

**Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
May 7, 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, and Don Hayes. Councilmember Alan Merrill was absent. Also present was City Attorney Rick Lindsey.

Review and Approval of Agenda

Mayor Reed said that the applicant had withdrawn the applications for Item No. 19-020 and Item No. 19-021. He requested that the agenda be amended to add Item No. 19-032, Ratify nomination of Mayor to be placed on Georgia Municipal Association ballot as President of District 3 Southwest. Councilmember Schmidt made a motion to approve the agenda as amended. Councilmember Stephens seconded. The motion passed unanimously.

Approval of Minutes

1. Minutes of the Regular Work Session of March 27, 2019
2. Minutes of the Regular Meeting of April 9, 2019

Councilmember Hayes made a motion to approve the minutes of the Regular Work Session of March 27, 2019 and the Regular Meeting of April 9, 2019. Councilmember Williams seconded. The motion passed unanimously.

Public Comment

Diana Wilson, 8130 Cochran Mill Road – invited everyone to attend the Chattahoochee Hills Farmers Market & Bike Tour at the charter school on May 11th.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

Mr. Rokovitz presented the updated financials through May 6, 2019. The city is 84 percent through the fiscal year. Revenues are 97 percent including reserves, and expenditures are 73 percent for the general fund.

Fire Department Report: Greg Brett

Chief Brett said this month's report included three-year incident type comparison numbers. He also reported that the two surplus engines have been sold. The burn ban started May 1st and runs through October 1st. Registration for ChattCare begins July 1st.

Police Department Report: Jim Little

Chief Little reported the last two surplus vehicles were sold. He also reported the statistics for the month of April 2019. There were 85 dispatched calls, 598 self-

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initiated calls, 79 citations, 68 warnings, 31 parking citations, 6 arrests, 16 incident reports, 9 accident reports, 182 business checks, and 226 residence checks. He also reported that the department is enforcing the truck routes. The department is fully staffed with recent hire Officer Blackmon, and Officer DeBisschop has completed FTO.

Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt reported that staff is close to finishing the grading and ditching on Old Rico Road and will work on Old Phillips Road next. They have been repairing washes and potholes on the gravel roads when it has been too wet to grade and ditch. The right-of-way crews are working on their second cycle of the season. Staff also completed a water line and well repair at city hall.

Community Development: Mike Morton

Mr. Morton reported there were 14 total building permits and 17 certificates of occupancy issued in April 2019. Three of the permits were for residential single family and the six commercial permits were for the live-works in Serenbe. There also were 151 inspections. The builder at Heatherwood Manor is working with the City of Atlanta on water infrastructure, and he has not heard anything from the Estates at Cedar Grove developers regarding the stormwater maintenance agreement and the roads.

Presentations/Proclamations

1. Municipal Clerks Week Proclamation
Mayor Reed read a proclamation declaring May 5-11, 2019 as Municipal Clerk's Week.

Public Hearing

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

1. **Item 19-019:** Ordinance to amend and revise Chapter 35, Zoning – the ordinance revises language covering the Parkway Commercial (PC) zoning district.

City Planner Mike Morton presented the item. The proposed amendment makes the following changes:

1. *Expands the range of accommodation and food service uses allowed in the district*
2. *Allow up to 100% of the preservation requirement to be transferred offsite.*
3. *Revise buffers to 300 feet along the parkway and 100 feet on all other sides, prohibit clearing in the buffer, require permanent preservation of the parkway thoroughfares.*
4. *Replace the maximum district size with a minimum district size of 7.5 acres.*

There was no public comment.

Mayor Reed called for a motion on Item No. 19-019. Councilmember Hayes made a motion to approve Item No. 19-019. Councilmember Stephens seconded. The motion passed unanimously.

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- 2. Item 19-020:** Public Hearing and Action on an Ordinance to approve a Special Use Permit for a small craft brewery in the RL (Rural) District – application is for property located at 5541 Cochran Mill Road.

