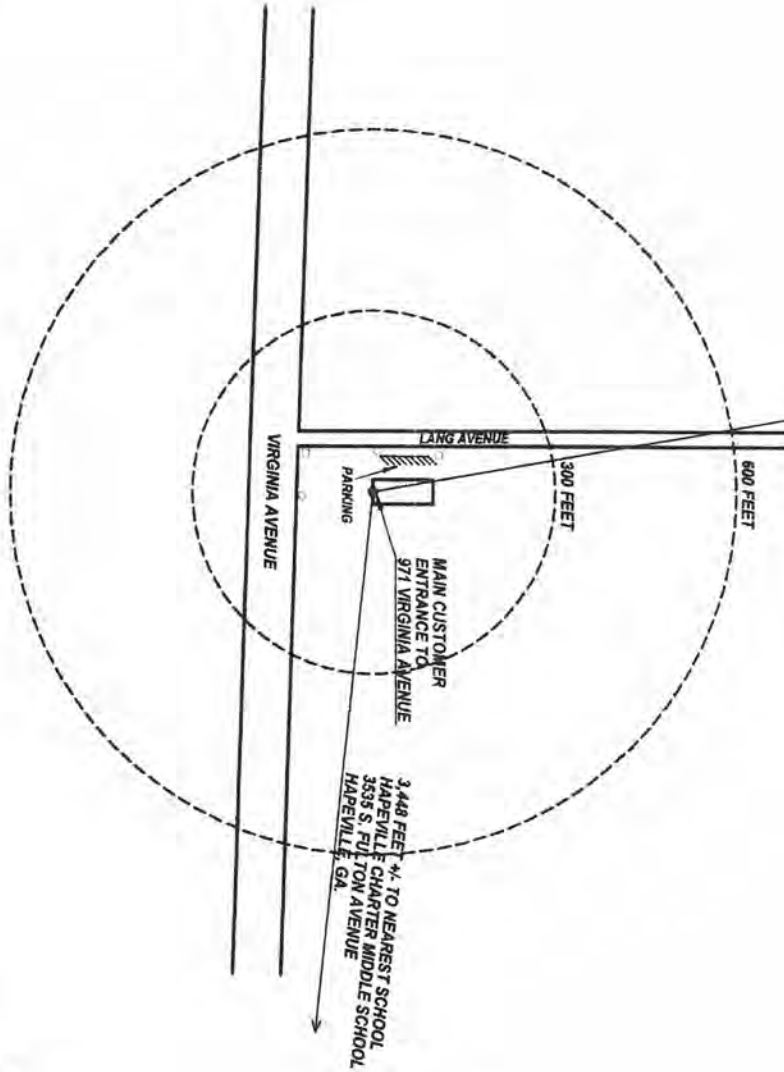
OTA AT VIRGINIA AV, LLC

MADEEM ALI

**PROPERTY ADDRESS:
971 VIRGINIA AVENUE
HAPEVILLE, GA.**

**ZONING DISTRICT -
UV - URBAN VILLAGE**

**HARBUCK LAND SURVEYORS, INC.
LAND SURVEYOR FIRM NO. 959
WILLIAM G. HARBUCK
GEORGIA REGISTERED LAND SURVEYOR NO. 3006
53C JEFFERSON STREET
NEWMAN, GA. 30263
TELEPHONE 770-253-5585
HARBUCKLANDSURVEYORS@GMAIL.COM
SCALE 1" = 200'
10.17.2020**





Continental Sales & Leasing, LLC

DBA - *Continental Realty*

965 Virginia Avenue

P.O. Box 82640

Atlanta, Georgia 30354

(404) 762-7187 FAX: (404) 762-7197

STATE OF GEORGIA
COUNTY OF FULTON

SHORT FORM LEASE

THIS SHORT FORM LEASE ("Lease") is made and entered into this **1st** day of **July, 2020** (the "Effective Date"), by and between OTTER, INC., a Georgia corporation, ("Lessor"), and **Nadeem Ali** (dba: Otta at Virginia Ave LLC), a Georgia corporation ("Lessee"), and **Continental Sales & Leasing, LLC**, dba Continental Realty (hereinafter called "Agent") representing the Lessor.

WITNESSETH:

In consideration of the covenants set forth in this Lease, to all of which Lessor and Lessee agree, Lessor demises to Lessee, and Lessee leases from Lessor, that certain premises located on the northeastern corner of the intersection of Virginia Avenue and Lang Ave in the City of Hapeville, County of Fulton, State of Georgia, and being that space including the roof and exterior walls containing approximately 4,000 interior square feet along with two exterior canopies, seven underground storage tanks, and associated automotive fuel dispensing equipment (the "Demised Premises"), more commonly known as **971 Virginia Ave, Hapeville, Fulton County, Georgia, 30354-1339** and as shown on attached plat – Exhibit "A". Lessee and its employees and invitees are also granted the non-exclusive right to use the parking, service and access areas shown on Exhibit A; however usage of the common areas are preference weighted to favor the other affected parties as referenced by the delineated percentages shown.

