

Mayor and Council Work Session

700 Doug Davis Drive

Hapeville, GA 30354

Join in-person at 700 Doug Davis Drive, Hapeville or

View live stream at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes>

February 16, 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. Presentations

4.I. Audit Results Presentation by Doug Moses of Mauldin & Jenkins, LLC

Background:

In December 2020, the audit firm, Mauldin & Jenkins completed the Fiscal 2020 audit for the City. The City again received a "clean" audit opinion. We asked Mauldin & Jenkins, led by engagement partner, Doug Moses, to provide a presentation to Council on the general condition of the City's financial position, highlight areas for improvement, and provide recommendations for the future.

Documents:

1. City of Hapeville 2020 Audit Results Power Point Presentation

5. 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 February 15th. 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.

5.I. Consideration on an Amendment to the Code of Ordinances, City of Hapeville, Georgia, Chapter 93 ("Zoning"), Article 1 (Title, definitions and application of regulations), Section 93-1-2 (Definitions), Chapter 93 (Zoning), Article 11.2 (Urban Village), Section 93-11.2-3 (Permitted uses), Section 93-11.2-4 (Nonpermitted uses), Section 93-11.5-3(h) (Medical, including, but not limited to, private physicians, medical specialists, chiropractors, and physical therapists), Chapter 93 (Zoning), Article 12 (Commercial-Residential), Section 93-12-2 (Permitted uses),

Chapter 93 (Zoning), Article 13 (Retail Commercial), Section 93-13-3(16) (Health clinics), Chapter 93 (Zoning), Article 14 (General Commercial), Section 93-14-3(23) (Hospitals, medical and health clinics, including chiropractic), Chapter 93 (Zoning), Article 19 (Downtown Development), Section 93-19-3 (Uses; permitted and nonpermitted), and Chapter 93 (Zoning), Article 18 (Business Park), Section 93-18-2 (Permitted uses) for the purpose of updating the City of Hapeville U-V Zone (Urban Village) permitted uses.

Background:

The current Code regarding medical uses (permitted and non-permitted) is vague for various zoning districts. As the City is accepting more applications for healthcare- related businesses and industries, staff reviewed the Code to facilitate easier and more consistent identification, and where necessary, interpretation of permitted uses.

The Planning Commission considered this item on February 9, 2021 and recommended approval with the following amendment:

Allow blood plasma donation centers as a permitted use in C-2 Zone only.

Staff supports their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Telephone/Email Comments:

Documents:

1. Planner's Report - U-V Text Amendment_Medical Uses
2. Ordinance - Text Amendment UV Medical
3. LEGAL ADV - 02-16-2021-U-V_Medical Uses

6. 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. Old Business

9. New Business

- 9.I. Consideration and Action on a request to donate and rename Park Street and donate an outparcel for greenspace.

Background:

Mr. Randell Brown of Stream Funding Group, LLC is requesting to donate an outparcel located between Park Street and North Fulton Avenue (adjacent to 3410 North Fulton Avenue) for greenspace and to donate and rename Park Street to Randell Street.

Documents:

1. Letter Requesting Donation and Street Renaming
2. Plans - 3410 N Fulton Ave and 3396 Park Ave

9.II. Discussion Initiated by Councilman Horsley About the Possibility of Adjusting the Lane Structure on South Central between the Regions Bank Building and South Fulton

Background:

Councilman Horsley will initiate discussion about possibly adjusting the lane structure on South Central between the Regions Bank Building and South Fulton to allow for on-street parking. The parking would benefit the abutting businesses, and transit access in the downtown corridor.

Documents:

1. Example Photo

9.III. Discussion Initiated by Councilman Horsley for Making the Lot Behind Corner Tavern (Parcel ID - 14 009500150570) into a Paid Parking Lot

Background:

Councilman Horsley will initiate a discussion on having Council make a recommendation to the Hapeville Development Authority to consider making the lot behind Corner Tavern into a paid parking lot.

9.IV. Discussion and Consensus of Mayor and Council on the Joint Effort with the Main Street Board to Memorialize Property at N Central Avenue, the Location of the 1968 Daycare Gas Explosion.

Background:

Recently, the Main Street Board voted to sponsor and pay half the cost for a plaque that would be placed in the city easement section of this property. Upon further reflection, the board decided that a more encompassing memorial would be appropriate and would allow them to also recognize the many people who aided in the rescue effort.

The Main Street Board is requesting that Mayor and Council join them in signing a letter of request to Ed Bastian of Delta Air Lines, asking that Delta donate/sell for \$1.00/give a 100 year lease to the City of Hapeville for this parcel of property, for this purpose. The parcel would then be turned into a proper Memorial Park, making tranquil and beautiful a piece of property with a dark and tragic past.

The proposal will require proper drawings being executed and details planned out prior to the request being sent to Delta. The Main Street Board is asking for a consensus from M&C at the Tuesday Work Session. This will allow the start of the proposal to Delta, hoping that a response will be received before the anniversary in May. Regardless of Delta's response, the Main Street Board would like to be able to announce a "Coming Soon" memorial of some type on the anniversary date in 2021. A budget has not been established at this time but, they are very budget conscious.

10. City Manager Report

11. 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.

12. Mayor and Council Comments

13. 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).

14. 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.



Presentation of 2020 Audit Results

City of Hapeville, Georgia





Agenda

- Engagement Team
- Results of the 2020 Audit
- Financial Trends
- Comments, Recommendations, and Other Issues
- Questions



Engagement Team

- **Mauldin & Jenkins, LLC**
 - Founded in 1918 – Large regional firm serving the Southeastern United States.
 - Offices located in Macon, Atlanta, Albany, Savannah, Bradenton, Sarasota, Columbia, Chattanooga, and Birmingham employing approximately 400 personnel.
 - Additionally, the Firm serves banking, healthcare, not-for-profit sectors along with benefit plan and tax practices.
- **Mauldin & Jenkins, LLC; Governmental Sector**
 - Largest specific industry niche served by the Firm representing 28% of Firm practice.
 - Serve more governmental entities in Georgia than any other firm requiring over 100,000 hours of annual service.
 - Over 100 professional staff persons with current governmental experience.
 - Current auditor for approximately 500 total governments in the Southeast, including approximately:
 - 126 cities;
 - 75 counties;
 - 62 school systems and 40 charter schools;
 - 48 state entities; and
 - 105 special purpose entities (stand-alone entities including utility systems, development authorities, libraries, governmental pension plans, etc).
- **Engagement team leaders for the City of Hapeville**
 - Doug Moses, Engagement Partner
 - James Bence, Quality Review Partner
 - Derek Foster, Engagement Manager



Results of June 30, 2020 Audit

- Our Responsibility Under Auditing Standards Generally Accepted in the United States of America (GAAS) and Government Auditing Standards (GAS)
 - Our audit was performed in accordance with GAAS and GAS.
 - We considered the internal control structure for the purpose of expressing our opinion on the City's basic financial statements and not for the purpose of providing assurance on the internal control structure.
 - Our objective is to provide reasonable—not absolute—assurance that the basic financial statements are free from material misstatement.
 - The basic financial statements are the responsibility of the City's management.
- Report on 2020 Basic Financial Statements
 - Unmodified ("clean") opinion on basic financial statements.
 - Presented fairly in accordance with accounting principles generally accepted in the United States of America (GAAP).
 - Our responsibility does not extend beyond financial information contained in our report.
- Yellow Book Report
 - Test of overall internal controls and compliance with laws, regulations, contracts, and grants.