- 3. Item 19-021:** Public Hearing and Action on an Ordinance for a variance to the location of parking – application is to allow a gravel parking located between the front of the building and the thoroughfare at the proposed small craft brewery located at 5541 Cochran Mill Road.

Mayor Reed opened the public hearing for Item No. 19-020 and Item No. 19-021.

The following people spoke in support of the items:

- 1. Chris Smith, 9700 Hutcheson Ferry Road (on behalf of the applicant) – thanked the community for their support and input over the last several months. He said the applicant has chosen to withdraw the applications in order to address some of the concerns. He also said the rural businesses in the city are some of the best kept and manicured properties and this helps to increase property values.*
- 2. Tom Blum, 9226 Selborne Lane – said agritourism is exactly the kind of development the city needs to bring badly needed tax dollars to our young city. He said we need to do everything we can to facilitate the project.*
- 3. Diana Wilson, 8130 Cochran Mill Road – said having the brewery will help increase property values. She said most property values are not increasing unless they are in Serenbe. She said the city needs a place where the community can gather, a place that is a destination, a place we can meet our neighbors and take our friends. The Cochran Mill Brewery can be the first step that does this for us in Chattahoochee Hills.*
- 4. Judy Hattaway, 5545 Cochran Mill Road – said she is a neighbor of the location of the proposed brewery, a non-drinker, and a member of Friendship Baptist Church. She said change is difficult but inevitable. She said the brewery will be a small establishment and the impact on traffic will be minimal. It is not a bar but is a gathering place for families.*
- 5. Steve Dray, 9118 Selborne Lane – said the great thing about our city is the commitment to smart development and smart design. The brewery is a prime example of this. There are a lot of local governments that are begging for opportunities like this, and he would hate for our city to deny it.*
- 6. Dave Hanson, 8135 Atlanta Newnan Road – comment stating he is in support of the permit was read into the record by City Attorney Rick Lindsey.*
- 7. Vanessa Hattaway, 170 Boulevard SE, Atlanta, GA – said she wanted to shed some light on her family’s vision because she thinks there are some misconceptions about breweries. In her experience, they are places where young families and young professionals gather. She has friends and colleagues who heard about the brewery and they have all been excited to have a place to visit that is outside of the city.*
- 8. Tera Hattaway, 5541 Cochran Mill Road – said she is the wife and mother of the applicants. She understands the fear with alcohol being introduced into the community*

but this is different from the 60's bar scene. Visiting other breweries, she has seen them as a place for the community to come together.

- 9. Joe DiGiugno, 4850 Cochran Mill Road – said he understands how the system works and that the city must do its due diligence. With all the hurdles the Hattaway's have had to go through, he fears the next person will think it is too difficult and will say “why bother”.*
- 10. Lisa Gibson, 30 Inverness Way, Newnan, GA – said she has lived in Newnan for 27 years and is planning on moving to this area. She stumbled across the proposal for the brewery as she was researching the area. She wholeheartedly supports the this and sees it as good growth for the community.*
- 11. Eric Lawson, 10100 Rivertown Road (emailed comments read by City Attorney Rick Lindsey) – this brewery will provide local residents and visitors an opportunity to meet and enjoy our amazing rural setting.*
- 12. Sean Smith, 10576 Serenbe Lane (emailed comments read by City Attorney Rick Lindsey) – this enterprise would be a great asset to the community.*
- 13. Ted Wansley, 9895 Brazell Road (emailed comments read by City Attorney Rick Lindsey) – his property is approximately 500 yards from the property of the proposed brewery and they have been excellent neighbors. They have always made a special effort to get feedback or concerns during events at La Hacienda or when they have made changes to their property. He is confident that they will create a business that will improve the neighborhood.*
- 14. Valerie Hayes, 8115 Rico Road (emailed comments ready by City Attorney Rick Lindsey) – this business is just the sort of thing that our rural city needs to bolster its economy while maintaining the rural character that we love. She and her husband moved here 13 years ago and believe allowing the brewery is congruent with the positive trajectory we are on.*
- 15. Carter Williamson, 12525 Jones Ferry Road (emailed comments read by City Attorney Rick Lindsey) – he and his wife own and operate Cherry Hollow Farm, an event venue and family farm. The Hattaway's have been a part of this land for generations and are committed to the citizens and its future.*
- 16. Karen Costa Hattaway, 5545 Cochran Mill Road (emailed comments read by City Attorney Rick Lindsey) – she came to America from Italy in search of opportunity like many other young professionals. Her husband is trying to start this business in the place where he grew up and would love to pass down his passion for the land for generations to come. If we do not allow our children to stay in the places they love and start businesses that reflect and protect the character of the land, they will be forced to move away.*