Lessee will have and hold the Demised Premises for an initial term ending on the **July 1, 2020** and ending on **September 30, 2030** at midnight, upon the rents, terms, covenants and conditions contained in a certain Lease Agreement between the parties and bearing even date herewith, which Lease Agreement is incorporated herein by reference. The Lease Agreement will be automatically extended, in accordance with its terms for a successive period of ten (10) years unless Lessee cancels the Lease. The Lessee has been and is hereby granted, in accordance with the terms of the Lease, certain exclusive use rights with respect to its business in the Demised Premises.

Lessor's Address:

OTTER, INC.

P.O. Box 82640

Hapeville, Georgia 30354-0640

Lessee's Address:

NADEEM ("NICK") ALI

3974 Bennigan Lane

Duluth, GA, 30097-8140

Agent's Address:

CONTINENTAL REALTY

965 Virginia Avenue

Hapeville, GA 30354-1339

Lessor: 

Lessee: 

Agent: 

IN WITNESS WHEREOF the parties have executed these presents in triplicate the day and year first above written.

LESSOR: OTTER, INC.
a Georgia Corporation

LESSEE: OTTA AT VIRGINIA AVE LLC
a Georgia Corporation

BY: [Signature] (SEAL)
W. MARK HOLLUMS, President

BY: [Signature] (SEAL)
NADEEM "NICK" ALI, Owner

AGENT: Continental Sales & Leasing, LLC
a Georgia Corporation, dba: Continental Realty

Witnesses to all parties:

BY: [Signature] (SEAL)
W. MARK HOLLUMS, Associate Broker

Name: Matt Hollums

Name: Shirley L. Belles

NOTARY

STATE OF GEORGIA

I, J. Edward Peterson a Notary Public in and for the aforesaid State and County, do hereby certify that each of the parties named above personally appeared before me this 1st day of July, 2020, known to me to be the persons whose names are subscribed to the foregoing instrument, swore and acknowledged to me that by the authority duly given and on behalf of each entity, all Georgia corporations, each executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.

[Signature]
Printed Name: J. Edward Peterson

My Commission Expires:



2 of 3

Lessor: [Signature] Lessee: ✓ Agent: [Signature]



Alcohol License Establishment Planning & Zoning Form

Business Name: Otta at Virginia Ave LLC

Business Address: 971 Virginia Ave, Hapeville, GA 30354

Business Owner: Nadeem Ali

Business Owner Address: 3974 Bennigan Lane, Duluth, GA 30097

Building Square Footage: Total floor area 4,000 square feet.

Square footage of Business Unit: 4,000 square feet.

Will the establishment provide patio/outdoor dining? No

Number of Parking Spaces Provided: 20 spaces indicated on application. *Site plan not provided.

STAFF USE ONLY

Zoning Classification: U-V, UrbanVillage Sec. 93-11.2-3. Permitted uses: Convenience stores are not listed as a permitted use. Food stores with a floor area less than 30,000 sf are permitted as a conditional use.

Are there variances approved for this property? No known variances.

Does the proposed use require a Conditional Use Permit? No. The gasoline station is a non-conforming use. The convenience store falls under retail sales.

Number of parking spaces required by zoning: U-V zoning requires 3 parking spaces per 1,000 sf of enclosed commercial floor area. With an approximate floor area of 4,000 sf, 12 spaces are required.

Staff Recommendation: Approval

Additional Comments/Conditions of Approval: The location falls outside the restricted areas for churches, schools and school grounds, college campuses and alcohol treatment centers.

Zoning Compliance

Zoning Classification: U-V – Urban Village. The business is a food store/ convenience store business which is permitted in the U-V (Urban Village) district This is an existing business and qualifies as a non-conforming use that does not require a conditional use permit.

Alcoholic Beverage Ordinance Compliance

Sec. 5-3-4. – Standards for approval, denial, renewal, suspension or revocation.

- (1) The nature of the neighborhood immediately adjacent to the proposed location, that is, whether the same is predominantly residential, industrial or business.

The neighborhood immediately adjacent is a mix of commercial and residential uses.

- (2) The proximity of churches, school buildings, school grounds, college campuses, and alcoholic treatment centers owned and operated by the state or any county or municipal government therein.

The location from the nearest school/school grounds is farther than the required 100 yards from school building, school grounds or college campus and 100 yards from an alcohol treatment center. The measured distance between 971 Virginia and the nearest school, Catapult Learning at 3430 Lang Avenue, is approximately 135 yards.