Required Communications

■ Significant Accounting Policies

- The significant accounting policies used by the City are described in Note 1 to the basic financial statements.
- In considering the policies used by the City, we noted they are in accordance with generally accepted accounting principles and similar government organizations with no significant new policies or qualitative aspects of its policies. The City is not involved in any controversial or emerging issues for which guidance is not available.

■ Management Judgment/Accounting Estimates

- The City uses various estimates as part of its financial reporting process – including valuation of accounts receivable (recording of allowance for uncollectible accounts) and actuarial assumptions.
- Management's estimates used in preparation of financial statements were deemed reasonable in relation to the financial statements taken as a whole. We considered this information and the qualitative aspects of management's calculations in evaluating the City's significant accounting estimates.

■ Financial Statement Disclosures

- The footnote disclosures to the financial statements are also an integral part of the financial statements and the process used by management to accumulate the information included in the disclosures was the same process used in accumulating the statements. The overall neutrality, consistency, and clarity of the disclosures was considered as part our audit.



Required Communications (Continued)

■ Relationship with Management

- We received full cooperation from the City's management, staff, and others.
- There were no disagreements with management on accounting issues or financial reporting matters.

■ Audit Adjustments

- Audit adjustments were proposed to the records of the City and have been recorded in the City's financial statements.

■ Passed Audit Adjustments

- There were no passed adjustments.

■ Representation from Management

- We requested written representations from management relating to the accuracy of information included in the financial statements and the completeness and accuracy of various information requested by us, during the audit. Management provided those written representations without a problem.



Required Communications (Continued)

■ Consultation with Other Accountants

- To the best of our knowledge, management has not consulted with, or obtained opinions from, other independent accountants during the year, nor did we face any issues requiring outside consultation.

■ Significant Issues Discussed with Management

- There were no significant issues discussed with management related to business conditions, plans, or strategies that may have affected the risk of material misstatement of the financial statements.

■ Information in Documents Containing Audited Financial Statements

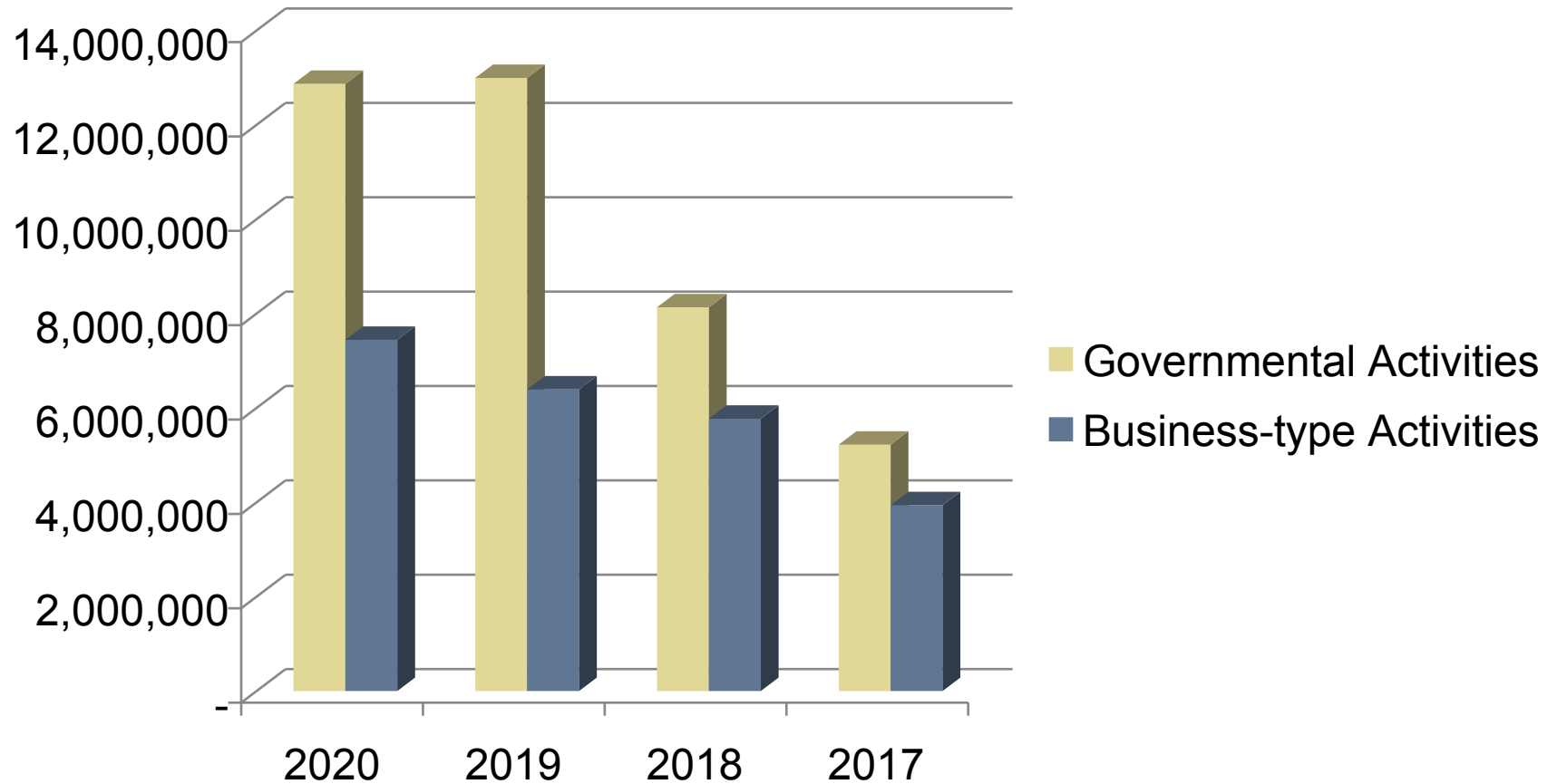
- Our responsibility for other information in documents containing the City's basic financial statements and our report thereon does not extend beyond the information identified in our report. If the City intends to publish or otherwise reproduce the financial statements and make reference to our firm, we must be provided with printers' proof for our review and approval before printing. The City must also provide us with a copy of the final reproduced material for our approval before it is distributed.

■ Auditor Independence

- In accordance with AICPA professional standards, M&J is independent with regard to the City and its financial reporting process.
- There were no fees paid to M&J for management advisory services during 2020 that might effect our independence as auditors.

