



AGENDA  
SPECIAL CALLED COUNCIL MEETING  
4040 S. BERKELEY LAKE RD.  
BERKELEY LAKE, GEORGIA 30096  
JUNE 13, 2022

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**

**CONSENT AGENDA**

- a) Minutes of May 19, 2022, Council Meeting
- b) Financial Statements of April 2022 – Unaudited
- c) Public Works: Ratification of Change Order 3 – Task Order 1 Project Close Out

**OLD BUSINESS**

- a) O-22-243, Proposed 2021 Budget Amendment

**NEW BUSINESS**

- a) R-01-22, Resolution to Approve Mayoral Negotiation of SPLOST Intergovernmental Agreement and Categories

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

**CITIZEN COMMENTS**

**ADJOURNMENT**



**COUNCIL MEETING**  
**4040 SOUTH BERKELEY LAKE ROAD**  
**BERKELEY LAKE, GEORGIA 30096**  
**DRAFT MINUTES**  
**MAY 19, 2022**

**ATTENDANCE**

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Mayor: Lois Salter

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

City Officials: Leigh Threadgill - City Administrator

Richard Carothers – City Attorney

Members of the Public: 2

Members of the Press: 0

**WORK SESSION**

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

**CALL TO ORDER**

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Salter called the meeting to order at 8:01 PM. A quorum of council members was in attendance.

**AGENDA**

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Salter solicited motions regarding the agenda.

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

**PUBLIC HEARINGS**

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- a) O-2-242, Amendment to Section 78-366 and 78-367 of the Zoning Ordinance regarding variance expiration

There were no public comments.

- b) O-22-243, Proposed 2021 Budget Amendment

There were no public comments.

## CONSENT AGENDA

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

- a) Minutes of March 15, 2022 Council Meeting
- b) Financial Statements of January 2022 – Unaudited
- c) Financial Statements of February 2022 – Unaudited
- d) Financial Statements of March 2022 – Unaudited
- e) Public Works: Ratification of Survey Expense – Mansions Parkway Cul-de-sac
- f) Public Works: Ratification of Survey Expense – Lakeshore Drive at Paradise Cove

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

## OLD BUSINESS

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- a) O-22-242, Amendment to Section 78-366 and 78-367 of the Zoning Ordinance regarding variance expiration

*Threadgill: This is a request from the Planning & Zoning Commission who considered it and recommended approval of it at their February 8, 2022, meeting. The intent of the revision is to create a new administrative variance category for the Planning and Zoning Commission chair to be authorized to grant a one-time, one-year extension for an expiring or expired variance provided the application is made within 24 months of original variance approval. Additionally, the extension can be no longer than 12 months from the original expiration date. I am requesting the item be placed on second read and adopted.*

**Smith made a motion to place O-22-242, an ordinance to amend Chapter 78-366 and 78-367, to repeal conflicting ordinances, to provide for an effective date and for other purposes, on second read and adopt it. Spitler seconded the motion. All were in favor and the motion passed.**

- b) O-22-243, Proposed 2021 Budget Amendment

*Threadgill: O-22-243 is a housekeeping measure to identify a final status of expenses and revenues for 2021. I am requesting that council place the item on second read.*

**McDaniel made a motion to place O-22-243, an ordinance to amend the budget for the year 2021, to repeal conflicting ordinances, to provide for an effective date and for other purposes, on second read. Smith seconded the motion. All were in favor and the motion passed.**

- c) Public Works: 0 Peachtree Industrial Boulevard Erosion Investigation Report

Threadgill: *The City Engineer provided a letter of findings and recommendations pursuant to the investigation he was contracted to perform at our March meeting.*

Salter expressed that it seemed the engineer did a thorough job and noted that the council has had the opportunity to review the report, as well as our citizens. It is available on the website.

Salter solicited suggestions from the council regarding any further action.

McDaniel stated that he thought council should follow the professional engineer's opinion that repairs should begin at the upstream end of the system. Temporary erosion control measures in the wetlands or below would be of little benefit. Wetland plantings were considered at the request of the city, but plantings would do little to control sediment that originates offsite.

Salter noted that there are plans to ameliorate the situation upstream and directed staff to continue to monitor that process.

Hammond stated that the engineer has done a thorough job of documenting the situation.

Salter thanked members of council who have visited the site and upstream sites to study the situation.

## **NEW BUSINESS**

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There was no new business.

