

Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
October 7, 2014
7:00 pm

Call to Order

Mayor Reed called the meeting to order at 7:00 p.m. Councilmembers present were Don Hayes, Faye Godwin, Richard Schmidt, John Taylor and Claire Williams. All members were present. Mayor Reed declared that a quorum was present. Also present was the City Attorney Mr. Lindsey. Mayor Reed led the assembly in the Pledge of Allegiance.

Approval of Agenda

A motion was made by Mr. Schmidt to approve the agenda with one addition (Item 14-703 Consideration of the JAMS Mediation Fee Agreement), seconded by Ms. Godwin. The motion passed unanimously.

Approval of Minutes

1. Minutes of the Regular Meeting of September 2, 2014

A motion was made by Mr. Hayes to approve the minutes from the regular meeting of September 2, 2014 with one correction (Item 14-689: motion was made by Mr. Taylor) and Ms. Godwin seconded. The motion passed unanimously.

Presentations

1. Molcie Trimble Proclamation

Mayor Reed called Molcie Trimble forward and read the proclamation thanking her for her years of volunteer service.

2. City of Newnan and Newnan Fire Department Proclamation

Mayor Reed read the proclamation thanking the City of Newnan and its Fire Department for the generous donations of equipment recently given to Chattahoochee Hills, as well as significantly reducing the sale price of a fire engine.

Public Hearing

1. **Item 14-692:** 14A-001, Public Hearing to consider an application by Serenbe Development Corporation to annex into the City 178.78 acres located on Shell Road in Coweta County and to classify that property in the AG-1 Agricultural zoning district.

Mayor Reed opened the Public Hearing and Mr. Lindsey read the guidelines that would be followed during the hearing.

City Planner Mike Morton gave summary of the application and a staff recommendation to approve the annexation following the conditions set forth by Coweta County.

Steve Nygren stated his desire to bring the parcel into the City and there are no plans for development at this time.

There were no public comments in favor or in opposition to the annexation.

The Public Hearing was closed.

2. **Item 14-692:** Ordinance 14-09-124, Action to consider an application by Serenbe Development Corporation to annex into the City 178.78 acres located on Shell Road in Coweta County and to classify that property in the AG-1 Agricultural zoning district. (2nd read)

Mr. Taylor made a motion to approve Item 14-692 and Ms. Godwin seconded the motion. It passed unanimously.

3. **Item 14-696:** 14U-001, Public Hearing to consider an application by Serenbe Development Corporation to obtain a Use Permit for a Country Inn at 10950 Hutcheson Ferry Road, as described in zoning ordinance section 19.4.14, to allow expansion of the existing inn.

Mayor Reed opened the Public Hearing.

Mr. Morton gave a summary of the application and a staff recommendation to approve the use permit with staff suggestion of adding a fire hydrant.

Mr. Nygren gave a brief history of the inn and the approval process with Fulton County when the inn initially opened. He explained the added two (2) acres needed for wastewater treatment and extra parking area to provide better fire department access.

Planning Commission Chairman Alan Merrill explained the definition of a special use permit and how it is applied.

There were no public comments in favor or in opposition to the use permit.

The public hearing closed.

4. **Item 14-696:** 14U-001, Action to consider an application by Serenbe Development Corporation to obtain a Use Permit for a Country Inn at 10950 Hutcheson Ferry

Road, as described in zoning ordinance section 19.4.14, to allow expansion of the existing inn

Mr. Taylor made a motion to approve Item 14-696 and Ms. Godwin seconded the motion. It passed unanimously.

5. **Item 14-697:** 14U-002, Public Hearing to consider an application by Serenbe Development Corporation to obtain a Use Permit for a Country Inn at 10455 Atlanta Newnan Road, as described in zoning ordinance section 19.4.14, to be used as a short-term lodging and accessory art space.

Mayor Reed opened the Public Hearing.