The following people spoke in opposition to the item:

- 1. Danean Crawford, 5575 Cochran Mill Road – gave a timeline of events regarding the brewery over the last two months. She said the first communication she received from the applicant was on March 4th. She received a letter from the city notifying her of the application on April 2nd and the first chance she had to address the City Council was on April 9th. Her concerns include the gravel parking lot being located outside the property*

- lines, the recording of quit claim deeds which transferred the neighboring property back and forth, and who will handle code enforcement if issues arise. She said she wants to live in peace and this is not what she signed up for. She said the city's notification system needs to be changed and the ordinance allowing breweries needs to be re-evaluated to make the land requirement bigger. She submitted signed petitions opposing the brewery to the City Clerk.*
- 2. Betty Hattaway Hargis, 9875 Woodruff Road – said she has many memories of the tranquil area and that it is a wonderful community to live in. She said there are other things we could do for agritourism.*
 - 3. Lila Rhyne, 9875 Woodruff Road – said when we became a city, everyone wanted to keep it rural. She understands that change comes and there has to be development, but those who live outside of those developments do not want it. She said the city is experiencing growing pains and has hit its adolescence and may be becoming a little reckless.*
 - 4. Travis Crawford, 5575 Cochran Mill Road – said he shares a driveway with the property. He is a beer drinker and has visited breweries over the world. He has never found a bar or brewery that was always tranquil and thinks these businesses should only be allowed in commercial zoning.*
 - 5. Perry Crawford, 5605 Cochran Mill Road – said communications have greatly improved since his comments at the last meeting. He agrees with everything Danean Crawford said. He also said as head of Transportation for the Fulton County Schools for many years, one of the major problems he had to deal with was alcohol and drugs. The beauty of the land is why the bicyclists come to the city – not alcohol. He submitted signed petitions opposing the brewery to the City Clerk.*
 - 6. Troy Bettis, 8355 Jones Ferry Road – said he wants to see a vibrant business community in Chattahoochee Hills but this will open pandora's box. He is not opposed to the microbrewery but said the property is too small for this type of business.*
 - 7. Patricia Bettis, 11475 Hutcheson Ferry Road – said she does not mind having a brewery but does not think it should be on the property where they want to do it. It should go in a place like Serenbe.*
 - 8. Robert Teal, 4710 Brock Road – said the brewery is not in the best interest of the community.*
 - 9. Ellen Hattaway Crawford, 5605 Cochran Mill Road – said she wants the community to remain rural and the current property does not have enough space for a brewery.*
 - 10. Betty Teal, 4710 Brock Road – said she is opposed to the brewery.*
 - 11. Brent Bettis, 6870 Rico Road – said he is opposed to the brewery.*
 - 12. Monti Bettis, 6870 Rico Road – said she is opposed to the brewery.*
 - 13. Micah Bettis, 8355 Jones Ferry Road – said she is opposed to the brewery.*
 - 14. Amber Bettis, 6870 Rico Road – said she is opposed to the brewery.*
 - 15. Carson Crawford, 5575 Cochran Mill Road – said he is opposed to the brewery.*
 - 16. Karen Davis, 10195 Rivertown Road – was not present but is opposed to the brewery.*
 - 17. Edward P. Berry, Jr. – did not wish to speak but is opposed to the brewery.*
 - 18. Ken Hearn, 8525 Hearn Road – said he is opposed to the brewery.*
 - 19. Lisa Hearn, 8525 Hearn Road – said she is opposed to the brewery.*

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20. Lucille Jones, 8140 Gravel Road – said she is opposed to the brewery.