- (3) Whether the proposed location has adequate off-street parking facilities or other parking available for its patrons.

U-V zoning requires three parking space per 1000 sf of commercial floor area. This would require 12 spaces which are available on site.

- (4) Whether the location would tend to increase and promote traffic congestion and resulting hazards therefrom.

There is an existing food store at this location. There is no indication the location will increase traffic congestion or hazards in an inordinate manner.

Sec. 5-4-3. Prohibited locations.

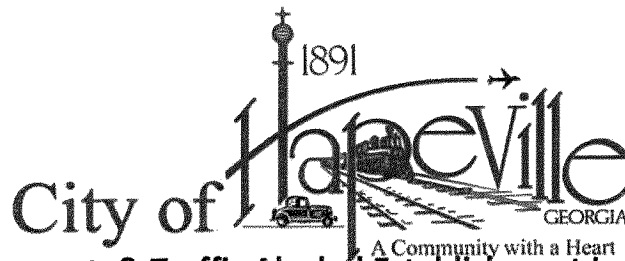
- (a) Prohibited locations. It shall be prohibited to obtain a license for on-premises consumption within the following areas of the city:

- (1) Within any residential zoning district or other prohibited district as set out in the zoning ordinance.
- (2) Within a measured 100 yards of any alcoholic treatment center owned and operated by the state or any county or municipal government therein.
- (3) Within a measured 100 yards of any school building, school ground, or college campus.

The U-V Zoning District allows residential uses, but is not considered a residential zoning classification. As shown above, the school building is in excess of 100 yards from the business.

The application complies with the above criteria of Sec. 5-4-3, Sec. 5-3-4, and Sec. 93-11.2.3 and can be approved with regard to planning & zoning criteria.

700 Doug Davis Drive
Hapeville, GA 30354



Ph: 404-669-2111
Fax 404-669-2140

Police, Code Enforcement, & Traffic Alcohol Establishment Inspection Report

Date: November 30, 2020

Business Name: OTTA AT VIRGINIA AVE. LLC

Address: 971 Virginia Ave. Hapeville, GA 30354

Exterior Observations:

Condition of Signage: Good

Window Signage & Visibility: Good

Condition of Property: Good

Exterior Illumination: ☐ Low Level ☒ Moderate Level ☐ High Level

Employee ID Badges: ☐ In Compliance ☐ Non-Compliant ☒ N/A

Interior Observations:

Interior Illumination: ☐ Low Level ☒ Moderate Level ☐ High Level

☐ Unknown

Cameras: ☒ In Compliance ☐ Non-Compliant ☐ N/A

Broken Packages: ☐ In Compliance ☐ Non-Compliant ☒ N/A

Traffic Considerations:

Private Property Accidents 0 Notes: _____

COMPLIANCE: To resolve this issue please n/a from premises within n/a days from receipt of this notice to be considered for an Alcohol License.

RIGHT TO APPEAL: Appeals are made thru the ARB, City of Hapeville Mayor and Council by contacting City Hall at 404-669-2100. Non-compliance may result in a Court Citation.

Additional Violations Noted: NEW APPLICANT ONCE APPROVED STAFF NEED TO OBTAIN ALCOHOL HANDLING PERMITS

History:

Law Enforcement: 306 calls Code Enforcement: 7 calls

Inspector's Signature R. McFarlane

Inspection No:	IBLA - 20 - 010
Inspection Date:	11/12/2020
Inspection Time:	0.01
Inspected By:	Eskew, Brian

HAPEVILLE FIRE DEPARTMENT FIRE INSPECTION REPORT



Inspection and Compliance Orders

Facility:	Otter Citgo Fuel	Address:	971 Virginia Avenue		
Phone:	404-768-6452				
Fax:		City:	City of Hapeville		
Email:	otters971@gmail.com	State:	GA	Postal Code:	30354

Primary Contact

Contact:		Work:	
Email:		Cell:	

Inspection Type:	Inspection - Business License
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Violation Code	Days to Correct*	Violation	Notes	Location
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Inspection Notes:
Approved for Alcohol License

Inspector : Brian Eskew	
----------------------------	--

* Number of days to correct from date inspected.

A variance procedure is available. Please contact the inspector named for further assistance with this or any other matter.

