

Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
August 3, 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 Fire Department Battalion Chief promotion presentation*
- 2. Add Agenda Item 21-054; Approval of an Intergovernmental Agreement for Use and Distribution of Proceeds Generated by the 2021 TSPLOST Referendum*
- 3. Move Public Hearing Agenda Item 21-043, Southern Hospitality Concessions alcohol beverage license, before Agenda Item 21-030*

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

Councilmember Bettis seconded. The motion passed unanimously.

Approval of Minutes

- 1. Minutes of the Regular Meeting of July 6, 2021*

Councilmember Searle made a motion to approve the minutes of the Regular Meeting of July 6, 2021. Councilmember Lowe seconded. The motion passed unanimously.

Presentations/Proclamations

- 1. Fire Department Battalion Chief promotion*

Fire Chief Greg Brett formally promoted Pat McCarragher to Battalion Chief.

Public Comment

Carla Carrabino, 7525 Old Rico Road – spoke in support of the agreement with CoCo’s Cupboard. She has worked with them for several years and said they are a great organization. Their first goal when receiving a stray is to find the owner. If they are unable to locate an owner, the dogs are vaccinated, microchipped, spayed or neutered and then placed in foster care. Dogs also are evaluated and may be put into the Tails of Hope program, which is an intensive service dog training program. This service will be a great benefit to both the city and the dogs.

Anne Dries, 11335 Serenbe Lane – spoke about Agenda Item 21-046, Approval of Concept Plan for Mado Northwest. She said city staff, Serenbe Development and the Homeowners Association (HOA) met to discuss traffic safety and fire lane issues a year ago, and several of the recommended measure have been implemented. She said the current concept plan does not include these measures, and she urged the Council to

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either table the concept plan approval until traffic and safety measures are implemented into a revised concept plan or approve the plan contingent on implementing measures into preliminary plats as they are submitted.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

Mr. Rokovitz reported that a July financial report was not available due to being in the process of changing financial software. American Recovery Act funds were received with the amount being approximately \$619,000. The annual financial audit is currently taking place, and there may be a need for FY2021 budget adjustments once the audit is completed.

Fire Department Report: Greg Brett

Chief Brett said that the automatic aid requests from neighboring cities and the frequency of rescues in Cochran Mill Park add to the workload for the department. Additionally, the departments involvement in the movie productions keeps staff busy. He also reported that he continues to press Grady EMS for better response times.

Police Department Report: Jim Little

Chief Little reported a significant increase in traffic tickets over last year. The department is participating in the Governor's Office of Highway Safety "100 Days of Summer Heat", which targets aggressive driving. The process for state accreditation continues. They are at 79 out of 119 proofs required to for accreditation. The Chevrolet Tahoe that was approved for surplus at the July meeting has been sold for \$15,000 via GovDeals.

Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt reported that city hall renovations are complete. The new right-of-way mowers should be delivered next week. Recently, there has been a lot of illegal dumping happening, and he has been working with the police department on the issue. T-Ball season will open on September 11th. Millings from the Estates at Cedar Grove Paving have been used in the parking lot at Cochran Mill Park and the Public Works yard.

Community Development: Mike Morton

Community Development Director Mike Morton reported that there were a total of 18 building permits, with 10 of them for residential single-family dwellings, issued and 209 inspections conducted in July. There are road closures this week on Campbellton Redwine Road due to filming. Imagine Music Festival will take place next month. The August 12th Planning Commission will possibly be cancelled and rescheduled to later in the month.

Public Hearing

City Attorney Rick Lindsey read the rules for public hearings.

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- 1. Item 21-043:** Public Hearing and Action to consider an application for a Special Event Full Pouring License and Special Event Retail Package Sale of Malt Beverages. The name in which the license is to be issued –Southern Hospitality Concessions LLC/Licensee – Damon D’Arienzo. The location of the event – 9445 Browns Lake Road – application is for the Imagine Music Festival being held at Bouckaert Farm on September 17-19, 2021.

City Clerk Dana Wicher presented the item. The application is for a special event full pouring license and a special event malt beverage package license for the Imagine Music Festival. The package license is to allow for package sales to the overnight campers. The applicant was available to answer questions via videoconference.

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. 21-043. Councilmember Schmidt made a motion to approve Item No. 21-043. Councilmember Searle seconded. The motion passed unanimously.

- 2. Item 21-030:** Public Hearing and Action on an Ordinance to adopt a new Unified Development Code.

Mayor Reed said there would be no action on Agenda Item No. 21-030 because Council, staff, and consultants are still working through some areas of concern.

Mayor Reed opened the public hearing.

