

Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
October 5, 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, Richard Schmidt, Laurie Searle, Camille Lowe, and Troy Bettis. All members were present. Also present was City Attorney Rick Lindsey.

Review and Approval of Agenda

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

- 1. Add Agenda Item 21-067, Request from Southern Hospitality Concessions LLC for a refund for the Imagine Music Festival alcohol beverage license.*
- 2. Add Agenda Item 21-068, Approval of an Intergovernmental Agreement with the City of Palmetto regarding a possible future development ("Pizza Farm") located partially in Palmetto and partially in Chattahoochee Hills.*

Councilmember Schmidt made a motion to approve the agenda as amended.

Councilmember Foster seconded. The motion passed unanimously.

Approval of Minutes

- 1. Minutes of the Regular Meeting of September 7, 2021*

Councilmember Searle made a motion to approve the minutes of the Regular Meeting of September 7, 2021. Councilmember Bettis seconded. The motion passed unanimously.

Presentations/Proclamations

- 1. Red Ribbon Week Proclamation*

Mayor Reed read a proclamation declaring October 23-31 as Red Ribbon Week.

Public Comment

Ben Biscotti, 8687 Melrose Avenue, Suite G301, West Hollywood, CA – said he was the event manager for the "Holiday Road" event taking place at Bouckaert Farm November 26th through the end of December. It is comprised of 25 immersive environments of scenery and lights that you walk through. They have been working with city staff to obtain the necessary permits. They are implementing a community outreach program and hope to give back to local charities. He encouraged everyone to attend.

Michael Lewis, 7375 Little Fawn Parkway – said there is an ongoing issue with a neighbor parking unregistered cars on both sides of the street and is blocking fire hydrants. He said it is a safety hazard and asked the city to look into it.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

City Manager Robbie Rokovitz gave the financial report through October 5th. The start date for the TSPLOST project has been delaying due to the rain, but the contractor should be starting on Sardis Road soon. He also introduced new City Planner Nathan Mai-Lombardo.

Fire Department Report: Greg Brett

Chief Brett announced that Thanh Nguyen has been promoted to a Fire Captain. The number of flu cases are trending upward, and we can expect to have more of a flu season than was experienced last year. He also spoke about the lifting of the burn ban and the types of burning allowed with and without permits.

Police Department Report: Jim Little

Chief Little reported on the statistics for September 2021. The department averaged 3.5 calls per hour, traffic citations were up, and there was only one motor vehicle accident for the month. They are still seeing speeding of 75 mph and higher on South Fulton Parkway. He complimented Lt. Kevin Digou for his work on the state accreditation process. All requirements have been met, and the next step is an inspection. He hopes to receive certification by year end.

Public Works/Parks Report: Darold Wendlandt

Public Works Director Darold Wendlandt reported that ball season is going well. There continues to be occasional issues with the Cochran Mill Park parking kiosk. The vendor will be out this week to service the equipment, but it may be time to replace it. The Cochran Mill Trail Race will be taking place on October 23rd. Parks Commission member/volunteer Roland Alston flagged the part of the green trail that will be rerouted from the Nature Center trail. Construction on the reroute will be started in late winter. The paving contractor will be starting on Sardis Road and then will move on to the Parkway.

Roland Alston announced that there will be a roadside clean up on October 9th at 8:00 a.m.

Community Development: Mike Morton

Community Development Director Mike Morton reported that there were a total of 14 building permits and 15 Certificates of Occupancy issued in September. The October 14th Planning Commission meeting agenda will include a public for the Pizza Farm proposal.

Public Hearing

City Attorney Rick Lindsey read the rules for the Public Hearings.

1. Item 21-030: Ordinance to adopt a new Unified Development Code and to Adopt a Zoning Map, as Amended.

Community Development Director Mike Morton presented the item. The Unified Development Code incorporates zoning, subdivision regulations, signs, and Transferable Development Rights, which are currently covered in separate chapters of the city code. Council has chosen to eliminate the HM-SD (Hamlet Special District) from the zoning ordinance. The current zoning map includes three HM-SD districts that will be rezoned to other zoning districts. The Planning Commission voted 5-0 to recommend approval with revisions. Staff recommends approval with the Planning Commission recommendations.

Mayor Reed opened the Public Hearing.

There were no comments in support of the item.

The following person spoke in opposition to the item:

- 1. Bill Creel, 8150 Rico Road – said there will be a lot of landowners that will be penalized by the 20-acre minimum lot size. He wishes we could keep it affordable enough that the city's policemen and firemen were able to buy property here, but it is becoming too elite. He asked the City Council to reconsider the zoning. It has remained rural under the current zoning, and he encouraged the Council to put the new zoning on pause.*

There was no other public comment. Mayor Reed closed the Public Hearing.

