

**Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
July 2, 2019 / 6:00 p.m.**

Call to Order

Mayor Reed called the meeting to order at 6:00 p.m. Councilmembers in attendance were James Stephens, Richard Schmidt, Claire Williams, Alan Merrill, and Don Hayes. All members were present. Also present was City Attorney Rick Lindsey.

Review and Approval of Agenda

Councilmember Merrill made a motion to approve the agenda. Councilmember Hayes seconded. The motion passed unanimously.

Approval of Minutes

1. Minutes of the Regular Meeting of June 4, 2019
Councilmember Schmidt made a motion to approve the minutes of the Regular Meeting of June 4, 2019. Councilmember Merrill seconded. The motion passed unanimously.

Public Comment

Lila Rhyne, 9875 Woodruff Road – thanked Chief Brett and the Fire Department for their response to her recent 911 call regarding her mother, Betty Ann Hargis. The Fire Department arrived within 10 minutes of the 911 call. The Grady EMS Mobile Stroke Unit also responded, and Ms. Hargis has a good prognosis. She thanked the City Council for providing funding for Public Safety.

Joe Carn, 3748 Herschel Road, College Park, GA –said he is running for the Fulton County Commissioner seat that is vacant due to Emma Darnell’s recent passing. He previously served as Councilman and Vice Mayor for the City of College Park.

Presentations/Proclamations

There were no presentations or proclamations.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

City Manager Robbie Rokovitz gave an update on the financials through June 30th. Revenues are 97.2 percent for the General Fund and 99 percent for all funds. Expenditures are 82 percent for the General Fund. These numbers will change as the city continues to receive revenue and invoices for Fiscal Year 2019. He also announced that the new website is up and running as of today.

Fire Department Report: Greg Brett

Chief Brett reported that there were recent changes to the Georgia Environmental

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Protection Division regulations for burning on agricultural zoned properties. Grady EMS is still working to further improve response times. He also said ChattCare flyers and qualification forms are now available.

Police Department Report: Jim Little

Chief Little reported the statistics for the month of June 2019. There were 155 dispatched calls and 299 citations. The number of citations was higher due to the department's participation in the Governor's Office of Highway Safety's "100 Days of Summer H.E.A.T." program. The number of accidents in June dropped to three as a result of the increased traffic enforcement. There also were three investigations in June. He also gave an update on the Barnes Road burglary case. Suspects were identified and arrest warrants have been issued in the Barnes Road burglary case.

Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt gave an update on the gravel road maintenance. Old Phillips is complete and Pace Road is next on the schedule. Then, the crew will move to Upper Wooten Road and Piney Woods Church Road. Both right-of-way tractors were out of service but have been repaired.

Community Development: Mike Morton

Mr. Morton reported that there were two new residential single family dwelling permits and seven total building permits issued in June. He also said the city received a grant in conjunction with the City of South Fulton for a master plan study in Campbellton. There will be public hearings for the three Special District Hamlet ordinances at the July 18th Planning Commission meeting.

Public Hearing

- 1. Item 19-033:** Ordinance to approve a Special Use Permit for a small craft brewery in the RL (Rural) District – application is for property located at 5541, 5543, and 5545 Cochran Mill Road.
- 2. Item 19-034:** Ordinance to approve a Variance to the location of parking – application is to allow a gravel parking lot located between the front of the building and the thoroughfare at the proposed small craft brewery located at 5541, 5543, 5545 Cochran Mill Road.

City Planner Mike Morton presented Item No. 19-033. The application is a second submittal for a use permit to allow a small craft brewery in the RL (Rural) District. The Planning Commission voted 4-0 to recommend approval with the following conditions:

- 1. To the site plan submitted to the Department of Community Development, with the understanding that the plan is conceptual in nature.*
- 2. Additional native evergreen vegetation is installed to screen the lot along the tree line between the gravel lot and the thoroughfare and to the south between the gravel lot and the existing drive.*
- 3. Vegetation and/or other barrier methods must separate the gravel lot from*

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the existing residential driveway.

- 4. The brewery shall only be served by a separate entrance with internal driveways.*

Staff recommends approval with the above conditions.

