

**Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
August 7, 2018 / 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, Claire Williams, Alan Merrill, and Don Hayes. Councilmember Richard Schmidt arrived at 6:10 p.m. Also present was City Attorney Rick Lindsey.

Review and Approval of Agenda

Mayor Reed requested that the agenda be amended to add an Executive Session to discuss legal matters and personnel matters. Councilmember Hayes made a motion to approve the agenda as amended. Councilmember Stephens seconded. The motion passed unanimously.

Approval of Minutes

1. Minutes of the Special Called Meeting of June 28, 2018
 2. Minutes of the Regular Meeting of July 3, 2018
- Councilmember Merrill made a motion to approve the minutes of the Special Called Meeting of June 28, 2018 and the Regular Meeting of July 3, 2018. Councilmember Stephens seconded. The motion passed unanimously.*

Public Comment

There was no public comment.

Presentations/Proclamations

There were no Presentations/Proclamations.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

Mr. Rokovitz reported the city is 8.22 percent through the fiscal year. The auditors will be doing field work for the Fiscal Year 2018 audit during the last week of August. He also said it has been a privilege and honor working with Chief Mathis.

Fire Department Report: Greg Brett

Chief Brett commented on working with Chief Mathis. He also said EMS response times have been greatly enhanced since Grady Health Care took over.

Councilmember Schmidt arrived at 6:10 p.m.

Police Department Report: Stoney Mathis

Chief Mathis reported Officer Duon Dorsett was recently hired. The statistics for July

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were 8 investigations, 123 citations, 151 warnings, 11 parking citations, 29 arrests, 39 reports, and 91 dispatched calls.

Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt said he has enjoyed working with Chief Mathis and he will be missed. He reported that the old right-of-way tractor is out of service, so he is down to one right-of-way crew. He has been working with residents on culvert pipe installations and said the work being done should help with stormwater runoff. The fencing was installed at Campbellton Park, and additional "No Trucks" signage was installed on Wilkerson Mill Road.

Community Development: Mike Morton

Mr. Morton commented on working with Chief Mathis. He also reported there were a total of 19 building permits issued in July, with three of them being for new single-family residences. There also were three Certificates of Occupancy issued and 117 inspections completed. There are several special events and production events coming up at the end of August and first of September. The August Planning Commission meeting agenda will include discussions on PC Parkway Commercial districts and entitling non-residential uses in TN Town, VL Village, and HM Hamlet districts.

Public Hearings

City Attorney Rick Linsey read the rules for the public hearings.

- 1. Item 18-959:** Public Hearing and Action on an Ordinance to amend the official Zoning Map to rezone 261.37 acres from the RL (Rural) District to HM-MU (Mixed-Use Hamlet) District.

City Planner Mike Morton presented the item. Serenbe CH Properties, LLC has requested the rezoning of 261.37 acres to expand the Serenbe Hamlet

Mayor Reed opened the public hearing.

The following people spoke in favor of the item:

- 1. Garnie Nygren, Serenbe CH Properties, LLC (applicant), 429 Selborne Way – said Serenbe supports the Planning Commission recommendation.*
- 2. Wayne Matthew, Southeastern Engineering, Inc., 417 Selborne Way - said he is working with the Serenbe development on this rezoning. He said there is no development proposed on the Art Farm section of property at this time.*

There was no other public comment.

Mayor Reed closed the public hearing.

City Planner Mike Morton presented the staff recommendation. Staff recommends approval of the rezoning with the conditions included in the Council agenda packet.

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The Planning Commission voted 4-0, with one abstention, recommending approval of the proposed ordinance with the conditions recommended by staff and an additional condition that 100 acres be placed in permanent conservation prior to any permits being issued.

Councilmember Merrill made a motion to approve Item No. 18-959 with the eight conditions recommended by staff and the additional condition recommended by the Planning Commission. Councilmember Hayes seconded. City Attorney Rick Lindsey asked Ms. Nygren if Serenbe CH Properties, LLC agrees to the nine conditions, and she affirmed. The motion passed unanimously.

2. Item 18-960: Public Hearing and Action on an Ordinance for a Variance to the Minimum Rear Yard Setback in the RL (Rural) District – variance request from Artistic Pools, Inc. to allow a swimming pool less than 50 feet from the rear property line at 9105 Hutcheson Ferry Road.

City Planner Mike Morton presented the item. Artistic Pools, Inc., on behalf of the property owner, has requested a variance to Zoning Ordinance Section 35-359.

Mayor Reed opened the public hearing.

The following person spoke in favor of the item:

- 1. Bruce Winter (property owner), 9105 Hutcheson Ferry Road – said the house was built in 1959 and is located in the rear of the property. There is no other area to construct the pool that would not require a variance.*

There was no other public comment.

Mayor Reed closed the public hearing.

City Planner Mike Morton presented the staff recommendation. Staff recommends approval with the two conditions including in the Council agenda packet. The Planning Commission recommended approval as recommended by staff. Councilmember Schmidt made a motion to approve Item No. 18-960. Councilmember Merrill seconded. The motion passed unanimously.