The following person spoke:

- 1. Marianne Reeves, 12100 Garretts Ferry Road – spoke in favor of allowing some sort of commercial on the parkway. She has two large tracts of land on the parkway. She is a long-time resident and her late husband’s family came to the area in the 1800s, so she is invested in the community. There is potentially some sort of commercial that would be in keeping with the nature of the community. She asked will there never be any commercial allowed?*

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

Mayor Reed called for a motion to table Item No. 21-030 until the September 7, 2021 meeting. Councilmember Searle made a motion to table Item No. 21-030. Councilmember Bettis seconded. The motion passed unanimously.

- 3. Item 21-039:** Public Hearing and Action on an Ordinance to amend the Official Zoning Map to rezone 256.8 acres from the RL (Rural) District to the HM-MU (Mixed-Used Hamlet) District and for variances to the required zoning district

buffer and to the minimum nonresidential density in the HM-MU (Mixed-Use Hamlet) district – rezoning request and two variance requests from Bear Creek Project One LLC for property located at the corner of Wilkerson Mill Road and Jenkins Road.

Community Development Director Mike Morton presented the item. The proposed rezoning is for 256.8 acres, which includes 256 residential lots and 334,1778 square feet of land area for non-residential development. The applicant is seeking a variance to the buffer requirements, which is requested because of infrastructure built under Fulton County regulations. Also, a variance to the amount of land required for non-residential uses is also being requested. A revised site plan shows 7.67 acres of non-residential land, which is 9.958% of the maximum developable area. The code requires 10%. The Planning Commission and staff recommend approval with conditions.

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. 21-039. Councilmember Schmidt made a motion to approve Item No. 21-039. Councilmember Foster seconded. The motion passed unanimously.

4. **Item 21-044:** Public Hearing and Action on an Ordinance to fix the Ad Valorem Tax Rate for Fiscal Year 2022.

City Manager Robbie Rokovitz presented the item. Staff recommends setting the millage rate at the rollback rate of 9.46 mills. Mayor Reed said because the city budgets conservatively, there will be no negative impact on the budget.

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. 21-044. Councilmember Schmidt made a motion to approve Item No. 21-044. Councilmember Foster seconded. The motion passed unanimously.

Unfinished Business

There was no Unfinished Business.

New Business

1. **Item 21-045:** Approval of a Concept Plan for Bear Creek Mixed-Use Hamlet – 256.8 Acres at and near the corner of Wilkerson Mill Road and Jenkins Road.

Community Development Director Mike Morton presented the item. The concept plan is for the rezoning approved earlier. It is the first step in the development approval process.

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Mayor Reed called for a motion on Item No. 21-045. Councilmember Lowe made a motion to approve Item No. 21-045. Councilmember Foster seconded. The motion passed unanimously.

- 2. Item 21-046:** Approval of a Concept Plan for Mado Northwest, 9.85 acres in the HM-MU (Mixed-Use Hamlet) District – property located at Serenbe Lane and Prom Field Road.

Community Development Director Mike Morton presented the item. The applicant had submitted a preliminary plat for approval, but the Planning Commission felt that the preliminary plat varied too much from the 2006 Concept Plan approved by Fulton County. The Planning Commission approved the preliminary plat contingent on a new concept plan approval by the City Council.

Mayor Reed called for a motion on Item No. 21-046. Councilmember Lowe made a motion to approve Item No. 21-046. Councilmember Searle seconded.

Councilmember Searle asked how the concerns brought forth by Ann Dries needed to be addressed. City Attorney Rick Lindsey said the process will follow standard procedures, and the concerns will be addressed later in the process.

Mayor Reed called for a vote. The motion passed unanimously.

- 3. Item 21-047:** Award bid for the 2021 TSPLOST Project to E.R. Snell in an amount not to exceed \$1,179,256.25.

City Manager Robbie Rokovitz presented the item. Staff and the city's Engineering consultant recommend awarding the bid for the 2021 TSPLOST project to E.R. Snell in an amount not to exceed \$1,179,256.25. If approved, staff will issue a Notice to Proceed and schedule a preconstruction meeting. The scope of services detail is available on the website.

Mayor Reed called for a motion on Item No. 21-047. Councilmember Searle made a motion to approve Item No. 21-047. Councilmember Bettis seconded. The motion passed unanimously.

- 4. Item 21-048:** Resolution for a Capital Lease Purchase agreement with the Georgia Municipal Association – proceeds of the lease purchase financing to be used to purchase (1) John Deere 6145M Tractor, (2) John Deere 5100E Utility Tractors, and (2) BW10.60 Cutters with chains.

City Manager Robbie Rokovitz presented the item. A capital lease was previously approved by Council, but due to the delivery of equipment going beyond 60 days, terms of the lease have changed. The total cost will be \$363,147.85 due to an increase in the interest rate to 2.61%.

Mayor Reed called for a motion on Item No. 21-048. Councilmember Schmidt made a

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motion to approve Item No. 21-048. Councilmember Foster seconded. The motion passed unanimously.