Mr. Morton gave a summary of the application and a staff recommendation to approve the use permit with staff suggestion of adding a fire hydrant.

Tammy Wheaton, 8726 Atlanta Newnan Road, stated that the land had been in her family for generations and she is impressed with what has been done so far. She is proud of the property and is in favor of the application.

Steve Hurwitz, 9116 Selborne Lane, stated that he is an active volunteer in the community with the charter school and Cochran Mill Nature Center. He moved here from Dunwoody because the area reminds him of his hometown and he feels the vision of managed growth is important. He is in favor of the application and feels that artists can take the Chatt Hills vision out into the world.

Mr. Nygren gave a history of his development and involvement in the community and the drive to become a city. He stressed the importance of protecting the rural nature and preserving the area. Mr. Nygren talked about the artist in residence program and how the art farm could benefit the program. He reported on improvements he has made to the existing house and how the storage containers would be used. He has been working with the architectural program at Auburn University to design cottages.

Brandon Hinmen, of Carrollton GA, spoke in favor of the application and stated he had moved back to Georgia to have the opportunity to manage the property.

Lee Foster, 425 Selborne Way, gave her families background in the performing arts and stated she and her husband moved here to support the arts and the beautiful community. She is in favor of the application and feels that the art farm would bring in people and act as an economic multiplier.

Gordon Ramsey, 9132 Selborne Lane, stated that the art program at Serenbe has been excellent and has contributed much to the community. He is in favor of the application.

Monica Olsen, 10551 Serenbe Lane, Vice-Chair of Chattahoochee Hills Charter School Board, spoke in support of the application and stated the art farm will be an advantage to the school by bringing in artists.

John Graham, 445 Selborne Way, serves on the City's Parks Commission and feels that having artists here to do site specific art is important to the area. He is in favor of the application.

Chris Condon, 9179 Selborne Lane, spoke in favor of the application and feels that it will benefit the area.

Maria Hanson, 8135 Atlanta Newnan Road, is in favor of the application and is excited to have an art community down the road.

Alan Merrill, 560 Tabb Way, spoke in favor of the application stating that it could be an economic stimulus to the area.

Anne Jackson, 10571 Serenbe Lane, spoke in favor of the application and feels it is an amazing project.

Gordon Chandler, 2453 Hwy 27S, Carrollton GA, stated that he is a sculptor in the area and feels that the potential of having quality artist from around the world is wonderful and that art is a reflection of the community.

Barry Anbinder, 10675 Serenbe Lane, spoke of the influence art has on children and how it has affected his life. He stated it was important to approve the application so that art can flourish in the city.

The public hearing closed.

- 6. Item 14-697:** 14U-002, Action to consider an application by Serenbe Development Corporation to obtain a Use Permit for a Country Inn at 10455 Atlanta Newnan Road, as described in zoning ordinance section 19.4.14, to be used as a short-term lodging and accessory art space.

Ms. Godwin made a motion to approve Item 14-697 and Mr. Taylor seconded the motion.

Mr. Hayes stated that he feels Mr. Nygren has done a great job with Serenbe, but feels that allowing commercial in a residential area sets precedent.

Ms. Godwin stated she felt otherwise and the use is allowed in the zoning.

Ms. Williams stated that she sees an inn as a home made into a place for visitors to stay rather than separate cottages.

Mayor Reed stated that there are other businesses in the same zoning. He sees no reason to vote against the application. It is supported by the comprehensive plan and zoning.

The motion failed by a vote of two (2) in favor and three (3) opposed (Hayes, Schmidt, Williams).

7. **Item 14-695:** 14VC-003, Public Hearing and 2nd reading to consider an application by Serenbe Development Corporation for two concurrent variances at 10455 Atlanta Newnan Road, for the placement of an accessory structure in the front yard, and to eliminate the side yard setback to allow the accessory structure to run to the edges of the property.

Mayor Reed opened the Public Hearing.

Mr. Nygren stepped forward and stated he was withdrawing the application based on the results of the last vote.

