



AGENDA  
COUNCIL MEETING  
4040 S. BERKELEY LAKE RD.  
BERKELEY LAKE, GEORGIA 30096  
APRIL 18, 2024

7:00 PM Work Session  
8:00 PM Formal Session

*Citizens are encouraged to offer comments on issues of concern as agenda items are reached and at the end of the meeting for all other issues. Please limit citizen comments to 2 minutes. Longer citizen comments are welcome in writing and will be added to the official record of this meeting.*

**WORK SESSION**

**CALL TO ORDER**

**AGENDA**

**PUBLIC HEARING**

- a) O-24-252 – 2023 Budget Amendment

**CONSENT AGENDA**

- a) Minutes of March 21, 2024, Council Meeting
- b) Financial Statements of February 2024 – Unaudited
- c) Appointment of Deputy City Marshal – Andy Anderson

**OLD BUSINESS**

- a) O-24-252 - 2023 Budget Amendment

**NEW BUSINESS**

**EXECUTIVE SESSION *(if needed)***

**CITIZEN COMMENTS**

**ADJOURNMENT**

Requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Berkeley Lake government should be made at least five days prior to the event by contacting the ADA Coordinator at 770-368-9484.



**SPECIAL CALLED COUNCIL MEETING  
4040 SOUTH BERKELEY LAKE ROAD  
BERKELEY LAKE, GEORGIA 30096  
DRAFT MINUTES  
MARCH 21, 2024**

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**ATTENDANCE**

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Mayor: Lois Salter

Council Members: Rodney Hammond, Scott Lee, Chip McDaniel, Bob Smith and Rebecca Spitler

City Officials: Leigh Threadgill - City Administrator, Dick Carothers and Thomas Mitchell – City Attorneys

Members of the Public: 26

Members of the Press: 0

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**CALL TO ORDER**

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Salter called the meeting to order at 8:00 PM. A quorum of council members was in attendance.

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**AGENDA**

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Salter solicited motions regarding the agenda.

**Hammond made a motion to accept the agenda as submitted. Smith seconded the motion. All council members were in favor and the motion passed.**

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**PUBLIC HEARING**

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There were no public hearings.

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**CONSENT AGENDA**

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Salter noted the following as items on the consent agenda and solicited a motion:

- a) Minutes of February 8, 2024, Special Called Council Meeting
- b) Financial Statements of December 2023 – Unaudited
- c) Financial Statements of January 2024 - Unaudited

**Lee made a motion to approve all items on the consent agenda. McDaniel seconded the motion. All were in favor and the motion passed.**

## **OLD BUSINESS**

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- a) O-24-251, Rezoning of 4477 and 4487 PIB from GC-A(C-1) to M-1 and concurrent variances as follows:
  - a. Modification of the 75-foot buffer required between M-1 and R-1-00
  - b. Reduction of the minimum district area from 10 acres to 4.996 acres
  - c. Reduction of the front setback from 75 feet to 11.11 feet along the property line jog

Threadgill: O-24-251 is a proposed amendment to the zoning map to reclassify property located at 4477 and 4487 Peachtree Industrial Boulevard, (Tax Parcel Numbers 6268 043 and 6268 044) from Gwinnett County – Annexed, Neighborhood Commercial to Light Industrial. In addition to the reclassification of property, three concurrent variances are sought. Those variances are as follows: 1) a modification of the required 75-foot undisturbed buffer between R-100 and M-1 to eliminate the buffer adjacent to tax parcel 6268 019 and impose a 25-foot building setback; 2) reduction of the 10-acre M-1 district area minimum to 4.996; and 3) reduction of the 75-foot front setback to 11.11 feet along approximately 49.53 feet of the Peachtree Industrial right-of-way jog into the property. Staff recommends denial of the request, while the Planning & Zoning Commission recommends conditional approval of the request, and the ordinance is presented here tonight for second read consideration.