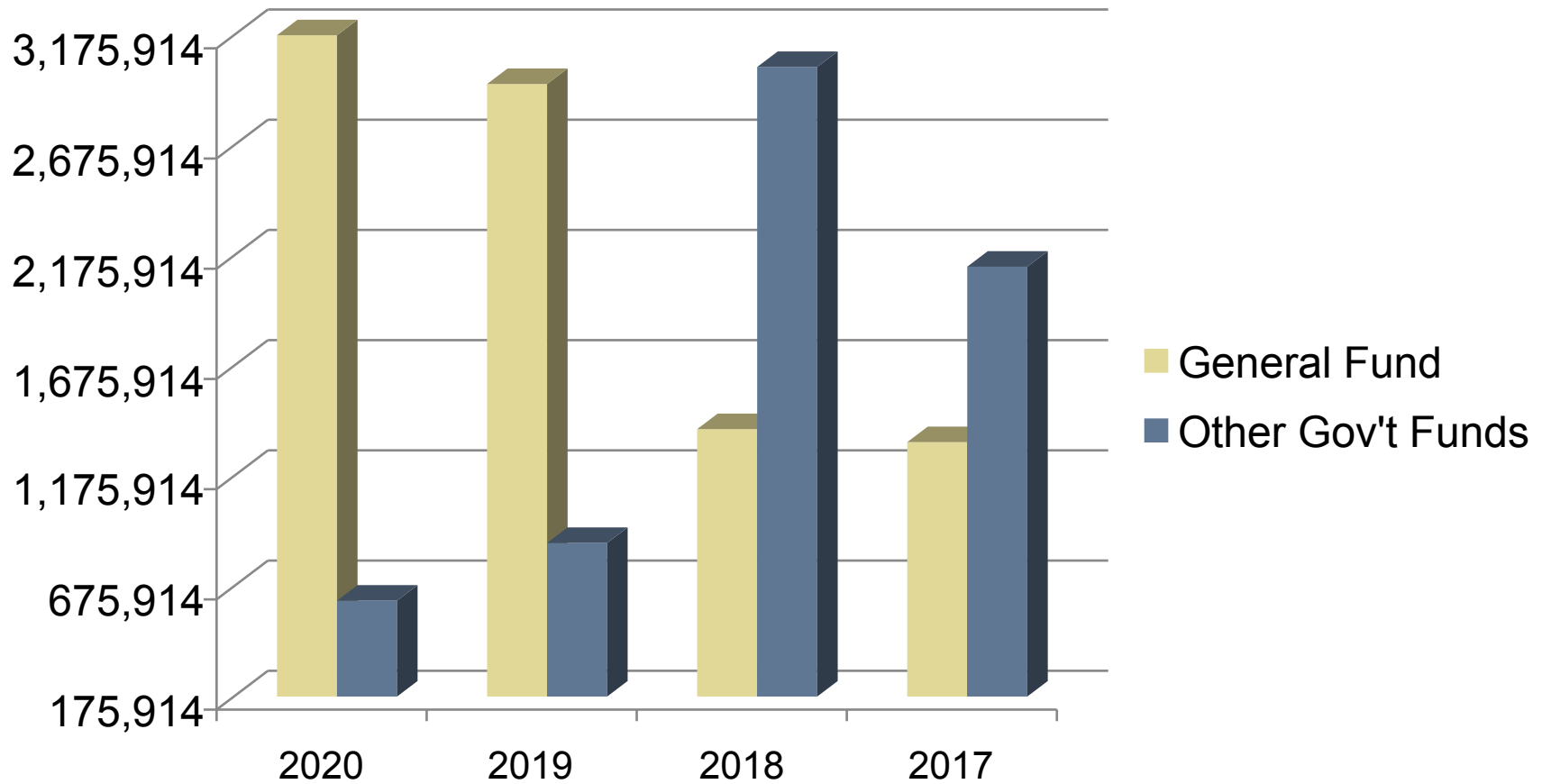


Government Wide Net Position

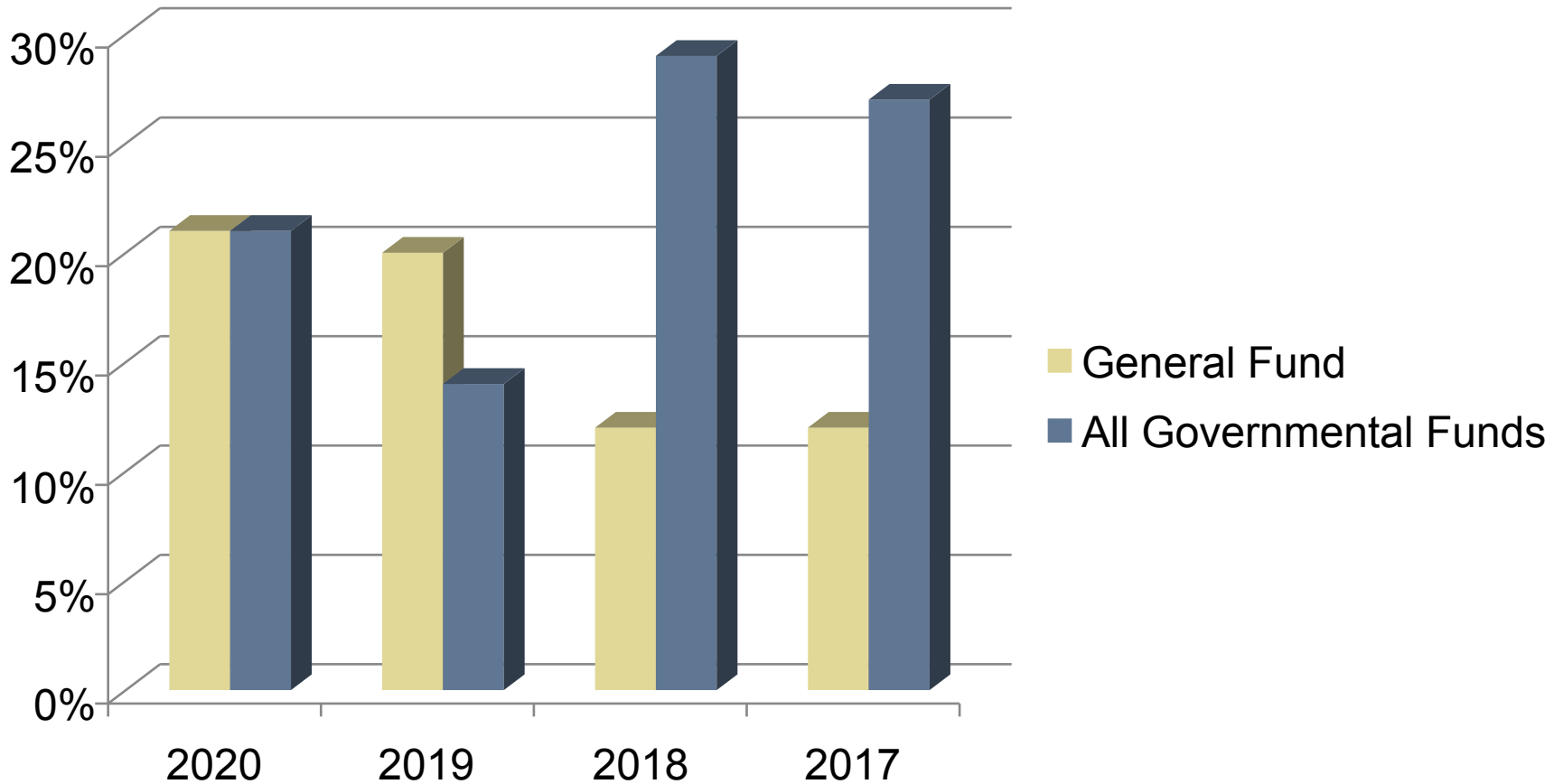




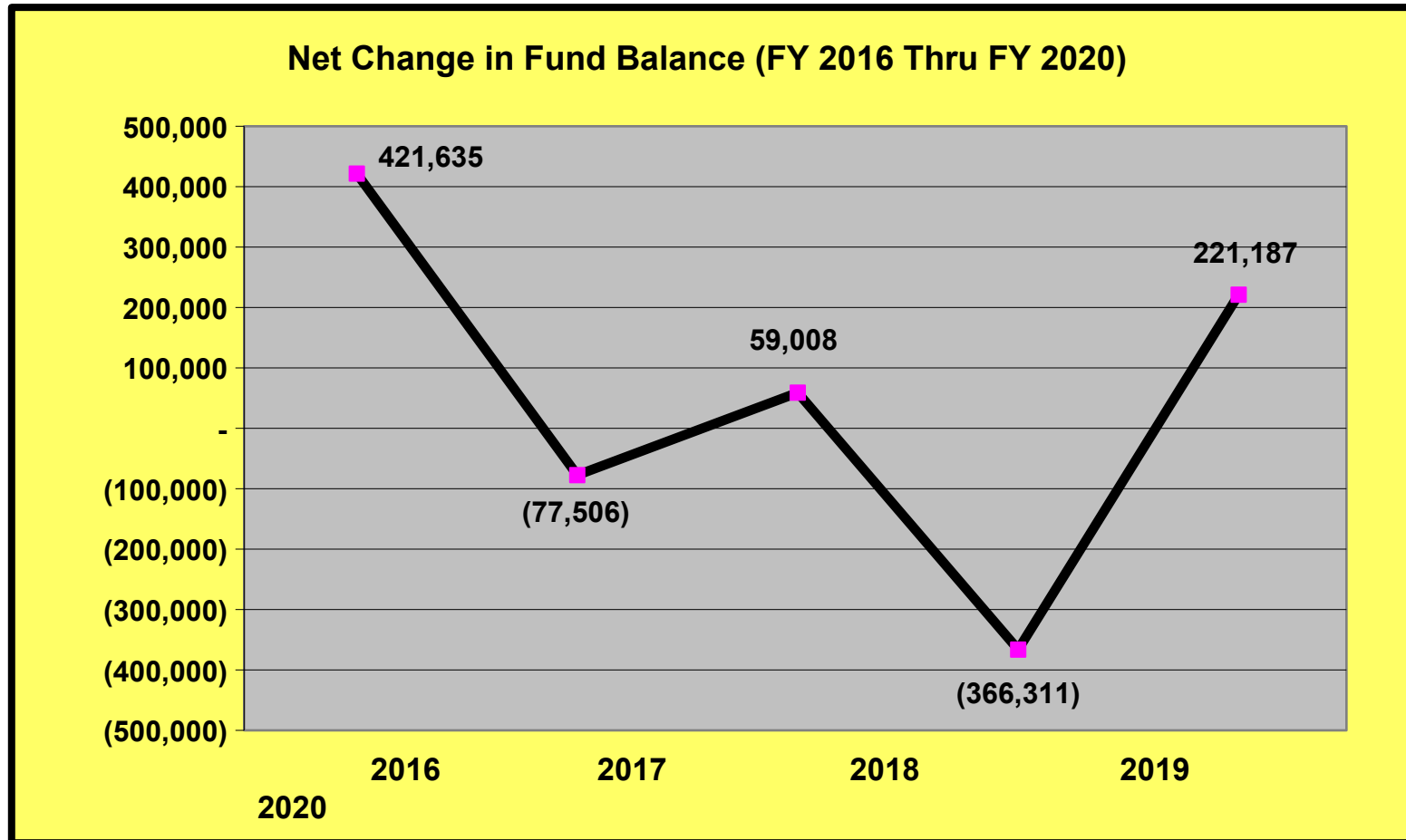
Fund Balance Comparison



Fund Balance as a Percentage of Total Expenditures



General Fund Change in Fund Balance



Comments, Recommendations, & Other Matters



■ Management Recommendations for Improvement

1. Cash Reconciliation and Reporting - During our testing of cash, we noted two (2) accounts totaling \$541.42 with Regions Bank which the City did not have recorded in its general ledger. One (1) account (Hapeville DA 2014 A-1 Project Acct with a balance of \$117.69 at fiscal year-end) had no activity during fiscal year 2020 and was closed on October 5, 2020 and transferred to a sinking fund account. The other bank account (Clean/Beautiful Account for \$423.40 at fiscal year-end) had no activity during fiscal year 2020. Per discussions with City management, the City was aware of these accounts and taking necessary steps to remove the Clean and Beautiful Account from under the City's Federal Identification Number and control. We recommend management records all cash accounts in the City's general ledger throughout the fiscal year and at fiscal year-end.

2. Accrued Expenses - During our testing of accrued expenses, we noted that the City had accrued \$777,057 of infrastructure related to invoices received for projects completed by the City of Atlanta on behalf of the City of Hapeville. These invoices date to as far back as March of 2019. However, the invoices were not received by the City of Hapeville until after June 30, 2020. We recommend that the City of Hapeville contact the City of Atlanta prior to the end of each fiscal year in order to obtain the amounts, or an estimate of the amounts, which have been incurred by the City of Atlanta on behalf of the City of Hapeville in order to reflect these balances in the City of Hapeville's accounting records in a more timely manner.

Comments, Recommendations, & Other Matters (Continued)



■ New GASB Pronouncements for Future Years

- GASB Statement No. 84, *Fiduciary Activities*, This statement establishes criteria for identifying fiduciary activities with a focus on: 1) whether a government is controlling the assets of the fiduciary activity; and, 2) the beneficiaries with whom a fiduciary relationship exists. Applicable for June 30, 2021.
- GASB Statement No. 87, *Leases*, will require all lease agreements to be recorded as a liability under full accrual accounting. Many of these leases were previously considered operating leases and payments were expensed as incurred with no liability accrued. Applicable for June 30, 2022.
- GASB Statement No. 89, *Capitalized Interest*, requires that construction period interest no longer be capitalized for proprietary funds. This statement is only applied prospectively in the year implemented. Applicable for June 30, 2022.
- GASB Statement No. 90, *Majority Equity Interests*, will change the accounting for a government's investment in another entity in which it acquires a majority equity interest in that entity. Certain investments will be measured using the equity method, some at fair value, and some will result in the acquired entity be reported as a component unit. Applicable for June 30, 2021.
- GASB Statement No. 91, *Conduit Debt Obligations*, provides a single method for reporting conduit debt obligations by issuers and eliminates diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. Applicable for June 30, 2023.

