

Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
September 7, 2021 / 6:00 p.m.

Call to Order

Mayor Reed called the meeting to order at 6:00 p.m. Councilmembers in attendance were Ruby Foster, Laurie Searle, Camille Lowe, and Troy Bettis. Councilmember Richard Schmidt was absent. Also present was City Attorney Rick Lindsey.

Mayor Reed called for a moment of silence in remembrance of the upcoming 20th Anniversary of 9/11.

Review and Approval of Agenda

Mayor Reed called for a motion to amend the agenda as follows:

- 1. Add Agenda Item 21-060, Request to allow developer to topcoat the roads in Cedar Grove Estates at 90% completion of the homes.*
- 2. Add Agenda Item 21-061, Consideration to amend Position Control to categorize City Planner as market rate.*

Councilmember Searle made a motion to approve the agenda as amended. Councilmember Lowe seconded. The motion passed unanimously.

Approval of Minutes

- 1. Minutes of the Regular Meeting of August 3, 2021*
Councilmember Foster made a motion to approve the minutes of the Regular Meeting of August 3, 2021. Councilmember Searle seconded. The motion passed unanimously.

Presentations/Proclamations

There were no Presentations or Proclamations.

Public Comment

Don Winston, 9875 Cedar Grove Road – said he had concerns about traffic and noise from the upcoming Imagine Music Festival. He has not seen anything related to traffic control and noise, and he hopes code enforcement will hold the even to the 65-decibel noise level. He also commended code enforcement and the police department with their assistance on putting an end to the house parties at a neighboring property.

Mayor Reed asked City Manager Robbie Rokovitz to give an update on the Imagine Music Festival special event permit. Mr. Rokovitz said staff is working with Joe Barasoain to finalize the last items in preparation for the event. He said the event is utilizing technology that will allow them to reposition speakers to redirect the sound when complaints about the noise levels are received. Georgia State Patrol will be working with our Police Department on traffic control. He also reported that the invoice for the event

has been paid.

Bill Creel, 8150 Rico Road – said he has lived in the area 59 years and has been selling real estate here for 42 years. The main purpose for his comments was real estate. He said there was an organized biking event on Friday and cyclists were stopping traffic Hutcheson Ferry Road. He said that we have a biking problem. He also spoke about the proposed zoning. He said that he heard it was a done deal, and he hopes that is wrong. He’s a strong believer in property rights. He spoke about two properties on the market in Chattahoochee Hills, and said the new zoning will make the land less valuable. The owners are older and will not benefit from the new zoning.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

There were no financials to report due to the ongoing switch over to the new financial software.

Fire Department Report: Greg Brett

Chief Brett spoke about the 20-year anniversary of 9/11 and asked everyone to reflect on those who serve the community. He said he is overseeing the water rescue division, the fire suppression division, and the inspections division for Imagine Music Festival. Personnel have been added while the event is taking place so there will be no disruption to services to the city. The department is updating the “Hazard Mitigation Plan” to Fulton County and FEMA (Federal Emergency Management Agency) and is asking for citizen input.

Police Department Report: Jim Little

Chief Little reported a significant increase in traffic accidents. There were 13 accidents for the month of September. Five were on private property, four were single car accidents, and two were hit and run accidents. During “100 Days of Summer Heat”, there were 730 citations issued in the tracked categories, including 93 citations for 25 or more mph over the speed limit and 159 for 20 mph over the speed limit. The department is still working on the State Certification process and hopes to have the inspection this fall. For the Imagine Music Festival, staffing will consist of 15 officers in two shifts working in the community to maintain the quality of services. They also will be monitoring noise levels. Event tickets are being assigned arrival time slots and the traffic plan looks good.

Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt reported that the right-of-way mowers have been received and are working together to prep for side arming over the winter months. The recent rains have slowed down the grass cutting. The crews work on trash pick-up and weed eating on rain days. Ball season starts on September 11th, and the ball field is immaculate.