5. **Item 21-049:** Approval of increasing the budget amount to cover additional expenditures associated with the Wayfinding program due to the cost of materials. *City Manager Robbie Rokovitz presented the item. ASI provided a recommendation for signage that was higher than what was budgeted due to the increase in the cost of material and the recommendation by ASI to go with metal materials instead of wood. Staff recommends tabling the item until a quote for wood materials is received.*

Mayor Reed called for a motion on Item No. 21-049. Councilmember Bettis made a motion to table Item No. 21-049. Councilmember Schmidt seconded. The motion passed unanimously.

6. **Item 21-050:** Approval of an Agreement with CoCo's Cupboard for Auxiliary Animal Control Services. *City Manager Robbie Rokovitz presented the item.*

Mayor Reed called for a motion on Item No. 21-050. Councilmember Lowe made a motion to approve Item No. 21-050. Councilmember Foster seconded. The motion passed unanimously.

7. **Item 21-051:** Resolution declaring surplus property and sale of surplus property – (11) laptops and (4) printers. *Police Chief Jim Little presented the item. Staff is requesting to surplus the old computer equipment. There is not much value to the equipment, so he will reach out to the charter school and Community Brickworks to see if they can use the equipment.*

Mayor Reed called for a motion on Item No. 21-051. Councilmember Searle made a motion to approve Item No. 21-051. Councilmember Schmidt seconded. The motion passed unanimously.

8. **Item 21-052:** Approval of purchase of a 2021 Ford F-150 SSV for the Fire Department in the amount not to exceed \$32,300. *Fire Chief Greg Brett presented the item. The vehicle will expand the ability to respond to incidents and perform site inspections.*

Mayor Reed called for a motion on Item No. 21-052. Councilmember Lowe made a motion to approve Item No. 21-052. Councilmember Searle seconded. The motion passed unanimously.

9. **Item 21-053:** Approval of purchase of a Polaris ATV in the amount not to exceed \$22,876.23.

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Fire Chief Greg Brett presented the item. The ATV will be used for event support and search and rescue operations in Cochran Mill Park.

Mayor Reed called for a motion on Item No. 21-053. Councilmember Searle made a motion to approve Item No. 21-053. Councilmember Schmidt seconded. The motion passed unanimously

10. Item 21-054: Approval of an Intergovernmental Agreement for Use and Distribution of Proceeds Generated by the 2021 TSPLOST Referendum.

Mayor Reed presented the item. The TSPLOST project list was approved at a previous meeting, and the Intergovernmental Agreement should have been attached to the list.

Mayor Reed called for a motion on Item No. 21-054. Councilmember Schmidt made a motion to approve Item No. 21-054. Councilmember Foster seconded. The motion passed unanimously.

Mayor and Council Comments

Councilmember Bettis said he is still working on scheduling an informational meeting. He is looking for a location that will accommodate about 250 people. The meeting will be an open question and answer format.

Councilmember Lowe said she had been discussing with several neighbors about how huge it was that the city was not increasing property taxes this year.

Councilmember Searle said that she had the opportunity to call 9-1-1 for the first time for a tree blocking the road. The fire department arrived within five minutes, and she appreciates the quick response and service.

Councilmember Schmidt thanked everyone and said there were a lot of questions about the new development code. He said they have made some headway and there will be more discussions. He said a letter needs to be sent to every citizen before Council votes on something like this. He also will put together something for the discussion on the family plots.

Councilmember Foster thanked everyone for attending the meeting. She also announced Fall Community Outreach event will be on October 9th. Activities include "Touch A Truck", Community Brickworks Library grand opening, and live music, a clown, and arts and crafts.

Mayor Reed announced that, after six or seven years of work, the city now has the keys to the Cedar Grove Community Center and the Cedar Grove music group is back to meeting there. There will be some meetings about programming for the building and we will be working with our neighbors because the City of South Fulton also has some community groups that use the space. He also said he often talks about all the

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volunteer work that gets done. There are so many things that would not happen without volunteers. A lot happens when there is a champion for a thing. Our staff also is valuable. We don't have much depth but we are incredibly lucky to have the staff we have.

Executive Session

Councilmember Schmidt made a motion to move to into Executive Session to discuss legal matters. Councilmember Bettis seconded. The motion passed unanimously at 7:35 p.m.

Councilmember Foster made a motion to convene the Executive Session. Councilmember Schmidt seconded. The motion passed unanimously.

Councilmember Bettis made motion to come out of Executive Session. Councilmember Searle seconded. The motion passed unanimously at 7:50 p.m.

Councilmember Schmidt made a motion to reconvene the Regular Meeting. Councilmember Bettis seconded. The motion passed unanimously.

Adjourn Meeting

Councilmember Searle made a motion to adjourn the meeting. Councilmember Foster seconded. The motion passed unanimously, and the meeting adjourned at 7:55 p.m.

Approved this 7th day of September, 2021.

Dana Wicher, City Clerk

Tom Reed, Mayor