Ms. Godwin made a motion to allow the application to be withdrawn and Mr. Taylor seconded. The motion passed unanimously.

8. **Item 14-695:** 14VC-003, Action to consider an application by Serenbe Development Corporation for two concurrent variances at 10455 Atlanta Newnan Road, for the placement of an accessory structure in the front yard, and to eliminate the side yard setback to allow the accessory structure to run to the edges of the property.

No action taken. Application withdrawn.

Unfinished Business

New Business

1. **Item 14-698:** Ordinance 14-10-126, to provide for participation by the City of Chattahoochee Hills in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer's Declaration Page, and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

Mr. Schmidt made a motion to approve Item 14-698 and Ms. Williams seconded. The motion passed unanimously.

2. **Item 14-699:** Resolution 14-10-170, to adopt revisions to the Fiscal Year 2015 budget.

Ms. Godwin made a motion to approve Item 14-699 and Mr. Schmidt seconded. The motion passed unanimously.

3. **Item 14-700:** Resolution 14-10-171, authorizing the Parks Commission to apply for and accept a Recreational Trails Program Grant.

Ms. Williams made a motion to approve Item 14-700 and Mr. Taylor seconded. The motion passed unanimously. Mayor Reed thanked Diana Wilson for her hard work on the grant.

4. **Item 14-701:** Resolution 14-10-172, adoption of Fire Safety Codes.

Mr. Schmidt made a motion to approve Item 14-701 and Ms. Williams seconded. The motion passed unanimously.

5. **Item 14-702:** Consideration of contract for culvert repair.

Mr. Taylor made a motion to approve Item 14-702 and Ms. Godwin seconded. The motion passed unanimously.

6. **Item 14-703:** Consideration of contract for JAMS fee agreement (*added*)

Mr. Hayes made a motion to approve Item 14-703 and Ms. Godwin seconded. The motion passed unanimously.

Public Comments

Louise Kidd, 10725 Cedar Grove Road, stated she was not opposed to hunting, but has an issue with people abusing firearms. One of her miniature horses was shot recently by gunfire coming from a neighboring property. She asked that the Council consider an ordinance regulating high powered rifles being shot in residential areas.

Sara Ann Alford, 7415 Hopkins Road, expressed that the community of Serenbe has affected her life in many ways, such as starting the History Club. She is pro art and feels that sometimes we have to realize what art is. She also thanked Maribeth Wansley and Tom Blum for helping with the proclamation for Molcie.

Nesha Bryant, 13150 Hutcheson Ferry Road, wanted assurance that there would be plenty of time to speak about the other pending annexation on the next Council agenda. Mayor Reed gave her the dates of the two (2) planned public hearings.

Mayor and Council Comments

Mayor Reed thanked everyone that came to participate in the meeting.

These minutes are provided as a convenience and service to the public, media, and staff. It is not the intent to transcribe proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted and heard by Council, but not quoted. This is an official record of the City of Chattahoochee Hills City Council Meeting proceedings.

Staff Reports

Chief Matt Rook announced a new service to get notifications over phone calls, text messages or email through TownStatus.net.

Chief Rook also called Finance Director Kyle Jones forward and presented him with a certificate marking five years of service with the City.

Chief Greg Brett announced donations for automated external defibrillators to be placed at Serenbe and other parts of Chattahoochee Hills (police cars, etc.).

Adjourn Meeting

Mr. Schmidt made a motion to adjourn the meeting and Ms. Godwin seconded. The motion passed unanimously and the meeting adjourned at 8:34 p.m.

Approved this ____ day of _____, 2014.

Cynthia Hanson, City Clerk

Tom Reed, Mayor

(Seal)

The City of Chattahoochee Hills Mayor and City Council encourage citizen participation in the government process. Should you by reason of a disability need a special accommodation or need accessibility information, please contact the City Clerk's office at 770-463-8881.