Community Development: Mike Morton

Community Development Director Mike Morton reported that there were a total of 14 building permits, with three of them for residential single-family dwellings, issued and 183 inspections conducted in August. In addition to Imagine Music Festival, there are two other special events scheduled for October. The September 16th Planning Commission meeting agenda will include public hearings for the Piney Woods rezoning and the Unified Development Code and a preliminary plat for Sanctuary.

Public Hearing

1. **Item 21-005:** Public Hearing and Action to consider authorizing the Mayor to transmit the Comprehensive Plan update to the Department of Community Affairs.

Community Development Director Mike Morton presented the item. The city has been working with the Atlanta Regional Commission on the update of the Comprehensive Plan. During the update process, there have been several steering committee meetings and two public participation meetings during. The major changes in the plan are changes that came out of the zoning discussions – the elimination of Parkway Commercial and Special Hamlet districts, the combination of residential hamlet types, and a few new policies and short-term work program. This action is a vote to transmit the document to regional and state reviewers. The Historic Crossroads map with the amendments discussed at the work session will be included in the document.

Mayor Reed opened the public hearing. There was no public comment. Mayor Reed closed the public hearing.

Mayor Reed called for a motion on Item No. 21-005. Councilmember Searle made a motion to approve Item No. 21-005. Councilmember Lowe seconded. The motion passed 3-1, Councilmember Bettis opposed.

Unfinished Business

1. **Item 21-030:** Ordinance to adopt a new Unified Development Code and to Adopt a Zoning Map, as Amended. *First Read only. No action will be taken.*

Community Development Director Mike Morton presented the item. The ordinance is going through the first read process again because of changes made to the Future Development map that came out of the zoning discussions. Public hearings are scheduled for the September 16th Planning Commission meeting and the October 5th City Council meeting. No action was taken.

2. **Item 21-049:** Approval of an amount not to exceed \$139,995 of Hotel Motel Funds for the fabrication and installation of 25 wayfinding signs.

City Manager Robbie Rokovitz presented the item. The revised quote changes the metal posts to wood. It is still an increase from the original RFP, so City Council approval is required. The quote is for 24 signs, including one gateway sign. Hotel motel funds will be used to pay for the project.

Mayor Reed called for a motion on Item No. 21-049. Councilmember Foster made a motion to approve Item No. 21-049. Councilmember Lowe seconded. The motion passed 3-1, Councilmember Bettis opposed.

New Business

1. **Item 21-055:** Ordinance to amend the Official Zoning Map to rezone 46.709 acres from the RL (Rural) District to the HM-LDR (Low Density Residential Hamlet) District – rezoning request from Farmstead at Piney Woods, LLC for property located on the west side of Piney Woods Church Road, between Rico Road and Hutcheson Ferry Road. *First Read only. No Action will be taken.*

Community Development Director Mike Morton presented the item. The request is to rezone 46.7 acres from RL (Rural) to HM-LDR (Low Density Residential Hamlet). The plan shows six residential lots that are roughly one-acre each and 40.7 acres of open space common area. Public hearings are scheduled for the September 16th Planning Commission meeting and the October 5th City Council meeting. No action was taken.

2. **Item 21-056:** Ordinance to amend Chapter 10, Article II, Business and Occupational Taxes, and to establish the Occupational Tax for Short-Term Rentals.
3. **Item 21-057:** Ordinance to amend Chapter 10, Article XIII, Short-Term Rental Regulations and to establish the fee for Short-Term Rental Permit.

City Attorney Rick Lindsey presented Item No. 21-056 and Item No. 21-057. Item No. 21-056 establishes the occupational tax for short term rentals to be based on gross receipts. Item No. 21-057 sets the short-term rental permit fee at \$100 per year and cleans up conflicting language in the short-term rental ordinance regarding business licenses and short-term rental permits.

Mayor Reed called for a motion on Item No. 21-056 and Item No. 21-057. Councilmember Searle made a motion to approve Item No. 21-056 and Item No. 21-057. Councilmember Bettis seconded. The motion passed unanimously.

4. **Item 21-058:** Resolution declaring certain firearms surplus property and sale of surplus property.

