

**CITY OF BERKELEY LAKE
COUNCIL MEETING
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
FULL MINUTES
JUNE 20, 2019**

ATTENDANCE

Mayor: Lois Salter

Council Members: Rodney Hammond, Scott Lee, Chip McDaniel, Bob Smith, Rebecca Spitler
City Officials: Tom Rozier - City Administrator, Pat Chapman - Deputy City Administrator,
Amy Cowan – Deputy City Attorney

Members of the Public: 2

Members of the Press: 0

WORK SESSION

The mayor and council reviewed the meeting agenda and materials with staff.

CALL TO ORDER

Salter called the meeting to order at 8:02 PM at 4040 South Berkeley Lake Road. 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. McDaniel seconded the motion. All council members were in favor and the motion passed.

CONSENT AGENDA

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

- a) Minutes of May 16, 2019 Council Meeting
- b) Financial Reports: April 2019, Unaudited
- c) Operations Activity Reports: May 2019
- d) Dam Inspection Report – Piedmont Geotechnical Consultants
- e) Employee Handbook Update – 305 Holidays Policy
- f) Building Inspection Report

Smith made a motion to approve all items on the consent agenda. Spitler seconded the motion. All were in favor and the motion passed.

OLD BUSINESS

a) O-19-223 Solid Waste Commercial Collection Hours and Dumpster Labeling

Chapman: *Due to past issues with violations of the noise ordinance, the current solid waste vendor was ordered by Judge Barrett to label dumpsters located within 900 feet of R-100 property with language reminding their employees of the hours during which the dumpsters could be emptied. O-19-223 is an amendment that will add a similar requirement to the Solid Waste ordinance, regardless of vendor. The amendment is available for second-read and adoption consideration.*

Lee made a motion to place O-19-223, an ordinance to amend the Solid Waste Commercial Collection Hours and Dumpster Labeling, to repeal conflicting ordinances, provide an effective date and for other purposes, on second read and to adopt the amendment. Smith seconded the motion. All were in favor and the motion passed.

b) O-19-224 Repeal Restrictions on “Happy Hour” Promotions and Sales

Rozier: *O-19-224 is a measure which if approved will allow Berkeley Lake restaurants to compete on a more level playing field with restaurants in nearby jurisdictions where similar code changes have recently been approved. The amendment is available for second read and adoption consideration.*

Spitler made a motion to place O-19-224, an ordinance to repeal restrictions on “Happy Hour” Promotion and Sales, to repeal conflicting ordinances, provide an effective date and for other purposes, on second read and to adopt the amendment. Lee seconded the motion. All were in favor and the motion passed.

c) Planning & Zoning Commission Appointment: Rand Kirkus

Salter: *Tonight, I propose the appointment of Rand Kirkus to the Planning & Zoning Commission. If approved, he will replace Neil Schaap who recently resigned to become a member of the Gwinnett County Zoning Board of Appeals.*

McDaniel made a motion to appoint Rand Kirkus as a member of the Planning & Zoning Commission. Smith seconded the motion. McDaniel, Smith and Lee were in favor. Hammond and Spitler were opposed. The motion passed.

NEW BUSINESS

- a) Changes to Fee Schedule: Media Production Permitting

Lee made a motion to ratify an earlier decision to allow the city administrator to use his discretion to reduce the residential media production permit daily use fee for preparation and strike days by 50% off the standard rate. Spittler seconded the motion. All were in favor and the motion passed.

McDaniel made a motion to set residential media production permit daily use fees: Media Production Permit Daily Use: Residential Filming/Taping - \$5,000/day; and Media Production Permit Daily Use: Residential Prep/Strike for Filming/Taping - \$2,500/day; and to rescind the city administrator's discretion to reduce any of those fees for any permits not already in process. Hammond seconded the motion. All were in favor and the motion passed.

PUBLIC COMMENTS

Faye Harwell, 381 Lakeshore Drive: *I came before you in 2018 with photos of erosion in the gully area owned by Ryerson/Blue Ridge Industries. This large gully area channels storm water runoff into the pipe under Peachtree Industrial Boulevard which flows into the retention pond at 377 and 381 Lakeshore Drive*

Presently the retention pond is doing its job well. Sediment is remaining in the pond but in the long run, the real problem to solve is minimizing the runoff and sediment from Ryerson in Peachtree Corners.

We are making progress, very very very slow progress, because the difficulties involve multiple jurisdictions and private property. We appreciate Lois' and Pat's support and guidance. At present our goal is to concentrate our efforts on the Berkeley Lake side. We are asking the county to clean out the pipe which is currently half full of sediment and remove silt and add riprap to manage the siltation on our side.

An investigator has met with us and the county is currently looking at the pipe issues from different angles, both on our side and on Peachtree Corners' side. Soon we will meet with Ryerson who owns approximately one third of the retention pond to explore inexpensive solutions such as vegetative strips to slow the water and manage the area to be a more functioning area.

It is a very difficult problem. I would appreciate any suggestions you have, any big ideas, anything that would help us to move this process along. Thank you.

ADJOURNMENT

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

Salter adjourned the meeting at 8:11 PM.

Submitted by:

Tom Rozier
City Clerk