Mayor and Council Session

3444 N Fulton Avenue
Hapeville, GA 30354

December 8, 2020
6:00PM

MINUTES

1. Call to Order: Mayor Hallman called the Council Session to order at 6:08pm at the Hoyt Smith Center located at 3444 N Fulton Avenue, Hapeville, GA.
2. Roll Call:
Mayor Alan Hallman
Alderman Mike Rast
Councilman at Large Travis Horsley
Councilman Ward I Mark Adams
Councilman Ward II Chloe Alexander

3. Welcome

4. Pledge of Allegiance

5. Invocation was given by City Manager, Tim Young

6. **PRESENTATION**

6.I Fulton County Schools' Chief Academic Officer, Cliff Jones and Chief Operations Officer, Patrick Burke Presentation on K-8 Model Plans for Fulton County Schools

Mr. Burke and Dr. Whittaker presented the proposed K-8 Model Plans for Fulton County to the Mayor and Council. This presentation has also been provided to the Fulton County Board of Education.

6.II Hapeville AeroATL Model Mile Project Overview

Matthew Wilder presented the goals and criteria of the project. The final plan will be voted on by Council in January 2021.

7. **PUBLIC HEARING**

7.I Consideration on an Amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 3.1 (Zones), Section 93-3.1-2 (Zoning Map) - 1st Reading

City Planner, Dr. Patterson walked through the context of what is being proposed. Public comments were made by Cliff Christiansen (in-person) and emailed comments received from Colleen McMahon, Alexandra Tyler, Janalynn Jones, Elizabeth Limon, Buddy Trundle, Terriann Neundorfer were read into the record. Mayor Hallman said he would need to recuse himself from this item since Mr. Christiansen is one of his customers. Reading stood as a first reading.

7.II Consideration and Action on a Conditional Use Permit for the properties bounded by N.

Central/LaVista/Sunset/King Arnold St.

Comments were given by Dr. Patterson and the applicant, Will Casaday concerning the request. Public Comments were given by Daniel Ray (in-person) and emailed comments received from Tyler Tarwater and Melissa Dunn were read into the record.

MOTION: Councilman Horsley made a motion to approve the conditional use permit, Alderman Rast seconded. Discussion: Councilman Horsley mentioned Marta and the commuter rail. Motion carried 3-0.

7.III Consideration and Action on a Special Exception Request to permit a drive-through window at 461 N. Central Avenue.

Comments were made by Dr. Patterson and the applicant, Joseph Latimer of Chick Fil A. There were no public comments made for this item.

MOTION: Alderman Rast made a motion to approve the special exception request, Councilman Horsley seconded. Motion carried 3-0.

8. QUESTIONS ON AGENDA ITEMS – none

9. CONSENT AGENDA

9.I Approval of Minutes – October 6, 20 and November 5, 17, 2020

9.II Approval of Executive Session Minutes – October 6 and November 17, 2020

9.III Consideration and Action on CDBG Application Resolution

MOTION: Councilman Horsley made a motion to approve with correction on item 9.III, should be Tom E. Morris, Councilman Alexander seconded. Motion carried 3-0.

10. OLD BUSINESS

10.I Consideration on Mayor and Council 2021 Meeting Schedule Ordinance – 2nd Reading

MOTION: Alderman Rast made a motion to approve the 2021 Meeting Schedule Ordinance, Councilman Alexander seconded. Motion carried 3-0.

10.II Consideration and Action on Updated Resolution for the Sale of Sherman Road

MOTION: Councilman Horsley made a motion to approve the resolution, Alderman Rast seconded. Discussion: Alderman Rast asked did the sale price go under negotiation. Motion carried 3-0.

11. New Business –

11.I Discussion Initiated by Councilman Horsley to Apply for the PayDirt Grant from Santa Cruz Bicycles

Michael Koliner gave a bike park presentation via phone.

MOTION: Councilman Horsley made a motion to amend the agenda to allow Mr. Koliner to further develop thumbtacks and bike tracks, Councilman Alexander seconded. Discussion: Alderman Rast said an item like this should not be rushed and should be discussed at an annual retreat. There is no idea of knowing how much the city would be responsible for. Councilman Horsley withdrew his previous motion. Councilman Horsley made a motion to add the item on the December 21, 2020 agenda, Councilman Alexander seconded. Motion carried 3-0.

12. City Manager Report – City Manager, Tim Young said he would like to pin a flower on his staff. It has been an interesting and trying year but a good year for Hapeville. Staff has the flexibility to be safe as possible. He said he’s been looking at what city services are going to look like; whether we stay in this building or repackage it. We will talk about the use of the old Hapeville Clinic at the next meeting. The Audit will be complete before the 31st. Lastly, the toy distribution will be on the 18th and will be continuing the food distribution this month. Councilman Horsley asked was there anything on silent crossings. Community Service Director, Lee Sudduth said we’re waiting on the railroad.

13. Public Comments – none

14. Mayor and Council Comments – Councilman Horsley thanked those that were still at the meeting. He also asked about board members reappointments for the upcoming expired terms. Councilman Alexander thanked everyone for coming. Mayor Hallman thanked everyone for coming and said he was proud of the staff members.