**Spitler made a motion to deny Rezoning PZRZ-23-08 and the concurrent variances requested by PZV-23-09 for the properties located at 4477 and 4487 Peachtree Industrial Boulevard requesting to rezone the properties from GC-A(C-1, Neighborhood Business) to M-1, Light Industrial based on the standards governing the exercise of zoning power set forth in Sec. 78-394 of the Zoning Ordinance of the City of Berkeley Lake, Georgia; the information presented to and developed before the Berkeley Lake Planning and Zoning Commission at its public hearing and meetings on August 8, October 10 and November 14, 2023; and the information presented to and developed before the Berkeley Lake Mayor and City Council at the public hearing on January 18, 2024 and meeting on February 8, 2024. Hammond seconded the motion. All were in favor and the motion passed.**

## **NEW BUSINESS**

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- a) Recognition of Berkeley Lake Lens Winner

Salter noted that the winner of this month's Lens photo contest is Rachel Clark but was unable to attend. Chip McDaniel, liaison to the Arts Committee, unveiled the winning photo.

- b) Update to Zoning and Development Codes

Threadgill: As you probably remember we recently went through the process of updating the City's Comprehensive Plan, which was adopted on February 8th. Part of that comprehensive

plan update process was to create a list of projects for implementation over the next five years. One of those projects is to update the city's zoning and development codes. Staff has researched consulting firms specializing in this kind of work and is pleased to recommend TSW, who has prepared a proposal that is before you for consideration. Staff requests that you accept phase 1 and 2 of the 3 phase-process contained in this proposal and authorize the Mayor to enter into a contract for the code update services described therein in an amount not to exceed \$82,400 and subject to approval as to form by the City Attorney.

**McDaniel made a motion to accept phases 1 and 2 of the proposal provided by TSW in an amount not to exceed \$82,400 for professional services to update the city's zoning and development codes and to authorize the Mayor to enter into a contract, subject to approval as to form by the city attorney. Hammond seconded the motion. All were in favor and the motion passed.**

c) O-24-252 – 2023 Budget Amendment

Threadgill: O-24-252 is a housekeeping measure to identify a final status of expenses and revenues for 2023. I am requesting that council place the item on first read and schedule a public hearing regarding the amendment for April 18<sup>th</sup> at 8:00 PM.

**Lee made a motion to place O-24-252, an ordinance to amend the budget for the year 2023, to repeal conflicting ordinances, to provide for an effective date and for other purposes, on first read and to hold a public hearing regarding the amendment on April 18, 2024, at 8:00 PM. Smith seconded the motion. All were in favor and the motion passed.**

d) 2024 Paving Project – Engineer's Recommendation of Contract Award

Threadgill: The 2024 Paving Project consists of milling, patching and resurfacing approximately 4,000 linear feet of asphalt pavement on Lakeshore Drive between Ridge Road and Little Ridge Road. The project was put out to bid in accordance with state law. Bids were opened on March 12, 2024. You have before you the City Engineer's recommendation letter and bid tabulation. The City Engineer recommends awarding the bid to Garrett Paving Company, Inc. in the amount of \$242,536.99 but has suggested to staff that a 15% contingency be added for a total cost of \$278,917.54. The project is anticipated to be funded by SPLOST and LMIG.

**Hammond made a motion to authorize the Mayor to enter into a contract for the 2024 Paving Project with Garrett Paving Company, Inc. in the amount of \$242,536.99 subject to approval as to form by the City Attorney and to further authorize a contingency in the amount of \$36,380.55. Spitler seconded the motion. All were in favor and the motion passed.**

## **PUBLIC COMMENTS**

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There were none.

## **ADJOURNMENT**

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**There being no further business to discuss, Smith moved to adjourn. McDaniel seconded the motion. All were in favor and the motion passed.**

Salter adjourned the meeting at 8:13 PM.