3. Item 18-968: Public Hearing and Action on an Ordinance to Fix the Ad Valorem Tax Rate for Fiscal Year 2019.

City Manager Robbie Rokovitz presented the item. The millage rate will remain unchanged at 10.00 mills. Two public hearings were also held on July 26, 2018 at 11:00 a.m. and 5:00 p.m. There was no public comment at either hearing.

Mayor Reed opened the public hearing.

There was no public comment.

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Mayor Reed closed the public hearing.

Councilmember Merrill made a motion to approve Item 18-968. Councilmember Williams seconded. The motion passed unanimously.

Unfinished Business

There was no Unfinished Business.

New Business

1. Item 18-969: Approval of the Concept Plan for property in the Serenbe Hamlet. City Planner Mike Morton presented the item. The plan proposes 290 residential lots and a small amount of commercial. Staff recommends approval, and the Planning Commission voted 4-0, with one abstention, to recommend approval. Councilmember Merrill made a motion to approve Item 18-969. Councilmember Williams seconded. The motion passed unanimously.

2. Item 18-970: Resolution declaring surplus property and sale of surplus property. City Manager Robbie Rokovitz presented the item. The surplus property includes two fire engines, five police vehicles, and one Public Works truck. Councilmember Stephens made a motion to approve Item 18-970. Councilmember Schmidt seconded. The motion passed unanimously.

3. Item 18-971: Approval of purchase of Ford Interceptor Police Vehicle. Police Chief Stoney Mathis presented the item. The cost of the vehicle is \$26,600 and the cost for upfitting the vehicle is \$7,355. Councilmember Schmidt made a motion to approve Item No. 18-971. Councilmember Stephens seconded. The motion passed 4-1, Councilmember Hayes opposed.

4. Item 18-972: Approval of purchase of Ford F350 Crew Cab Public Works vehicle. Public Works/Parks Director presented the item. The cost of the vehicle is \$41,721. Councilmember Schmidt made a motion to approve Item No. 18-972. Councilmember Stephens seconded. The motion passed unanimously.

5. Item 18-973: Ordinance to adopt a revised Bond and Fine Schedule. Police Chief Stoney Mathis presented the item. Councilmember Schmidt made a motion to approve Item No. 18-973. Councilmember Williams seconded. The motion passed unanimously.

6. Item 18-974: Approval of an Intergovernmental Agreement with Fulton County for the repaving of Rivertown Road from approximately 9540 Rivertown Road to Cochran Mill Road. City Manager Robbie Rokovitz presented the item. The cost to the city is \$242,554. The city will use Local Maintenance Improvement Grant (LMIG) to partially fund the

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cost. Councilmember Merrill made a motion to approve Item No. 18-974. Councilmember Schmidt seconded. The motion passed unanimously.

7. Item 18-975: Approval of a contract with Parker Services to provide gravel road maintenance services.

City Manager Robbie Rokovitz presented the item. Parker Services will work under the supervision of the Public Works Director. The amount budgeted for Fiscal Year 2019 is \$50,000. Councilmember Schmidt made a motion to approve Item No. 18-975. Councilmember Williams seconded. The motion passed unanimously.

Mayor and Council Comments

Councilmember Hayes thanked everyone for coming out and wished Police Chief Mathis good luck at his new job.

Councilmember Merrill said while it appears that Council goes through the meeting motions without a lot of thought, there is much discussion beforehand. He encouraged everyone to attend the work sessions, where a lot of the discussion takes place.

Councilmember Williams thanked Police Chief Mathis for his time at the city. She also said she is excited to have Parker Services helping with gravel road maintenance.

Councilmember Schmidt thanked staff and thanked Police Chief Mathis for turning the Police Department around.

Councilmember Stephens wished Police Chief Mathis the best.

Mayor Reed thanked Garnie Nygren and the Serenbe development for continuing to provide economic growth in the city. He also said Police Chief Mathis came at much needed time and the city was lucky to have him. He has turned the department into an amazing, professional organization.

Executive Session

1. To discuss legal matters and personnel matters.

Councilmember Merrill made a motion to move to Executive Session. Councilmember Stephens seconded. The motion passed unanimously at 7:22 p.m.

Councilmember Schmidt made a motion to convene the Executive Session. Councilmember Hayes seconded. The motion passed unanimously at 7:25 p.m.

Councilmember Merrill made motion to come out of Executive Session. Councilmember Schmidt seconded. The motion passed unanimously at 7:55 p.m.

Councilmember Hayes made a motion to reconvene the Regular Meeting.

Councilmember Merrill seconded. The motion passed unanimously at 7:58 p.m.

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Mayor Reed said New Business Item No. 18-976 was being added to the agenda.

8. **Item 18-976:** Authorize the City Attorney to settle a class action lawsuit regarding the overpayment of ad valorem taxes.

City Attorney said the class action lawsuit was regarding a claim made by two used car dealerships that they had overpaid on ad valorem taxes. The city's portion of the settlement is approximately \$400. Councilmember Merrill made a motion to approve Item No. 18-976. Councilmember Hayes seconded. The motion passed unanimously.

Adjourn Meeting

Councilmember Schmidt made a motion to adjourn the meeting. Councilmember Williams seconded. The motion passed unanimously and the meeting adjourned at 8:01 p.m.

Approved this 11th day of September, 2018.

Dana Wicher, City Clerk

Tom Reed, Mayor