15. Executives Session – none

16. Adjourn –

MOTION: Councilman Alexander made a motion to adjourn at 8:55PM, Alderman Rast seconded. Motion carried 3-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk

Mayor and Council
Special Called Meeting
700 Doug Davis Drive, Hapeville, GA 30354

December 21, 2020 6:00PM

Minutes

1. Call to Order: The meeting was called to order by Mayor Hallman at 6:02PM at 700 Doug Davis Drive, Hapeville, GA 30354.

2. Roll Call:

Alan Hallman
Mike Rast
Travis Horsley
Mark Adams
Chloe Alexander

3. Welcome

4. Public Hearing

4.I Consideration and Action on an Amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 3.1 (Zones), Section 93-3. 1-2 (Zoning Map) – 2nd Reading

City Planner, Dr. Patterson, was sworn in by City Attorney, Priya Patel. Mrs. Patel questioned Dr. Patterson regarding the authenticity of the Planner's Report and, thereafter, instructed the City Clerk to add the City Planner's report on the record. Dr. Patterson outlined the permitted uses and said the Planning Commission recommended rezoning at their November meeting. Mayor Hallman said he would be abstaining from the discussion since the two individuals that have purchased that property are clients of his security system company. In-person comments were made by Linda Williams, Terrance Adams, Joan Shorter, Elizabeth Limon. Mary King, Magdalene Page, and Aleksandar Zhelyazkov sent their public comment in via email.

MOTION: Councilman Alexander made a motion to table the item and wait until the neighbors on North Avenue are notified, Councilman Horsley seconded. Discussion: Councilman Horsley asked about a date certain for tabled item because with the owner having to communicate how do you certify that there has been communication. Councilman Adams said that it seems like at every meeting there is an added layer. Councilman Alexander amended her motion to table to January 5, 2021 to allow for further notification on North Avenue, Councilman Horsley amended his second. Motion failed 1-3 (opposed by Horsley, Adams, and Rast). Councilman Horsley made a motion to approve the request, Councilman Adams seconded. Motion carried 4-0.

5. Old Business

5.I Consideration and Action to Apply for the PayDirt Grant from Santa Cruz Bicycles

MOTION: Councilman Horsley made a motion to bring item back up at the second meeting in March, Councilman Adams seconded. Discussion: If CDBG doesn't cover, is this something TPD could be used for? Mayor Hallman said that he hope we can have some sort of retreat in the first

quarter. Alderman Rast said he supports tabling the motion but does not support the project. Councilman Alexander said she is not against the project but would like to see alternative uses. Councilman Adams said he is not against the project; however, questions should be answered about what is truly wanted here. Motion carried 4-0.

6. Public Comment – Carol Cahill, Donna Ellington
7. Adjourn

MOTION: Alderman Rast made a motion to adjourn at 6:56PM, Councilman Alexander seconded. Motion carried 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk

Mayor and Council Work Session
3444 N Fulton Avenue
Hapeville, GA 30354

November 17, 2020 6:00 PM

Minutes

1. Call to Order: Mayor Hallman called the Council Work Session to order at 6:21pm.

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 – teleconferenced in

3. Welcome

4. PRESENTATION:

Presentation – Mayor Hallman Recognized Donald Smith for his 35 years of dedicated service to the City of Hapeville and his upcoming retirement.

5. PUBLIC HEARING

MOTION: Alderman Rast made a motion to table items 5.II and 5.III due to public notice issue, Councilman Adams seconded. Motion carried 4-0.

5.I Consideration on an Amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 3.1 (Zones), Section 93-3.1-2 (Zoning Map) - 1st Reading

Dr. Patterson explained the zoning amendment. Public comment emails were received by the following: Alexandra Tyler, Colleen McMahon, Terriann Neundorfer, A. F. Trundle, Jr., Elizabeth Limon, Janalynn E. Jones. All emailed comments were read into the record. Comments were made in-person by Doug Shorter, Linda Williams, and Cliff Christianson. Mayor Hallman said he would have to recuse himself because Cliff Christianson is a customer of the Mayor's company.

6. **Questions on Agenda Items** – Cliff Christianson

7. CONSENT AGENDA

7.I Consideration and Action on Agreement with Patricia Hernandez to Provide a Temporary Facade Improvement at Jess Lucas Park in Celebration of Dia de Muertos.

MOTION: Councilman Adams made a motion to approve, Councilman Horsley seconded.

Discussion: Alderman Rast stated that this is just a housekeeping item and that this has already occurred. Motion carried 4-0.

8. OLD BUSINESS – none

November 17, 2020 Mayor and Council Work Session

9. NEW BUSINESS

9.I Consideration on Mayor and Council 2021 Meeting Schedule Ordinance – 1st Reading

The ordinance stood as a first reading.

9.II Consideration and Action on a preferred route for the AeroATL Model Mile.