Submitted by:

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Leigh Threadgill, City Clerk

# City of Berkeley Lake

## Budget vs. Actuals: Budget\_FY24\_P&L - FY24 P&L

January - February, 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
100 100 General	328,535.75	1,577,234.00	-1,248,698.25	20.83 %
320 320 SPLOST Income	80,842.62	2,010,412.00	-1,929,569.38	4.02 %
<b>Total Income</b>	<b>\$409,378.37</b>	<b>\$3,587,646.00</b>	<b>\$ -3,178,267.63</b>	<b>11.41 %</b>
<b>GROSS PROFIT</b>	<b>\$409,378.37</b>	<b>\$3,587,646.00</b>	<b>\$ -3,178,267.63</b>	<b>11.41 %</b>
<b>Expenses</b>				
1 Gen Govt	67,684.48	587,425.00	-519,740.52	11.52 %
2 Judicial	1,222.91	9,190.00	-7,967.09	13.31 %
230 ARP Act Expenses 230	6,067.50	348,468.00	-342,400.50	1.74 %
3 Public Safety	21,480.49	169,923.00	-148,442.51	12.64 %
4 Public Works	27,721.84	160,542.00	-132,820.16	17.27 %
6 Culture and Recreation	722.70	20,904.00	-20,181.30	3.46 %
7 Housing and Development	5,572.85	226,409.00	-220,836.15	2.46 %
9000.61.1100 Xfer Out - Reserve Fund		54,375.00	-54,375.00	
SPLOST Expenses		2,010,412.00	-2,010,412.00	
<b>Total Expenses</b>	<b>\$130,472.77</b>	<b>\$3,587,648.00</b>	<b>\$ -3,457,175.23</b>	<b>3.64 %</b>
<b>NET OPERATING INCOME</b>	<b>\$278,905.60</b>	<b>\$ -2.00</b>	<b>\$278,907.60</b>	<b>-13,945,280.00 %</b>
<b>NET INCOME</b>	<b>\$278,905.60</b>	<b>\$ -2.00</b>	<b>\$278,907.60</b>	<b>-13,945,280.00 %</b>

# City of Berkeley Lake

## Income & Expense

February 2024

	TOTAL
Income	
100 100 General	264,715.05
320 320 SPLOST Income	41,300.78
<b>Total Income</b>	<b>\$306,015.83</b>
GROSS PROFIT	<b>\$306,015.83</b>
Expenses	
1 Gen Govt	32,185.97
2 Judicial	507.50
230 ARP Act Expenses 230	6,067.50
3 Public Safety	11,781.21
4 Public Works	18,633.52
6 Culture and Recreation	361.35
7 Housing and Development	4,192.85
<b>Total Expenses</b>	<b>\$73,729.90</b>
NET OPERATING INCOME	<b>\$232,285.93</b>
NET INCOME	<b>\$232,285.93</b>

# City of Berkeley Lake

## Balance Sheet

As of February 29, 2024

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
Debt Service Fund	0.00
General Fund	4,640,601.11
SPLOST Fund	1,548,752.18
Suspense 1.11.1000	0.00
<b>Total Bank Accounts</b>	<b>\$6,189,353.29</b>
Accounts Receivable	
Accounts Rec 1.11.1900.1	17,737.93
<b>Total Accounts Receivable</b>	<b>\$17,737.93</b>
Other Current Assets	
1.11.27 Grant Receivable	0.00
Accounts Rec - SPLOST 1.11.2000	75,837.11
AccountsRec-OtherTax1.11.1900.2	0.00
Franchise Tax Rec 1.11.1550	183,633.43
Interest Receivable 1.11.1400	0.00
Prepaid Expense 1.11.3600	0.00
Prepaid items 1.11.3800	0.00
Taxes Receivable 1.11.1600	19,538.07
Undeposited Funds 1.11.1114	521.54
<b>Total Other Current Assets</b>	<b>\$279,530.15</b>
<b>Total Current Assets</b>	<b>\$6,486,621.37</b>
Fixed Assets	
Building & Improvements 1.11.7400	1,770,036.08
Computer Equipment 1.11.6700	48,172.61
Furniture & Fixtures 8.11.7700	71,493.47
Land 8.11.7100	9,392,320.74
Machinery & Equipment 1.11.6500	173,026.24
<b>Total Fixed Assets</b>	<b>\$11,455,049.14</b>
Other Assets	
Accum amort - bond cost	0.00
Amt avail 4 debt svc 9.11.9100	0.00
Bond issuance cost	0.00
Loan Receivable - Facilities	0.00
Loan Receivable - Paving	0.00
To be prov 4 debt 1.11.7500	0.00
<b>Total Other Assets</b>	<b>\$0.00</b>
<b>TOTAL ASSETS</b>	<b>\$17,941,670.51</b>



