



**COUNCIL MEETING
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
FULL MINUTES
MARCH 21, 2024**

ATTENDANCE

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

CALL TO ORDER

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

AGENDA

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.

PUBLIC HEARING

There were no public hearings.

CONSENT AGENDA

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

- 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

- 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 18th 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

There were none.

ADJOURNMENT

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:



Leigh Threadgill, City Clerk