MOTION: Councilman Alexander made a motion to approve the orange route recommended by staff for the AeroATL Model Mile, Councilman Horsley seconded. Motion carried 4-0.

9.III Consideration and Action on One-Time Payment to Employees

MOTION: Councilman Adams made a motion to approve the one-time payment to employees, Alderman Rast second. Discussion: City Manager, Tim Young stated that COLAs are baked in for retirees. Alderman Rast said he appreciated the Department Heads looking at their budgets. Mayor Hallman said this is a small way to say thank you. Councilman Alexander said thank you to the Finance Department for organizing the budget. Motion carried 4-0.

9.IV Consideration and Action on Java Joy event in the Hapeville Police Department Parking Lot on December 1, 2020

MOTION: Councilman Horsley made a motion to approve the request, Councilman Adams seconded. Motion carried 4-0.

9.V Discussion on Residential Solid Waste Services by Waste Pro and Ongoing Solid Waste Planning

MOTION: Councilman Horsley made a motion to amend the agenda for action, Councilman Adams seconded. Discussion: Alderman Rast asked what is the nature of the motion. Motion carried 3-1 (Alderman Rast opposed).

MOTION: Councilman Horsley made a motion to move forth with option one: City staff takes over the weekly garbage pickup as it currently operates and bids out to contract recycling. Customer fees would probably stay the same, but RFP prices would determine whether customer fee increases are necessary. No change in staffing. Councilman Alexander suggested voting to authorize staff to renegotiate the term. Councilman Adams seconded. Mayor Hallman said he believes we are rushing on this and that a cost analysis needs to be seen; perhaps negotiate a six months extension of the contract. Councilman Horsley amended his motion to reflect authorizing staff to enter in negotiation with Waste Pro for a 90 day extension and if negotiation fails, terminate contract. Councilman Horsley added that if negotiation fails, Community Service Director, Lee Sudduth and City Manager, Tim Young purchase waste receptacles. Councilman Adams seconded the amended motion. Discussion: Alderman Rast asked about finding the money for this. Mr. Sudduth confirmed that we can afford it. Motion carried 2-2 (Councilman Alexander and Alderman Rast opposed). Mayor Hallman voted in opposition in order to have more time to get a cost analysis completed.

10. City Manager Report – Mr. Young said the following: food distribution will not be tomorrow; property taxes were due on November 16th and under 80% collected; audit still on track; and there's a holiday coming up and for everyone to be safe, careful, and to wash hands.

11. Public Comments – Daniel Ray

12. Mayor and Council Comments – Councilman Alexander said the last thing she would want is for residents to have to have a rate increase and that people are still losing their jobs. Alderman Rast said he respects everyone's opinions and votes tonight.

13. Executives Session –

MOTION: Councilman Horsley made a motion at 8:17PM to go into executive session to discuss litigation, Councilman Adams seconded. Motion carried 4-0. Councilman Adams made a motion to go into recess, Alderman Rast seconded. Motion carried 4-0. Councilman Adams made a to reconvene into executive session, Alderman Rast seconded. Motion carried 4-0.

No action taken.

MOTION: Councilman Adams made a motion at 8:54PM to go into open session, Councilman Horsley seconded. Motion carried 4-0.

14. Adjourn

MOTION: Councilman Adams made a motion to adjourn, Councilman Horsley seconded. Motion carried 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Crystal Griggs-Epps, City Clerk

1 **STATE OF GEORGIA**

2
3 **CITY OF HAPEVILLE**

4
5 **ORDINANCE NO. _____**

6
7 **AN ORDINANCE FOR THE APPOINTMENT OF OFFICERS OF THE CITY OF**
8 **HAPEVILLE PURSUANT TO PART I (“CHARTER AND RELATED LAWS”),**
9 **SUBPART A (“CHARTER”), ARTICLE II (“THE MAYOR AND COUNCIL”),**
10 **CHAPTER 4 (“ORGANIZATION AND PROCEDURE”), SECTION 2-401 (“ANNUAL**
11 **ORGANIZATIONAL MEETING”) AND ARTICLE IV (“ORGANIZATION AND**
12 **ADMINISTRATION”), CHAPTER 2 (“CITY OFFICERS”) OF THE CITY CHARTER;**
13 **TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO**
14 **PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**
15 **PURPOSES.**

16
17 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
18 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
19 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,

20
21 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
22 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
23 the legislative body of the City; and,

24
25 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
26 by ordinance;

27
28 **WHEREAS**, the Mayor and Council has the right to establish, abolish, merge, or
29 consolidate officers, positions of employment, departments and agencies of the City that are
30 necessary and proper for the administration of the affairs and government of the City; and

31
32 **WHEREAS**, the Mayor and Council nominate and appoint the following persons for the
33 following officers for the 2021 Calendar Year in accordance with the City Charter.