Police Chief Jim Little presented the item. The firearms are abandoned property for which the owners were not able to locate. The firearms will be exchanged for a credit with Ed's Public Safety, a licensed firearms dealer.

Mayor Reed called for a motion on Item No. 21-058. Councilmember Bettis made a motion to approve Item No. 21-058. Councilmember Foster seconded. The motion passed unanimously.

5. **Item 21-059:** Approval of purchase of six (6) Scott brand X3 Pro SCBA (self-contained breathing apparatus).

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.

Fire Chief Greg Brett presented the item. The request is to purchase the equipment for an amount of \$35,330.82 to replace the units that were inherited from Fulton County.

Mayor Reed called for a motion on Item No. 21-059. Councilmember Lowe made a motion to approve Item No. 21-059. Councilmember Bettis seconded. The motion passed unanimously.

6. Item 21-060: Request to allow developer to topcoat the roads in Cedar Grove Estates at 90% completion of the homes.

City Attorney Rick Lindsey presented the item. The infrastructure in the development had originally been approved under Fulton County. In 2015, the property was acquired by a new developer and an agreement with the city was made in 2016. That agreement states that the roads will need topcoat prior to the fifth house being built. The builder has asked that the city wait to require the topcoat until the development is 90% complete to avoid damage by construction traffic. If the City Council wishes to amend the agreement, Mr. Lindsey recommends requiring the topcoat before the 30th building permit is issued.

Mayor Reed called for a motion on Item No. 21-060. Councilmember Searle made a motion to approve Item No. 21-060. Councilmember Lowe seconded. The motion passed unanimously.

7. Item 21-061: Consideration to amend Position Control to categorize City Planner as market rate.

City Manager Robbie Rokovitz presented the item. The city has gone a couple of months without a City Planner. He has received a few inquiries but no real interest. He is requesting the salary for the position be changed to market rate in order to help with recruitment.

Mayor Reed called for a motion on Item No. 21-061. Councilmember Searle made a motion to approve Item No. 21-061. Councilmember Bettis seconded. The motion passed unanimously.

Mayor and Council Comments

Councilmember Bettis said he appreciated the public input and Mr. Creel brought up some very good points. There is always a dynamic tension between individual rights and collective rights. The whole process needs to slow down and there needs to be more public involvement.

Councilmember Lowe thanked City Manager Robbie Rokovitz for his work on the new animal services procedures. Information on lost and found pets is now on the city's website, and we are trying to get the message out that these calls need to be directed to the police department instead of animal control. The city now has a one-year contract with Coco's Cupboard to help with lost and stray dogs. Money that was being paid to Fulton County for each stray dog call will now go to Coco's Cupboard to help

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rehome dogs whose owners are not found. The city will be putting out more resources on lost and found pets.

Councilmember Searle said she echoed Mr. Creel's comments regarding the events. She asked if events that will impact residents could be posted on the website. Residents would be more understanding if they were aware when the events were happening.

Councilmember Foster thanked staff for their hard work. She also said the city recently mailed a postcard with updates to city residents. She reminded everyone of Harvest Fest on October 9th. There will be many activities including Community Brickworks open house and vendors.

Mayor Reed said the most difficult thing that the City Council does as a body is balance the conflicting needs and desires of its citizens, and that difficulty becomes most evident when talking about zoning. People want the ability to be allowed to do anything they want on their own land, but don't want their neighbors to be allowed to do anything on their land – those views obviously can't coexist. There has been a lot of thoughtful effort made in navigating that conflict in a legal sense over the last 15 years. The city will be a place where the rural character and lifestyle continues to exist as the area develops. He appreciates the input that people have given during these conversations. The goal is to balance what brings the best outcomes for the most people.

Executive Session

There was no Executive Session.

Adjourn Meeting

Councilmember Bettis made a motion to adjourn the meeting. Councilmember Foster seconded. The motion passed unanimously, and the meeting adjourned at 7:15 p.m.

Approved this 5th day of October, 2021.

Dana Wicher, City Clerk

Tom Reed, Mayor