Comments, Recommendations, & Other Matters (Continued)



■ Other Matters Currently Being Considered by GASB

- *Re-examination of the Financial Reporting Model* - GASB has added this project to its technical agenda to make improvements to the existing financial reporting model (established via GASB 34). Improvements are meant to enhance the effectiveness of the model in providing information for decision-making and assessing a government's accountability. GASB anticipates a final standard expected in early 2022.
- *Conceptual Framework* - A constant matter being looked at by GASB. Current measurement focus statements (for governmental funds) to change to near-term financial resources measurement. May dictate a period (such as 60 days) for revenue and expenditure recognition. May expense things such as supplies and prepaid assets at acquisition. Will look into which balances (at all statement levels) are measured at acquisition and which need to be re-measured at year-end. Final standard is expected in 2022.
- *Revenue and Expense Recognition* - Another long-term project where the GASB is working to develop a comprehensive application model for recognition of revenues and expenses from non-exchange, exchange, and exchange-like transactions. The final standard is expected in 2023.
- *Compensated Absences* - A technical topic being examined by the GASB currently due to significant changes in benefits offered by governmental employers. Current GAAP does not address certain items such as paid time off (PTO) and there is a wide divergence in practice. A final standard on this topic is expected towards the end of 2021.
- *Prior-Period Adjustments, Accounting Changes, and Error Corrections* - A technical topic being examined by the GASB due to a wide diversity in practice regarding required presentation on the face of the financial statements, disclosures, etc. A final standard on this topic is expected in early 2022.

Comments, Recommendations, & Other Matters (Continued)



FREE QUARTERLY CONTINUING EDUCATION AND NEWSLETTERS

FOR GOVERNMENTAL CLIENTS

Free Continuing Education. We provide free quarterly continuing education for all of our governmental clients. Each quarter we pick a couple of significant topics tailored to be of interest to governmental entities. In an effort to accommodate our entire governmental client base, we offer the sessions several times per quarter at a variety of client provided locations resulting in greater networking among our governmental clients. Examples of subjects addressed in the past few quarters include:

- CAFR Preparation - GASB Updates - Grant Accounting Processes and Controls - GASB 68 (Pensions)
- Internal controls over revenue and cash receipting and accounts payable, payroll, and cash disbursements
- American Recovery & Reinvestment Act (ARRA) information, issues and updates - Single audits for auditees
- Collateralization of Deposits and Investments - Internal Controls over Accounts Payable, Payroll and Controls
- Policies and Procedures Manuals - Segregation of Duties - GASB 75 (OPEB) - GASB 87 (Leases)
- Data Security and General Information Technology Controls and Best Practices

Communication. In an effort to better communicate our free continuing education plans and newsletters, please email Paige Vercoe at pvercoe@mjcpa.com (send corresponding copy to dmoses@mjcpa.com), and provide to her individual names, mailing addresses, email addresses and phone numbers of anyone you wish to participate and be included in our database.

Conclusion



Comments and Questions?

We appreciate the opportunity to serve the City of Hapeville, Georgia and look forward to continuing to work with the City in upcoming years!

DEPARTMENT OF PLANNING AND ZONING
PLANNER'S REPORT

DATE: February 4, 2021
TO: Adrienne Senter
FROM: Lynn M. Patterson
RE: Text Amendment – Medical uses

BACKGROUND

The current Code regarding medical uses (permitted and non-permitted) is vague for various zoning districts. As the City is accepting more applications for healthcare- related businesses and industries, Staff reviewed the Code to facilitate easier and more consistent identification, and where necessary, interpretation of permitted uses. The mixed use zoning classifications would maintain an “office-like” business environment while the more intense commercial zoning district (General Commercial) would allow for a broader array of uses.

PROPOSED TEXT AMENDMENTS

Replace Clinic definition

93-1-2

Clinic. A building used by a group of doctors or dentists for the medical examination or treatment of persons on an outpatient, or nonboarding basis only.

WITH

Clinic. An establishment that provides nonemergency outpatient care that is routine or preventative.

Add additional definitions below.

Blood plasma donation center. A facility, where whole blood is taken through an IV needle and separated into plasma and blood cells.

Clinic, addiction services. Establishments that offer outpatient services for people recovering from a substance use disorder including services such as individual or group counseling sessions, drug and alcohol education, etc.

Clinic, medical. Establishments that offer outpatient services in the areas of primary care and/or medical specialties (e.g., cardiology, dentistry, dermatology, ENT, gastroenterology, gynecology and obstetrics, ophthalmology, orthopedics, physical therapy, podiatry, urology, etc.). This may include urgent care services but does not include mental health clinics or addiction services clinics.

Clinic, mental health. Establishments that offer outpatient services in the area of mental health to include evaluation and diagnosis of mental health conditions, individual, group or family counseling, medication prescriptions as part of treatment, psychiatric rehabilitation services, etc.

Hospital. A facility providing medical or surgical care to patients and offering inpatient (overnight) care. The facility must have a permit as a hospital from the Georgia Department of Community Health pursuant to the O.C.G.A. and the rules and regulations of the Georgia Department of Community Health.

Laboratory, medical or dental. An establishment where tests are carried out on clinical specimens to aid in diagnosis, treatment, and prevention of disease. Medical or dental laboratories may also manufacture or customize products to assist in the provision of individual medical or dental health care by a licensed professional.

Office, medical or dental. Office providing routine, preventative care as well as diagnosis and treatment of illnesses, injuries, and physical malfunctions that can be performed in an office setting with no overnight care. These may include primary care or medical specialties (e.g., cardiology, dentistry, dermatology, ENT, gastroenterology, gynecology and obstetrics, ophthalmology, orthopedics, physical therapy, podiatry, urology, etc.).

Rehabilitation or Treatment Facility. A facility licensed by the State of Georgia that provides treatment for persons who present a direct threat to the persons or property of others. Includes persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders. Includes facilities that provide transient housing related to post-incarceration and social service programs.

Surgical center. A facility independent from a hospital, where outpatient surgeries and procedures are performed that do not require overnight in-facility care.

Replace Permitted Uses

93-11.2-3

h. Medical, including, but not limited to, private physicians, medical specialists, chiropractors, and physical therapists.

CHANGE TO

Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center.

93-11.5-3

h. Medical, including, but not limited to, private physicians, medical specialists, chiropractors, and physical therapists.

CHANGE TO

Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center.

93-12-2

(b) The following uses are permitted in any C-R zone subject to the general requirements of the zone; and subject

(5) Clinics, in buildings of not more than 6,000 square feet of floor area.

CHANGE TO

Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center.

93-13-3

(16) Health clinics.

CHANGE TO

Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center.

93-14-3

(23) Hospitals, medical and health clinics, including chiropractic.

CHANGE TO

Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center, addiction services clinic, mental health clinic, hospital, rehabilitation or treatment facility.

93-18-2

1. Business and professional offices

h. Medical

CHANGE TO

Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center.