34
35 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
36 **THE CITY OF HAPEVILLE, GEORGIA THAT:**

37
38 **Section One. Appointments of Office.** The Mayor and City Council make the following
39 appointments for the 2021 Calendar Year:

40

<u>OFFICE</u>	<u>NAME</u>
City Attorney	Andrew J. Welch, III, Lajuana C. Ransaw, Priya M. Patel, and the attorneys at Smith, Welch, Webb & White, LLC
City Clerk	Crystal Griggs-Epps
City Solicitors	Kim Cornwell
Public Defender	C. Wesley Meadows

City's Legal Organ	Fulton Daily Report, South Fulton Neighbor Newspaper
Official Publication	Fulton Daily Report, South Fulton Neighbor Newspaper
Board of Appeals	Larry Martin, Michael Simpson, William Slocumb, Grabriel Cojocarescu, Martha Revelo, John Stalvey
Ethics Committee	Mike Simpson, Raymond Farr
Hapeville Development Authority	J. Allen Poole, Matt Morrison
Planning Commission	Brian Wismer, G. Leah Davis, Cliff Thomas
Development Authority of the City of Hapeville	Matt Morrison, Cecilia Reme'
Design Review Committee	Brian Gregory, Jonathan Love
Personnel Board	Melanie Williams, Anthony Marrero, Ellen Surber-Simpson

Section Two. 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 Three. 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 Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

ORDAINED this _____ day of _____, 2021.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

City Clerk

APPROVED BY:

City Attorney

Board	Members w/Expiring Terms	Awaiting Reappoint	Terms Ends
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Board of Appeals	(3-year terms)		
Larry Martin			12/31/2020
Michael Simpson			12/31/2020
William Slocumb			12/31/2020
Grabriel Cojocarescu			12/31/2020
Rod Mack			12/31/2021
Martha Revelo	filled jan bolen seat		12/31/2020
John Stalvey	filled expired term K. French)		12/31/2020

Ethics Committee	(3-year terms)		
Linda Williams			12/31/2020
Mike Simpson			12/31/2020
Raymond Farr			12/31/2020
Robert Hall			12/31/2022
Carolyn Routh	filled expired term B. Barnett)		12/31/2020

HDA	(4-year terms)		
J Allen Poole			12/31/2020
Alan Hallman	Appointed by Mayor & Council		12/31/2017
Katrina Bradbury			12/31/2023
Matt Marrison			12/31/2020
James Newton			12/31/2023
Tania Wismer			12/31/2020
Kayla Fortner			12/31/2023
John Stalvey			12/31/2023
Susan Bailey	filled unexpired term M. Rast)		12/31/2023

Planning Commission	(4-year terms)		
Brian Wismer			12/31/2020
G. Leah Davis	fill unexpired term Kaity Ferrero		12/31/2020
Cliff Thomas	fill unexpired term Mark Farah		12/31/2020
Lucy Dolan			12/31/2021
Jeanne Rast			12/31/2023
Charlotte Rentz			12/31/2021
Larry Martin	filled unexpired term T. Horsley)		12/31/2021

DACOH	(2-year terms*) (4-year terms**)		
J. Allen Poole**			12/31/2023
Alan Hallman	Appointed by Mayor & Council		12/31/2018
Katrina Bradbury**			12/31/2023
Matt Morrison*			12/31/2020
James Newton**			12/31/2023
Tania Wismer*			12/31/2020
Cecilia Reme'*			12/31/2020
John Stalvey*			12/31/2021
Susan Bailey**			12/31/2021

Design Review Comm	(3-year terms)		
Jonathan Love			12/31/2020
Brian Gregory			12/31/2020
Gregory Morgan	fulfilled Rick Ferro seat		12/31/2021
John Stalvey			12/31/2021
Karl Dufrenne			12/31/2020

Personnel Board	(1-year terms)		
Melanie Williams			12/31/2020
Anthony Marrero			12/31/2020

Ellen Surber-Simpson			12/31/2020
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1 **STATE OF GEORGIA**

3 **CITY OF HAPEVILLE**

5 **ORDINANCE NO. _____**

7 **AN ORDINANCE TO AMEND CHAPTER 17 (“FINANCE AND TAXATION”), ARTICLE**
8 **5 (“OCCUPATIONAL TAXES”), SECTION 17-5-6 (“EACH LINE OF BUSINESS**
9 **IDENTIFIED ON BUSINESS REGISTRATION”) OF THE CODE OF ORDINANCES,**
10 **CITY OF HAPEVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL**
11 **CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO**
12 **PROVIDE FOR OTHER LAWFUL PURPOSES.**

14 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
15 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
16 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,

18 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
19 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
20 the legislative body of the City; and,

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

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

29 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
30 by ordinance; and,

32 **WHEREAS**, the governing authority of the City finds it desirable to amend and update the
33 City’s occupational tax code.