# City of Berkeley Lake

## Balance Sheet

As of February 29, 2024

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	-29.05
Operating AP	0.00
SPL2005 Admin Facil- City H-AP*	0.00
SPLOST account - Suntrust-AP*	0.00
<b>Total Accounts Payable</b>	<b>\$ -29.05</b>
Credit Cards	
BOZEMAN, MARTY (0241)	82.09
Hiller Credit Card (4916)	74.00
Hunter Credit Card (8185)	36.95
Threadgill Credit Card (3322)	651.56
Wilhite Credit Card (1132)	0.00
<b>Total Credit Cards</b>	<b>\$844.60</b>
Other Current Liabilities	
*Sales Tax Payable	0.00
1.12.28 Bonds payable - current	0.00
Accounts Payable Accruals-L*	0.00
Accounts payable-L 1.12.1100.2	0.00
Accrued Expenses 1.12.1150	0.00
Accrued Interest Payable	0.00
Accrued Salaries 1.12.1200	0.00
Accrued SPLOST Expenses 2.12.1250	0.00
Deferred revenue 1.12.2500	44,708.71
Direct Deposit Payable	-0.01
MyGov	-390.00
Payroll Liabilities	66.10
PR Tax Payable - Fed 1.12.1300	0.00
PR Tax Payable - State 1.12.1310	0.00
PTO Accrual	12,483.90
Regulatory Fees Payable	6,287.99
Retainage Payable	0.00
<b>Total Other Current Liabilities</b>	<b>\$63,156.69</b>
<b>Total Current Liabilities</b>	<b>\$63,972.24</b>

# City of Berkeley Lake

## Balance Sheet

As of February 29, 2024

	TOTAL
Long-Term Liabilities	
Gen Oblig Bond Payable1.12.3000	0.00
GOB Payable - 2009 1.12.3000.2	0.00
GOB Payable - 2011 1.12.3000.3	0.00
GOB Payable - 2012 1 12.3000.4	0.00
SPLOST Loan Payable - Paving	0.00
SPLOST Loan Payable Facilities	0.00
<b>Total Long-Term Liabilities</b>	<b>\$0.00</b>
<b>Total Liabilities</b>	<b>\$63,972.24</b>
Equity	
Fund Bal Unrsvd 1.13.4220	3,957,690.43
Investmt in fixedassets 1.13.4K	11,327,229.85
Opening Bal Equity	0.00
Reserve for prepaids 1.13.4125	0.00
Reserved for Debt Service	0.00
Restricted for Debt Svc 1.13.4105	0.00
Restricted4CapitalProj 1.13.4155	1,885,707.52
Retained Earnings 1.13.3000	427,064.87
Net Income	280,005.60
<b>Total Equity</b>	<b>\$17,877,698.27</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$17,941,670.51</b>

ORDINANCE

AN ORDINANCE TO AMEND THE BUDGET FOR THE YEAR 2023; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Be it ordained by the Mayor and the City Council of the City of Berkeley Lake that the 2023 Budget shall be amended as follows:

Revenues		
	General	1,367,748
	SPLOST	496,631
	American Rescue Plan Act	<u>186,289</u>
	Total Revenues	\$2,050,668
Expenditures		
	General Government	433,493
	Judicial	970
	Public Safety	126,937
	Public Works	112,295
	Culture & Recreation	8,665
	Housing & Development	18,949
	Additions to General Reserves	666,439
	SPLOST – Admin Facilities	25,803
	SPLOST – Addition to Reserves	470,828
	American Rescue Plan Act	<u>186,289</u>
	Total Expenditures	\$2,050,668

All ordinances and parts of ordinances in conflict herewith are repealed to the extent of any such conflict. This ordinance shall be effective upon adoption by the Council of the City of Berkeley Lake.

So ordained, this 18<sup>th</sup> day of April 2024.

ATTEST:

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Lois D. Salter, Mayor

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Leigh Threadgill, City Clerk

First Read: March 21, 2024  
Second Read/Hearing/Adoption: April 18, 2024