93-19-3

a) Permitted uses

1. Business and professional offices,

h. medical

CHANGE TO

Medical or dental office

Replace Non Permitted Uses**93-11.2-4**

(23) Health clinics;

CHANGE TO

Addiction services clinic, mental health clinic, hospital, rehabilitation or treatment facility,

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

3
4 **ORDINANCE NO. _____**

5
6 **AN ORDINANCE TO AMEND CHAPTER 93 (“ZONING”), ARTICLE 1 (“TITLE,**
7 **DEFINITIONS AND APPLICATION REGULATIONS”), SECTION 93-1-2**
8 **(“DEFINITIONS”); CHAPTER 93 (“ZONING”), ARTICLE 11.2 (“U-V(URBAN**
9 **VILLAGE)”); SECTION 93-11.2-3 (“PERMITTED USES”); CHAPTER 93 (“ZONING”),**
10 **ARTICLE 11.5 (“RMU ZONE (RESIDENTIAL MIXED USE)”); SECTION 93-11.5-3**
11 **(“PERMITTED USES”); CHAPTER 93 (“ZONING”), ARTICLE 12 (“C-R ZONE**
12 **(COMMERCIAL-RESIDENTIAL)”); SECTION 93-12-2 (“PERMITTED USES”);**
13 **CHAPTER 93 (“ZONING”), ARTICLE 13 (“C-1 ZONE (RETAIL COMMERCIAL)”);**
14 **SECTION 93-13-3 (“PERMITTED USES”); CHAPTER 93 (“ZONING”), ARTICLE 14**
15 **(“C-2 (GENERAL COMMERCIAL)”); SECTION 93-14-3 (“PERMITTED USES”);**
16 **CHAPTER 93 (“ZONING”), ARTICLE 18 (“B-P ZONE (BUSINESS PARK)”); SECTION**
17 **93-18-2 (“PERMITTED USES”); CHAPTER 93 (“ZONING”), ARTICLE 19 (“D-D ZONE**
18 **(DOWNTOWN DEVELOPMENT)”); SECTION 93-19-3 (“USES; PERMITTED AND**
19 **NON-PERMITTED”); AND CHAPTER 93 (“ZONING”), ARTICLE 11.2**
20 **(“NONPERMITTED USES”), SECTION 93-11.2-4 (“NONPERMITTED USES”) OF THE**
21 **CODE OF ORDINANCES, CITY OF HAPEVILLE, GEORGIA; TO PROVIDE FOR**
22 **SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN**
23 **EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

24
25 **WHEREAS,** the Mayor and Council shall have full power and authority to provide for the
26 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
27 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,
28

29 **WHEREAS,** the municipal government of the City of Hapeville (hereinafter “City”) and
30 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
31 the legislative body of the City; and,
32

33 **WHEREAS,** amendments to any of the provisions of the City’s Code may be made by
34 amending such provisions by specific reference to the section number of the City’s Code; and,
35

36 **WHEREAS,** existing ordinances, resolutions, rules and regulations of the City and its
37 agencies now lawfully in effect not inconsistent with the provisions of the City’s charter shall
38 remain effective until they have been repealed, modified or amended; and,
39

40 **WHEREAS,** every official act of the Mayor and Council which is to become law shall be
41 by ordinance; and,
42

43 **WHEREAS,** the procedures required for amending the City’s zoning ordinance have been
44 satisfied, including, but not limited to, notice and public hearings; and,
45

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46 **WHEREAS**, the governing authority of the City finds it desirable to amend and update the
47 current code regarding healthcare uses.
48

49 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
50 **THE CITY OF HAPEVILLE, GEORGIA THAT:**
51

52 **Section One.** Chapter 93 (Zoning), Article 1 (Title, Definitions and Application
53 Regulations), Section 93-1-2 (Definitions) of the City Code of Ordinances is hereby amended by
54 striking the definition of “Clinic” in its entirety and inserting in lieu thereof the following language:
55

56 *Clinic.* An establishment that provides nonemergency outpatient care that is routine or
57 preventative.
58

59 **Section Two.** Chapter 93 (Zoning), Article 1 (Title, Definitions and Application
60 Regulations), Section 93-1-2 (Definitions) of the City Code of Ordinances is hereby amended by
61 adding the following definitions:
62

63 *Blood plasma donation center.* A facility, where whole blood is taken through an IV needle
64 and separated into plasma and blood cells.
65

66 *Clinic, addiction services.* Establishments that offer outpatient services for people
67 recovering from a substance use disorder including services such as individual or group counseling
68 sessions, drug and alcohol education, etc.
69

70 *Clinic, medical.* Establishments that offer outpatient services in the areas of primary care
71 and/or medical specialties (e.g., cardiology, dentistry, dermatology, ENT, gastroenterology,
72 gynecology and obstetrics, ophthalmology, orthopedics, physical therapy, podiatry, urology, etc.).
73 This may include urgent care services but does not include mental health clinics or addiction
74 services clinics.
75

76 *Clinic, mental health.* Establishments that offer outpatient services in the area of mental
77 health to include evaluation and diagnosis of mental health conditions, individual, group or family
78 counseling, medication prescriptions as part of treatment, psychiatric rehabilitation services, etc.
79

80 *Hospital.* A facility providing medical or surgical care to patients and offering inpatient
81 (overnight) care. The facility must have a permit as a hospital from the Georgia Department of
82 Community Health pursuant to the O.C.G.A. and the rules and regulations of the Georgia
83 Department of Community Health.
84

85 *Laboratory, medical or dental.* An establishment where tests are carried out on clinical
86 specimens to aid in diagnosis, treatment, and prevention of disease. Medical or dental laboratories
87 may also manufacture or customize products to assist in the provision of individual medical or
88 dental health care by a licensed professional.
89

90 *Office, medical or dental.* Office providing routine, preventative care as well as diagnosis
91 and treatment of illnesses, injuries, and physical malfunctions that can be performed in an office

DRAFT

setting with no overnight care. These may include primary care or medical specialties (e.g., cardiology, dentistry, dermatology, ENT, gastroenterology, gynecology and obstetrics, ophthalmology, orthopedics, physical therapy, podiatry, urology, etc.).

Rehabilitation or Treatment Facility. A facility licensed by the State of Georgia that provides treatment for persons who present a direct threat to the persons or property of others. Includes persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders. Includes facilities that provide transient housing related to post-incarceration and social service programs.

Surgical center. A facility independent from a hospital, where outpatient surgeries and procedures are performed that do not require overnight in-facility care.

Section Three. Chapter 93 (Zoning), Article 11.2 (U-V Zone (Urban Village)), Section 93-11.2-3 (Permitted Uses), subsection (h) of the City Code of Ordinances is hereby amended by striking subsection (h) in its entirety and inserting in lieu thereof the following language:

(h) Medical clinic, medical or dental laboratory, medical or dental office, surgical center.

Section Four. Chapter 93 (Zoning), Article 11.5 (RMU Zone (Residential Mixed Use)), Section 93-11.5-3 (Permitted Uses), subsection (h) of the City Code of Ordinances is hereby amended by striking subsection (h) in its entirety and inserting in lieu thereof the following language:

(h) Medical clinic, medical or dental laboratory, medical or dental office, surgical center.

Section Five. Chapter 93 (Zoning), Article 12 (C-R Zone (Commercial Residential)), Section 93-12-2 (Permitted Uses), subsection (b)(5) of the City Code of Ordinances is hereby amended by striking subsection (b)(5) in its entirety and inserting in lieu thereof the following language:

(b)(5) Medical clinic, medical or dental laboratory, medical or dental office, surgical center.