City Planner Mike Morton presented Item No. 19-034. The application is for a variance to allow a gravel parking lot located between the front of the building and the thoroughfare. The Planning Commission voted 3-1 to recommend approval with the following conditions:

- 1. Additional evergreen vegetation is installed to screen the lot along the tree line between the gravel lot and the thoroughfare and to the south between the gravel lot and the existing drive.*
- 2. Vegetation and/or other barrier methods must separate the gravel lot and the existing drive.*
- 3. The existing gravel lot may not be expanded.*

Staff recommends approval with the above conditions.

City Attorney Rick Lindsey read the rules for the public hearing.

Mayor Reed opened the public hearing on Item No. 19-033 and Item No. 19-034.

The following people spoke in support of the items:

- 1. Jett Hattaway, 5545 Cochran Mill Road (applicant) – said his intention for opening the brewery is to create a place where people can gather in an inclusive, family-friendly environment that captures the rural character of the city. Throughout the process, they have done everything in compliance, cooperation, and consideration of their neighbors. They are a local family with a desire to invest in the community. It is a great alternative to outside investment which may not understand the community’s vision or culture. This also is about land use and our rights as citizens and the ability to own and use your property to provide for your family.*
- 2. Christopher Smith, 9700 Hutcheson Ferry Road – said he is the applicant’s attorney, a local farmer, and business owner. He has serious concerns about the idea that a person may not be able to grow a product, create a product, and sell that product to an end user. If small farmers are not allowed to provide small batches of their product, then we are just another suburb with large tracts of land.*
- 3. Linda Kozarksi, 10596 Serenbe Lane – said she has had experiences with two craft breweries in a small, rural towns in Pennsylvania. They are family-oriented places with a healthy and relaxing atmosphere. She said that is missing from this area. She also expressed concerns about the potential financial impact of not allowing the brewery as businesses choose to go elsewhere.*
- 4. Frank Martin, 450 Selborne Way – said he grew up on in the north where local,*

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neighborhood bars were a tradition. It was not unusual to see families there, and you did not see inebriated people. Change is constant and it is best to manage change as opposed to trying to fight it. This would be a good thing for the community.

- 5. Clifford Blizard, 8115 Rico Road – said he is an advocate for a sustainable community. The only common ground outside of Serenbe is city hall. He visited the proposed brewery and got the sense that it is a space for the community. He supports both agritourism and the proposed brewery.*
- 6. Shelby Mays, 1523 Olympian Way, Atlanta, GA – said she supports the brewery.*
- 7. Joel Coady, 1523 Olympian Way, Atlanta, GA – said he works for Serenbe Playhouse and that he loves this town and wants to eventually move here. The community has accepted him with open arms and he hopes that his generation is seen as a welcomed part of the community.*
- 8. Beth Clymer, 9820 Brazell Road – said she moved to the city in November 2018 even though she fell in love with the community years ago. She lives across the creek from the location and can see the hops growing from her barn. She said the Hattaways care very much about the community, and they want to respect and honor it.*
- 9. Tom Blum, 9226 Selborne Lane – said he has been a resident for ten years and has grown to love Chattahoochee Hills. He volunteers as a ball coach, serves on the Parks Commission, volunteers at the Chattahoochee Hills Charter School, and helps keep the roads clean by picking up trash. He said the farm brewery would enhance the rural image and would help attract the kind of development we want.*
- 10. Dave Hanson, 8135 Atlanta Newnan Road – said he has visited craft breweries and they are low key places where people can enjoy a drink and have conversations with new people. The brewery is a great opportunity and will benefit agritourism. He also said the Planning Commission and staff have recommended approval, and the Council should consider that they have appointed and hired those people. He strongly advised the Council to take their opinion.*
- 11. Maria Hanson, 8135 Atlanta Newnan Road – said the Hattaways are long-standing residents who have turned their passion into a business. Small, thoughtful, rural, agricultural businesses are what Chattahoochee Hills has built our reputation and branding on. Craft breweries are small businesses and the Council's support would send a message that our government supports and promotes local entrepreneurship.*
- 12. Lisa Gibson, 6605 Campbellton Redwine Road – said she just moved here from Newnan. This small, craft brewery would provide a place to get to know others in the Chatt Hills area. Local craft breweries and wineries are common in the U.S. and do not have a reputation for creating a negative impact. She said the state legislation and the three recently approved city ordinances allow this type of business. She and her husband have attended two previous meetings where*

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this application was reviewed, and they do not see any good reason why it should not be approved.