21. Leonard Jones, 8140 Gravel Road – said he is opposed to the brewery.

The following person spoke in rebuttal to the opposition:

- 1. Ed Hattaway, 5541 Cochran Mill Road – said that the transfer of the property was a clerical error and had nothing to do with the proposed brewery. He also said he ultimately thinks what they are trying to do is misinterpreted.**

Mayor Reed closed the public hearing. No action was taken on Item No. 19-020 and Item No. 19-021.

- 4. Item 19-030:** Public Hearing and First Reading on an Ordinance to Adopt the Fiscal Year 2020 Budget for the Each Fund of the City of Chattahoochee Hills, Georgia Appropriating the Amounts Shown in Each Budget as Expenditures, Adopting the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations, and Prohibiting Expenditures to Exceed Actual Funding Available. *City Manager Robbie Rokovitz presented the item. The General Fund budget is \$3,339,752 and the total budget including reserves is \$5,888,792. There will be a second public hearing and budget adoption at the June 4th meeting.*

There was no public comment.

Unfinished Business

There was no unfinished business.

New Business

- 1. Item 19-031:** Resolution supporting the realigning of Postal ZIP Code boundaries to include all of the City of Chattahoochee Hills under one ZIP Code. *Mayor Reed called for a motion on Item No. 19-031. Councilmember Schmidt made a motion to approve Item No. 19-031. Councilmember Stephens seconded. The motion passed unanimously.*

- 2. Item 19-032:** Ratify nomination of Mayor to be placed on Georgia Municipal Association ballot as President of District 3 Southwest. *Mayor Reed called for a motion on Item No. 19-032. Councilmember Stephens made a motion to approve Item No. 19-032. Councilmember Williams seconded. The motion passed unanimously.*

Mayor and Council Comments

Councilmember Hayes thanked everyone for attending and said everyone should vote for TSLPOST the next time it is up for vote.

Councilmember Williams said the Council does not take these issues lightly, and they want to do what is best for everyone.

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Councilmember Schmidt encouraged everyone to attend a Council meeting at least every few months. He also said it was refreshing to listen to everyone's comments because they have not forgotten the reason we became a city. He said this is a difficult conversation because it involves alcohol and he appreciated everything that the citizens have brought forward.

Councilmember Stephens thanked City Manager Robbie Rokovitz for three years of service and thanked City Clerk Dana Wicher for her hard work. He also thanked Chief Little for enforcing the truck route laws and for working to keep 18-wheelers off of Wilkerson Mill road, which the city just paid \$600,000 to pave.

Mayor Reed said property rights are one of the hardest areas to deal with when trying to figure out that balance of the wants and needs of different people. The reality is that the process does not really start until an application is received and the all of the details are known. He said the entire group takes these things very seriously and appreciates everyone's input. He also asked everyone to send good thoughts and prayers to Judy Henderson and Nancy Whittenburger. He also commented on the recent passings of Ted Peppin, David Garland, and County Commissioner Emma Darnell, and he thanked the City Manager, City Clerk, and entire staff for their hard work.

Executive Session

There was no Executive Session.

Adjourn Meeting

Councilmember Schmidt made a motion to adjourn the meeting. Councilmember Stephens seconded. The motion passed unanimously and the meeting adjourned at 7:47 p.m.

Approved this 4th day of June, 2019.

Dana Wicher, City Clerk

Tom Reed, Mayor