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

38 **Section One.** Chapter 17 (Finance and Taxation), Article 5 (Occupational Taxes), Section
39 17-5-6 (Each line of business identified on business registration) of the City Code of Ordinances
40 is hereby amended by striking the section in its entirety and replacing it with the following
41 language:

43 Sec. 17-5-6. - Each parcel identification number of business identified on business registration.

45 The business registration of each business operated in the city's jurisdiction shall identify
46 the parcel identification number for each tract or parcel on which business is operated or

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conducted. No business shall conduct any business without first having the parcel identification number of the location of the business registered with the business tax clerk, and that parcel identification number being noted by the business tax clerk upon the occupation tax certificate form which is to be displayed by the business owner.

Section Two. 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 Three. 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 Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

ORDAINED this _____ day of _____, 2020.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

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95 **ATTEST:**

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Crystal Griggs-Epps, City Clerk

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103 **APPROVED BY:**

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108 _____
Priya M. Patel, City Attorney



Home-brew Special Events-Cost: \$50

APPLICANT SECTION

Applicant Name: Richard Force E-Mail: [REDACTED]

Organization/Business: The Covert Hops Society

License #: 1

Applicant Mailing Address: 884 Wheatfields Court, Decatur, GA, 30030

Applicant Phone: [REDACTED] Fax: None

Property Owner(s): City of Hapeville E-Mail: _____
(If different than Applicant)

Owner's Mailing Address:
3468 N Fulton Avenue, Hapeville, GA 30354

Owner(s) Phone: 404-766-3004 Fax: _____

Address/Location of the Event: 3444 N Fulton Ave, Hapeville, GA 30354

Event Date(s): February 27th, 2021

Event Hour(s): 9 am - 12 pm

Event Description, Including Parking Plan, Number of Participants, General Information, Prizes
28th Annual Peach State Brew Off hosted by the Covert Hops Society. Less than 10 members
will gather to complete the final process for judging entries in the PSBO. Participants will
park at the Hoyt Smith Rec Center. No raffle or prizes will be given out. All CDC guidelines
will be followed in regard to Covid 19.

By signing this application, the applicant agrees to comply with the Official Code of Ordinances.
The following rules apply:

- Any person seeking a home-brew special event permit from the city shall file a permit application at least three business days in advance of the beginning of the event.
- No home-brew special event may be held at a facility otherwise licensed for the production or sale of alcoholic beverages.

[Signature]
Signature of Applicant Date

Signature of Owner Date

CITY STAFF SECTION

Date Received: _____ Application/Permit #: _____

Payment: Check# _____ Cash _____ Received by _____

Approved By City Manager: _____ Date: _____

Sec. 5-6-18. - Home-brew special events.

- (a) *Permits.* No home-brew special event shall be held in the city except pursuant to a permit issued in advanced by the city manager and pursuant to O.C.G.A. § 3-5-4(e).
- (1) No person or entity shall engage in, participate in, or sponsor a home-brew special event unless a home-brew special event permit is first obtained from the city.
 - (2) Any person seeking a home-brew special event permit from the city shall file a permit application at least three business days in advance of the beginning of the event. The application shall be in letter form, or on a form created by the city, and shall be presented to the city clerk or city manager.
 - (3) All home-brew special event permit applications shall contain the name of the sponsor(s) of the event, the name of the organizer(s) of the event, the exact date, time, and place of the event, the approximate number of persons involved in the event, the location of the event, a general description of the event, and a description of the prizes or awards to be offered. No home-brew special event may be held at a facility otherwise licensed for the production or sale of alcoholic beverages.
 - (4) The city shall charge a fee in the amount of \$50.00, and the city manager may issue a home-brew special event permit allowing for up to six home-brew special events per calendar year.
 - (5) The city manager shall determine whether the home-brew special event permit should be granted by considering: (1) whether the event is being held in compliance with this chapter and state and municipal laws, (2) whether the event is likely to endanger the safety of the event participants and/or citizens of the city, and (3) whether the event is likely to result in violations of state law or the city's ordinances, including laws relating to public intoxication.
 - (6) Each permit shall state the date, location, and starting and ending time of the home-brew special event. If the city manager imposes any additional restrictions or conditions on the event in order to ameliorate any of the potential adverse factors listed in subsection (5), all such restrictions and conditions shall be listed on the permit.
 - (7) Permit holders are required to comply with all permit restrictions and conditions, and abide by all laws and ordinances.
 - (8) The permit shall be posted in the event premises at all times during the home-brew special event.

(Ord. No. [2018-18](#), § 2, 12-4-2018)