The following people did not speak but completed public comment cards in opposition to the items:

- 1. Perry Crawford, 5605 Cochran Mill Road*
- 2. Ellen Crawford, 5605 Cochran Mill Road*
- 3. Carson Crawford, 5575 Cochran Mill Road*
- 4. Tommy Thompson, 7765 Barnes Road*
- 5. Judy Thompson, 7765 Barnes Road*
- 6. Patricia Bettis, 11475 Hutcheson Ferry Road*
- 7. Lucille Jones, 8140 Gravel Road*
- 8. Karen Davis, 10195 Rivertown Road*
- 9. Rhonda & Lee Johnson, 12445 Whiteside Road*

The following people spoke in opposition to the items:

- 1. Danean Crawford, 5575 Cochran Mill Road – she asked the Council if they knew exactly what they were voting on. She said there has been misinformation from the applicants and inaccuracies in the information that has been presented. She also has concerns about the liability of the shared driveway, the lack of a commercial lease document being part of the application, and the discrepancy of the property lines. She said this is not a smart direction and asked the Council to “Save Chatt Hills’ Vision” and vote no. She submitted signed petitions opposing the brewery to the City Clerk.*
- 2. Leonard Jones, 8140 Gravel Road – said a lot of people have said this would be a good place to meet people, so he invited everyone to Friendship Baptist Church.*
- 3. Travis Crawford, 5575 Cochran Mill Road – said he is the neighbor and shares the driveway with the Hattaways. He has liability concerns about sharing the driveway with a commercial business.*
- 4. Stephen Farr, 10340 Hutcheson Ferry Road – said he has been to breweries and a lot of rough housing happens in them. He said God has put this on his heart for more reasons than just Danean’s property. He said he loves the community and that the churches are the best places to get to know your community.*
- 5. Troy Bettis, 8355 Jones Ferry Road – said he has friends on both sides and this has been a great forum for people to speak. He is in direct opposition to the location of the proposed brewery. He said he would expand Danean’s slogan to “Save our Homes”.*
- 6. Mark Prater, 6345 Cochran Mill Road – said the city was started eleven years ago so we could do what we wanted and do it our own way. There were two versions of the Comprehensive Plan and neither one addressed craft breweries. What they are proposing is not anywhere near what is allowed in towns, villages, hamlets, or historical areas. He said the bed and breakfast located on the property was granted a variance because it was not far enough off of*

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Cochran Mill Road, which is a part of the Scenic Byway. His concerns also include parking, decreased property values, traffic and congestion.

- 7. Laurie Searle, 12600 Whiteside Road – said citizens in Chatt Hills are defined by where we live. Those who live in Serenbe love the closeness with their neighbors and the many activities offered in mixed-use communities. Those who live in the country love their space and tranquil surroundings. The Comprehensive Plan allows us to have the best of both world by protecting the agricultural areas and providing six other districts to allow commercial development. Her concerns about the brewery include errors in the application, commercial use of a shared driveway, the neighbors’ quality of life, and the city’s policy of complaint driven code enforcement. She submitted signed petitions opposing the brewery to the City Clerk.*
- 8. Lila Rhyne, 9875 Rivertown Road – said the issue is not about us versus them. She is concerned about the lack of code enforcement in the city. Allowing the brewery sets a precedent and this is not the direction we want to go in the RL District. She wants to keep it tranquil.*
- 9. Robert Richardson, 9425 Hutcheson Ferry Road (email read into the record by City Attorney Rick Lindsey) – said he owns a 2-acre lot at the corner of Hutcheson Ferry Road and Cochran Mill Road. If the Council approves the brewery, will they also approve his lot for a gas station.*

Mayor Reed closed the public hearing.

Mayor Reed called for a motion on Item No. 19-033. Councilmember Merrill made a motion to approve Item No. 19-033. Councilmember Williams seconded. The motion failed by 2-3 vote, Stephens, Schmidt, and Hayes opposed.

Mayor Reed called for a motion on Item No. 19-034. Councilmember Merrill made a motion to approve Item No. 19-034. Councilmember Williams seconded. The motion failed by 2-3 vote, Stephens, Schmidt, and Hayes opposed.