Councilmember Schmidt said there was a lack of communication with the residents regarding the new zoning. He encouraged citizens to attend meetings and demand answers. He said he would not be voting in favor of the zoning.

Councilmember Searle said Sec. 11-6, Family Lots, language addresses the specific concern regarding the gaming of the system that creates sprawl but questioned the change of the minimum family lot size to 5 acres. Councilmember Foster said she would like to see the minimum family lot size kept at 3 acres, and Councilmember Searle suggested changing it from 5 acres back to 3 acres.

Councilmember Bettis said the zoning needs to be set aside for more community involvement and input. This is impacting a lot of people in ways that they are not even aware of, and he takes issue with the fact that the notice mailed to residents was only a post card.

Councilmember Lowe said there is also a large group of people that are ready to have a decision made and move forward.

Mayor Reed called for a motion on Item No. 21-030. Councilmember Searle made a motion to approve Item No. 21-030 with the recommendations to combine Bed & Breakfast into a single category, change the minimum size for family lots to 3 acres, and changes to the permitted use table. Councilmember Foster seconded. The motion passed 4-1, Councilmember Schmidt opposed.

- 2. Item 21-055:** Public Hearing and Action on an 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.

Community Development Director Mike Morton Presented the item. The proposal is for six residential lots and between 32 to 40 acres of open space. The Planning Commission recommended approval with conditions. Staff recommends approval with the conditions.

Mayor Reed opened the Public Hearing.

The following people spoke in support of the item:

- 1. Kenneth Lemm, 10668 Serenbe Lane (applicant) – said the property was purchased in September 2020, and they have been working on the plans over the last year. Prior to the Planning Commission meeting, they had met with neighbors and, as a result, have incorporated two conditions on the development – no short-term rentals will be allowed and there will be a height restriction on the building. They accept the Planning Commissions’ recommended conditions, and the screening on the flag lot will be in keeping with the rural character.*
- 2. Bill Creel, 8150 Rico Road – said that it is a good plan except for the buffer. He said what is going in will be pretty – why would anyone want to cover it up?*

There were no public comments in opposition of the item. Mayor Reed closed the Public Hearing.

Mr. Morton said with the approval of Item No. 21-030, the HM-LDR District no longer exists. If approved, this rezoning will be shown on the Zoning Map as HM-R, but they still have access to the rules that they applied under.

Mayor Reed called for a motion on Item No. 21-055. Councilmember Schmidt made a motion to approve Item No. 21-055 with conditions recommended by the Planning Commission. Councilmember Lowe seconded. The motion passed unanimously.

Unfinished Business

There was no Unfinished Business.

New Business

1. **Item 21-062:** Approval of a Concept Plan for Farmstead at Piney Woods Low Density Residential Hamlet – 46.709 Acres on the west side of Piney Woods Church Road, between Rico Road and Hutcheson Ferry Road.

Community Development Director Mike Morton presented the item. This is the first step in the development approval process. Applications for development will be evaluated on their consistency with the approved concept plan.

Mayor Reed called for a motion on Item No. 21-062. Councilmember Searle made a motion to approve Item No. 21-062. Councilmember Bettis seconded. The motion passed unanimously.

2. **Item 21-063:** Ordinance to Approve a Special Use Permit for Museums, historical sites, and similar institutions in the RL (Rural) District and for All Other Purposes Related Thereto – property is located at 8700 Wilkerson Mill Road and 0 Johnson Road. *First Read Only. No Action will be taken.*

Community Development Director Mike Morton presented the item. The total project is 257 acres with 66 acres in Chattahoochee Hills, and the remainder in the City of Palmetto. The proposed uses for the portion in Chattahoochee Hills are a maintenance barn, a farm field, several art displays, the lawn of the event center, a nature center, a pavilion, and greenhouses. The two uses that require City Council approval are those related to museum display and special events. There was no action taken.

3. **Item 21-064:** Resolution declaring six (6) Scott self-contained breathing apparatus (SCBA) as surplus property and donation of surplus property.

Fire Chief Greg Brett presented the item. The units are being replaced by the purchase of new units approved by City Council in September 2021. He is requesting that the units be donated to the Manchester/Meriwether Fire Department.

Mayor Reed called for a motion on Item No. 21-064. Councilmember Schmidt made a motion to approve Item No. 21-064. Councilmember Foster seconded. The motion passed unanimously.