Section Six. Chapter 93 (Zoning), Article 13 (C-1 Zone (Retail Commercial)), Section 93-13-3 (Permitted Uses), subsection (16) of the City Code of Ordinances is hereby amended by striking subsection (16) in its entirety and inserting in lieu thereof the following language:

(16) Medical clinic, medical or dental laboratory, medical or dental office, surgical center.

Section Seven. Chapter 93 (Zoning), Article 14 (C-2 Zone (General Commercial)), Section 93-14-3 (Permitted Uses), subsection (23) of the City Code of Ordinances is hereby amended by striking subsection (23) in its entirety and inserting in lieu thereof the following language:

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(23) Blood plasma donation center, medical clinic, medical or dental laboratory, medical or dental office, surgical center, addiction services clinic, mental health clinic, hospital, rehabilitation or treatment facility.

Section Eight. Chapter 93 (Zoning), Article 18 (B-P Zone (Business Park)), Section 93-18-2 (Permitted Uses), subsection (1)(h) of the City Code of Ordinances is hereby amended by striking subsection (1)(h) in its entirety and inserting in lieu thereof the following language:

(1)(h) Medical clinic, medical or dental laboratory, medical or dental office, surgical center.

Section Nine. Chapter 93 (Zoning), Article 19 (D-D Zone (Downtown Development)), Section 93-19-3 (Uses; permitted and nonpermitted), subsection (a)(1)(h) of the City Code of Ordinances is hereby amended by striking subsection (a)(1)(h) in its entirety and inserting in lieu thereof the following language:

(a)(1)(h) Medical or dental office.

Section Ten. Chapter 93 (Zoning), Article 11.2 (U-V Zone (Urban Village)), Section 93-11.2-4 (Nonpermitted Uses), subsection (23) of the City Code of Ordinances is hereby amended by striking subsection (23) in its entirety and inserting in lieu thereof the following language:

(23) Addiction services clinic, mental health clinic, hospital, rehabilitation or treatment facility.

Section Eleven. 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 Twelve. 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

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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 Thirteen. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Fourteen. 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:

Crystal Griggs-Epps, City Clerk

APPROVED BY:

Priya M. Patel, City Attorney



CITY OF HAPEVILLE
3468 NORTH FULTON AVENUE
ATLANTA, GA 30354

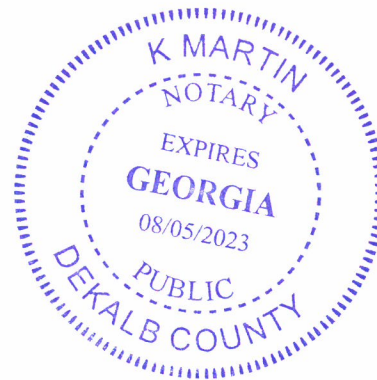
PUBLISHER'S AFFIDAVIT

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: 02/01/2021.

Alicia Seals

[Signature]
Subscribed and sworn to before me this February 1, 2021



NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, February 16, 2021 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 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 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:

Consideration of an amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 1 (Title, definitions and application of regulations), Section 93-1-2 (Definitions), Chapter 93 (Zoning), Article 11.2 (Urban Village), Section 93-11.2-3 (Permitted uses), Section 93-11.2-4 (Nonpermitted uses), Section 93-11.5-3(h) (Medical, including, but not limited to, private physicians, medical specialists, chiropractors, and physical therapists), Chapter 93 (Zoning), Article 12 (Commercial-Residential), Section 93-12-2 (Permitted uses), Chapter 93 (Zoning), Article 13 (Retail Commercial), Section 93-13-3(16) (Health clinics), Chapter 93 (Zoning), Article 14 (General Commercial), Section 93-14-3(23) (Hospitals, medical and health clinics, including chiropractic), Chapter 93 (Zoning), Article 19 (Downtown Development), Section 93-19-3 (Uses; permitted and nonpermitted), and Chapter 93 (Zoning), Article 18 (Business Park), Section 93-18-2 (Permitted uses) for the purpose of updating the City of Hapeville U-V Zone (Urban Village) permitted uses.

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 February 15, 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.
#0000510707:2/01-1AS

I, Randell Brown with Stream Funding Group LLC, would like to donate the out parcel located adjacent to 3410 North Fulton Avenue, Hapeville Ga 30354, to the City of Hapeville.

This parcel will be used as a green space to beautify and revitalize a small portion of Hapeville located between Park Street and North Fulton Street.

I would also like to request that the privately owned street currently known as Park Street, be renamed to Randell Street and made a public street in the City of Hapeville. I would like the new name, Randell Street, to be consistent with the subdivision name known as Randell's Subdivision.

My goal is to make a positive impact on this community and make it a place where residents are proud to call home. I would like the board to know that I am dedicated to making this subdivision a desirable location for all potential homeowners and tenants to enjoy, feel safe, and create a sense of community with a new purpose.

If you have any questions or concerns, my contact information is below.

Sincerely

Randell Brown
Randellb5@gmail.com
Mobile #: (404) 285 -8501

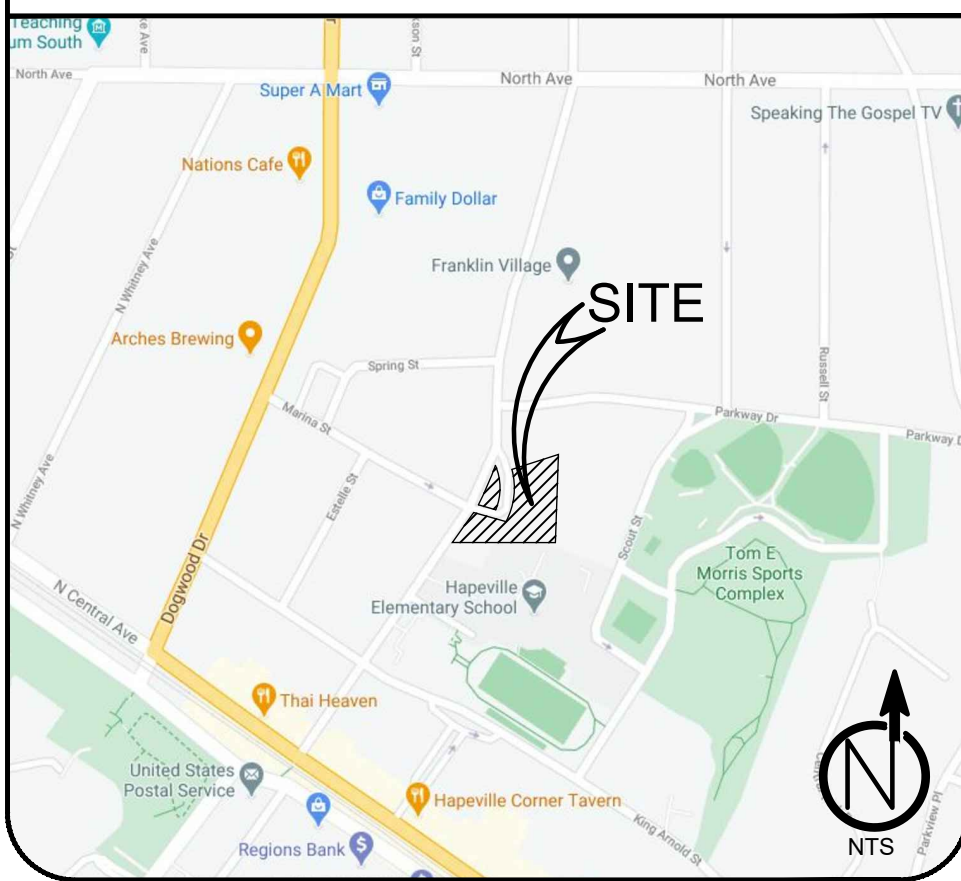
RESERVED FOR CLERK:

OWNER/DEVELOPER 24 HR CONTACT:
OWNER/DEVELOPER: STREAM FUNDING GROUP LLC
CONTACT: RANDELL BROWN
PHONE: 404-285-8501
EMAIL: randellb5@gmail.com
ADDRESS: 3300 BENJAMIN E. MAYS DRIVE SW
ATLANTA, GA 30311

LEGEND & ABBREVIATIONS

POB	POINT OF BEGINNING
RW	RIGHT-OF-WAY
SCRIBE	SCRIBED "X" IN CONCRETE
IF	IRON PIN FOUND
CONC MON	CONCRETE MONUMENT
RB	REBAR FOUND
CTP	CRIMP TOP PIPE
OTP	OPEN TOP PIPE
NF	NOW OR FORMERLY
DB	DEED BOOK
PG	PAGE
X-X-X-X-X	EXISTING FENCE
W-W-W	EXISTING WATERLINE
OHP	EXISTING OVERHEAD POWER
S-S-S	EXISTING SEWERLINE
FH	FIRE HYDRANT
WM	WATER METER
SM	SEWER MANHOLE
PP	POWER POLE
AT	AT&T BOX

LOCATION MAP



FLOOD NOTE:
THIS TRACT OF LAND DOES NOT LIE WITHIN THE 100 YEAR INTERMEDIATE REGIONAL FLOOD ZONE AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY PANEL RS 1312100385 F & 1312100387 F LAST REVISED SEPTEMBER 18, 2013.

SURVEY REFERENCE:
1. QUIT CLAIM DEED FOR DIXIE DOG PROPERTIES LLC, DEED BOOK 48840 PAGE 17, FULTON COUNTY RECORDS, DATED DECEMBER 21, 2009.
2. BOUNDARY SURVEY FOR STREAM FUNDING GROUP LLC, PARCEL # 14 009500090081 & 14 009500090123, PREPARED BY DOUGLAS CONSULTING LLC, STAMPED BY JONATHAN E. DOUGLAS GA PLS 3212, DATED 12/28/20.

SITE NOTES:
ZONING: R-SF
TOTAL NUMBER OF LOTS: 7
TOTAL SITE AREA: 65,056 SQ FT / 1.493 ACRES
BUILDING SETBACKS: 15' FRONT, 5' SIDE, 20' REAR
CALL BEARING CHORD ARC RADIUS
C1 N 24°28'55"E 30.34' 30.36' 250.00'
C2 N 13°50'10"E 62.38' 62.54' 250.00'
C3 N 01°41'28"E 43.40' 43.45' 250.00'
C4 N 09°09'03"W 51.07' 51.16' 250.00'
IT APPEARS THAT #3408 WILL NEED A NEW WATER METER INSTALLED.
12" REBAR WITH PLASTIC CAPS WILL BE SET AT ALL PROPOSED LOT CORNERS.

OWNER'S ACKNOWLEDGEMENT AND DEDICATION:

(STATE OF GEORGIA)
(FULTON COUNTY)
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES BY THIS DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, EASEMENTS, SANITARY SEWERS AND APPURTENANCES, POTABLE WATER MAINS AND APPURTENANCES, STORM DRAINS AND APPURTENANCES, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN.

SIGNATURE OF SUBDIVIDER _____ DATE SIGNED _____

PRINTED OR TYPED NAME OF SUBDIVIDER _____

SIGNATURE OF OWNER _____ DATE SIGNED _____

PRINTED OR TYPED NAME OF OWNER _____

FINAL PLAT APPROVAL:
THIS SUBDIVISION PLAT HAS BEEN REVIEWED BY THE PLANNING COMMISSION AND THE CITY ENGINEER AND FOUND TO BE IN COMPLIANCE WITH ZONING ORDINANCE, CONDITIONS OF ZONING APPROVAL, CITY OF HAPEVILLE DEVELOPMENT REGULATIONS AND SUBDIVISION REGULATIONS, AS AMENDED, AND THAT IT HAS BEEN APPROVED BY ALL OTHER AFFECTED CITY AND COUNTY DEPARTMENTS, AS APPROPRIATE. THE MAYOR AND CITY COUNCIL HEREBY APPROVE THIS FINAL PLAT, SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE CITY'S REGULATIONS AND THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS DEVELOPMENT BETWEEN THE OWNER AND THE CITY OF HAPEVILLE.

CITY CLERK - ON BEHALF OF MAYOR AND COUNCIL _____ DATE _____

CHAIRMAN, PLANNING COMMISSION _____ DATE _____

CITY ENGINEER _____ DATE _____

FINAL SURVEYOR'S CERTIFICATE:
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS AND MARKERS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 52,871 FEET AND AN ANGULAR ERROR OF 1 PER ANGLE POINT, AND WAS ADJUSTED USING THE NODAL RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 190,884 FEET AND THE PROPERTY SHOWN CONTAINS A TOTAL OF 1.493 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS GEOMAX ZOOM80 ROBOTIC TOTAL STATION.

BY: J. S. Douglas DATE: 12/28/20
JONATHAN E. DOUGLAS
REGISTERED GEORGIA LAND SURVEYOR NO. 3212 DATE OF EXPIRATION 12/31/2022

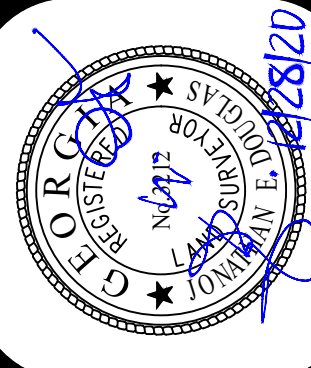
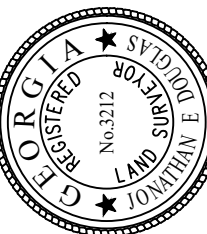
(I) AS REQUIRED BY SUBSECTION (D) OF O.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCELS. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.G.A. SECTION 15-6-67.

FINAL PLAT FOR:

PARK STREET SUBDIVISION
CITY OF HAPEVILLE
LAND LOT 95 OF THE 14TH DISTRICT
FULTON COUNTY, GEORGIA

DOUGLAS CONSULTING LLC

248 Gilham Ct.
Locust Grove, GA 30248
LSF001174



CHECKED: JED

DRAWN: JED

SCALE: 1"=20'

FIELD DATE: 12-21-2020

DWG DATE: 12-28-2020

JOB NO: 3410 N. FULTON AVE

SHEET

1 OF 1