Mayor Reed called for a two-minute break at 7:45 p.m.

Mayor Reed reconvened the meeting at 7:47 p.m.

Unfinished Business

There was no unfinished business.

New Business

- 1. Item 19-040:** Award the 2019 TSPLOST project to Blount Construction for an amount not to exceed \$418,322.99.

City Manager Robbie Rokovitz presented the item. Six bids were received, and Blount Construction was the lowest bidder.

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Mayor Reed called for a motion on Item No. 19-040. Councilmember Merrill made a motion to approve Item No. 19-040. Councilmember Schmidt seconded. The motion passed unanimously.

2. Item 19-041: Approve TSPLOST Intergovernmental Agreement with Coweta County. City Manager Robbie Rokovitz presented the item. The portion of the city that is in Coweta County does not currently have any population, so the city will not receive any TSPLOST funds.

Mayor Reed called for a motion on Item No. 19-041. Councilmember Schmidt made a motion to approve Item No. 19-041. Councilmember Stephens seconded. The motion passed unanimously.

3. Item 19-042: Approve the purchase of a Ford Interceptor patrol vehicle for an amount not to exceed \$28,078. Police Chief Jim Little presented the item. Staff has located an available 2019 model, which is \$5,000 less than the 2020 models.

Mayor Reed called for a motion on Item No. 19-042. Councilmember Hayes made a motion to approve Item No. 19-042. Councilmember Merrill seconded. The motion passed unanimously.

4. Item 19-043: Approve Historic Commission meeting schedule for July 2019 – March 2020.

Mayor Reed called for a motion on Item No. 19-043. Councilmember Merrill made a motion to approve Item No. 19-043. Councilmember Hayes seconded. The motion passed unanimously.

5. Item 19-044: Ordinance to amend and revise the Future Development Map of the City of Chattahoochee Hills and for all other purposes related thereto – proposed revision to map for property located on the east side of Atlanta Newnan Road at the Coweta County line. *First Read Only.*

6. Item 19-045: Ordinance to amend and revise Chapter 35 City of Chattahoochee Hills Zoning Ordinance and for all other purposes related thereto – proposed text amendment creating the HM-SD3 (Hamlet Special District) District. *First Read Only.*

7. Item 19-046: Ordinance to amend the Official Zoning Map to rezone 88 acres from RL (Rural) District to the HM-SD3 (Hamlet Special District) District and for all other purposes related thereto – proposed map amendment for 88 acres located on the east side of Atlanta Newnan Road at the Coweta County line. *First Read Only.*

City Planner Mike Morton presented Item No. 19-044, Item No. 19-045, and Item No. 19-

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46. The proposal is to create a new HM-SD zoning district on 88 acres east of Atlanta Newnan Road, just north of the Coweta County line. The purpose of the new district is to create a leadership education center. There was no action taken.

Mayor and Council Comments

Councilmember Merrill said he recently attended the Georgia Municipal Association (GMA) Annual Convention. The GMA does a terrific job representing the cities to the State Legislature, and the State Legislature is grateful that the cities have such a great resource in the GMA. They also appreciate the job that local officials do. He attended an Economic Development class at the convention. His takeaways from that class were that the city will eventually be approached by someone who will want incentives to develop here and we need to have a plan before it ever occurs. The second takeaway was business recruiting and the idea that retail follows demographics – retail will not come without sufficient rooftops or visitors. He also took a course on civic health and the lesson was that we can work on civic health to improve citizen interaction, volunteerism, and generosity.

Mayor Reed said property tax assessments have been mailed out by the county. Fulton County Tax Assessor’s office has lawsuits with the State of Georgia over the poor condition of their methods of assessing property. The county is trying to get the assessments corrected, which means some people may be getting ten years of assessments in one year. He reminded everyone that the appeal deadline is coming up soon.

Executive Session

There was no Executive Session.

Adjourn Meeting

Councilmember Merrill made a motion to adjourn the meeting. Councilmember Schmidt seconded. The motion passed unanimously and the meeting adjourned at 8:05 p.m.

Approved this 6th day of August, 2019.

Dana Wicher, City Clerk

Tom Reed, Mayor