4. **Item 21-065:** Approve purchase of a 2021 Ford F-150 for the Public Works Department in the amount not to exceed \$33,400.

Public Works Director Darold Wendlandt presented the item. The vehicle will replace the 1990 van being used by the right-of-way crew.

Mayor Reed called for a motion on Item No. 21-065. Councilmember Searle made a motion to approve Item No. 21-065. Councilmember Schmidt seconded. The motion passed unanimously.

5. **Item 21-066:** Consideration to increase the TSLPOST project budget by \$13,545 in order to replace the rumble strips along South Fulton Parkway from S.R. 70 to the bridge over the Chattahoochee River.

City Manager Robbie Rokovitz presented the item. As part of the repaving on South Fulton Parkway, the rumble strips will need to be removed, and Georgia Department of Transportation requires that they be replaced.

Mayor Reed called for a motion on Item No. 21-066. Councilmember Lowe made a motion to approve Item No. 21-066. Councilmember Schmidt seconded. The motion passed unanimously.

6. **Item 21-067:** Request from Southern Hospitality Concessions LLC for a refund for the Imagine Music Festival alcohol beverage license.

City Clerk Dana Wicher presented the item. Southern Hospitality Concessions LLC, the alcohol caterer for Imagine Music Festival, requested a refund since the event was cancelled. They paid \$6,235 for the alcohol beverage licenses. Staff recommends issuing a refund of \$3,415, which includes the license fees, the per sales station fees, and a portion of the per server fees for background checks paid for but not completed.

Mayor Reed called for a motion on Item No. 21-067. Councilmember Schmidt made a motion to approve Item No. 21-067. Councilmember Foster seconded. The motion passed unanimously.

7. **Item 21-068:** Approval of an Intergovernmental Agreement with the City of Palmetto regarding a possible future development (“Pizza Farm”) located partially in Palmetto and partially in Chattahoochee Hills.

City Attorney Rick Lindsey presented the item. The agreement covers the provision of services for the proposed Pizza Farm development discussed under Agenda Item. 21-063.

Mayor Reed called for a motion on Item No. 21-068. Councilmember Foster made a motion to approve Item No. 21-068. Councilmember Searle seconded. The motion passed unanimously.

Mayor and Council Comments

Councilmember Foster invited everyone to attend the Fall Festival at city hall on October 9th. There will be live music, catered food, and an open house for Community Brickworks. She also encouraged everyone to participate in the litter pickup that morning.

Councilmember Schmidt thanked Darold Wendlandt – the ballfield looks great. He appreciates Chief Little’s and the department’s continued hard work getting the high speeders off the road. He also announced that he will be holding a “Meet and Greet” at Community Grove Community Center on October 13th and October 16th.

Councilmember Searle said she wanted to give District 3 shoutouts. Lila Rhyne does a great job coordinating volunteers for the ball league, and the league probably would not continue without her. Bear Creek Nature Center held a “Bat Extravaganza” this past weekend. Resident Mark Prater has been working for quite some time on repairs of the nature center’s boardwalk. When he had to recently step away from the project, Chip Denton, his wife, and other volunteers completed the work.

Councilmember Lowe said that she appreciated the collaboration between the Council, staff, and Planning Commission on the work on the development code. She also appreciates that they can talk and bounce ideas off each other to come to a conclusion. The process, in that way, works really well.

Councilmember Bettis congratulated Lila Rhyne on a good start to ball season. He also thanked Darold Wendlandt for taking care of the roads.

Mayor Reed gave an update on the Public Works employee who was struck by a vehicle while working – she is home and doing well. He also spoke about the recent passing of “Doc” Tyre, who would often reach out to him and lend support. “Doc” will be missed by many. He said the lack of internet continues to be an issue for residents, but there are a couple of possible solutions that he has been working on. There is COVID money available through AT&T and Comcast, and both are applying on behalf of the city for funds to run more cable or fiber. The other possible solution is through Greystone, which already runs wire to every house and fiber to every transfer box. A change to the law would allow Greystone to run fiber; however, because of how the state law was written, they would need to form a new, completely separate company to provide internet. He has been working with the Georgia Municipal Association to get their lobbyists to fight this law and encouraged everyone to contact their state legislators about the issue. He also thanked the Councilmembers and those in attendance. The single most difficult thing they do as a body is balancing conflicting needs. There is no way to make everyone happy, but they are trying, as a body, to do the best thing for the community.

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 7:45 p.m.

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.

Approved this 9th day of November, 2021.

Dana Wicher, City Clerk

Tom Reed, Mayor

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