

Minutes
Special Called Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
December 14, 2016 / 5:00 p.m.

Call to Order

Mayor Pro Tem Faye Godwin called the meeting to order at 5:00 p.m. Other councilmembers in attendance were James Stephens, Richard Schmidt, Claire Williams, and Don Hayes. Mayor Tom Reed was absent. Also present was City Attorney Rick Lindsey. Mayor Pro Tem Godwin led the assembly in the Pledge of Allegiance.

Review and Approval of Agenda

Councilmember Hayes made a motion approve the agenda with the addition of an explanation of the Estates of Cedar Grove agenda items by City Attorney Rick Lindsey. Councilmember Schmidt seconded. The motion passed unanimously.

City Attorney Explanation of Agenda Items relating to the Estates of Cedar Grove

City Attorney Rick Lindsey said that the agenda items are to resolve what was pending litigation. Steve Crawford and his company acquired property known as the Estates of Cedar Grove, which was a subdivision started approximately 14 years ago by another property owner when the property was part of the unincorporated county. Infrastructure was put in by that developer and the property later went through foreclosure. The new developer came to the city for permits; however, the property had been rezoned and the original plans for the subdivision no longer fit. Staff did not have the authority to approve the plans, and the developer filed a lawsuit against the city. The developer later dismissed the lawsuit without prejudice and agreed to work with the city on a settlement. Rick Lindsey and City Planner Mike Morton have been working with the developer and his attorneys on a settlement agreement. If the Council is agreeable to the terms and conditions of the settlement, the variances must be granted since it is a settlement of litigation.

Executive Session

Councilmember Hayes made a motion to move into Executive Session to discuss legal matters. Councilmember Stephens seconded. The motion passed unanimously at 5:10 p.m.

Councilmember Hayes made a motion to come out of Executive Session. Councilmember Schmidt seconded. The motion passed unanimously at 5:40 p.m.

Councilmember Hayes made a motion to reconvene the Special Called Meeting. Councilmember Williams seconded. The motion passed unanimously at 5:43 p.m.

New Business

- 1. Item 16-857:** Variance to the minimum lot size in a minor subdivision as set forth in Chapter 22, Subdivision and Land Development Ordinance, Section 6.2(c) – variance for the project known as the Estates at Cedar Grove.
- 2. Item 16-858:** Variance to the maximum number of minor subdivision lots allowed as set forth in Chapter 22, Subdivision and Land Development Ordinance, Section 6.5(A) and (B) – variance for the project known as Estates at Cedar Grove
- 3. Item 16-859:** Variance to the maximum number of minor subdivision lots allowed as set forth in Chapter 22, Subdivision and Land Development Ordinance, Section 4.3.S – variance for the project known as Estates of Cedar Grove.

Mayor Pro Tem Faye Godwin read Agenda Items 16-857, 16-858, and 16-859 into the record.

Councilmember Schmidt made a motion to approve Agenda Items 16-857, 16-858, and 16-859. Councilmember Stephens seconded. The motion passed unanimously.

Councilmember Hayes made a motion to grant Mayor Pro Tem Faye Godwin the authority to sign the settlement agreement with the owner of the property known as the Estates of Cedar Grove. Councilmember Stephens seconded. The motion passed unanimously.

- 4. Item 16-860:** Consideration for the City Council to Approve a Resolution to resolve Pending Litigation.
Councilmember Hayes made a motion to approve Agenda Item 16-860. Councilmember Schmidt seconded. The motion passed unanimously.

Adjourn Meeting *Councilmember Hayes made a motion to adjourn the meeting. Councilmember Williams seconded. The motion passed unanimously and the meeting adjourned at 5:48 p.m.*

Approved this 10th day of January, 2017.

Dana Wicher, City Clerk

Tom Reed, Mayor