## **PUBLIC COMMENTS**

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Susan Hanson, 3755 North Berkeley Lake Road, resident of 34 years and chairman of the Berkeley Lake Conservancy, spoke about invasive, non-native plants in the city and distributed a brochure to the council regarding this issue. There are several homes that are completely covered with invasive, non-native plants. She asked that the city take responsibility on the city's property. The reason you don't want invasive, non-native plants is because you want native plants, but invasives will take them over and you lose the native plants. Berkeley Lake has changed in the last 34 years. Many areas that were woods, such as Miramont, Berkeley Walk and much of the City Hall property, have been developed and re-planted with some native but some non-native species. When the elementary school did an addition and disturbed close to an acre, everything re-planted was non-native. Hanson asked council to turn to page 26 in the brochure she had disseminated. This plant, miscanthus, or Chinese silver grass, is planted on city hall property. It is non-native and its seeds can blow to other sites. She proposed to remove this plant from city hall property. It shouldn't be too costly to do this. She then asked council to look at page 30 at the glossy privet that was planted next to the spillway as a screen. They have nice white flowers that produce berries that the birds eat

and then spread the berries. Hanson asked for this plant to be changed. For this year, she asked for those flowers to be cut back so that the birds can't disseminate the seeds to other places. There are funds for Tree City USA, around \$500, which could be used to do the privet pruning. Hanson has spoken to the Kitchens who are next to the spillway privet, who don't want it removed. She asked that the landscape contractor be asked to cut it back this summer. And in the fall start planting new plants at the lower end to help provide the buffer. Hanson has not spoken to the owners on the other side of the spillway.

Salter thanked Hanson for her advice and noted that we could prune the grass outside of city hall and at the spillway. She asked Hanson to provide recommendations about what to plant in its place. Salter noted that Spitler is the liaison to the Berkeley Lake Conservancy and asked for her to be included.

McDaniel thanked Hanson for the pamphlet and providing such helpful information.

Hanson noted that not all of the plants in the brochure are in Berkeley Lake, but many of them are. She hopes that if citizens see the city taking action, they may realize that they could get rid of some of the things in their yards.

Hammond stated that he recognizes some of these invasive, non-native plants on his property.

Salter noted that she has included information on this topic in the Mayor's Message. She asked Hanson if it would be alright to direct citizens to her for more information and thanked her again for all that she does.

Marilyn Childress, 4363 South Berkeley Lake Road, thanked everyone in attendance and all the citizens of Berkeley Lake. She has lived here for almost 25 years and it's one of the best if not the best communities in which to live. She noted how helpful members of the community have been through the years and she will miss it.

## **ADJOURNMENT**

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

Salter adjourned the meeting at 8:17 PM.

Submitted by:

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Leigh Threadgill  
City Clerk

DRAFT

# City of Berkeley Lake

## Budget vs. Actuals: 2022 Capital and Operating Budget - FY22 P&L

January - April, 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
100 100 General	241,541	1,435,684	-1,194,143	17.00 %
230.33.2100 ARP Act 230.33.2100		319,464	-319,464	
320 320 SPLOST Income	143,456	982,208	-838,752	15.00 %
<b>Total Income</b>	<b>\$384,997</b>	<b>\$2,737,356</b>	<b>\$ -2,352,359</b>	<b>14.00 %</b>
<b>GROSS PROFIT</b>	<b>\$384,997</b>	<b>\$2,737,356</b>	<b>\$ -2,352,359</b>	<b>14.00 %</b>
<b>Expenses</b>				
1 Gen Govt	156,015	546,565	-390,550	29.00 %
2 Judicial	1,372	9,190	-7,818	15.00 %
230 ARP Act Expenses 230	10,776	720,348	-709,572	1.00 %
3 Public Safety	42,391	141,819	-99,428	30.00 %
4 Public Works	35,932	149,869	-113,937	24.00 %
6 Culture and Recreation	6,557	20,580	-14,023	32.00 %
7 Housing and Development	8,122	119,100	-110,978	7.00 %
SPLOST Expenses	625	1,029,885	-1,029,260	0.00 %
<b>Total Expenses</b>	<b>\$261,789</b>	<b>\$2,737,356</b>	<b>\$ -2,475,567</b>	<b>10.00 %</b>
<b>NET OPERATING INCOME</b>	<b>\$123,208</b>	<b>\$0</b>	<b>\$123,208</b>	<b>0%</b>
<b>NET INCOME</b>	<b>\$123,208</b>	<b>\$0</b>	<b>\$123,208</b>	<b>0%</b>

# City of Berkeley Lake

## Income & Expense

April 2022

	TOTAL
Income	
100 100 General	33,857.96
320 320 SPLOST Income	37,597.74
<b>Total Income</b>	<b>\$71,455.70</b>
GROSS PROFIT	<b>\$71,455.70</b>
Expenses	
1 Gen Govt	38,944.10
2 Judicial	0.00
230 ARP Act Expenses 230	4,846.78
3 Public Safety	13,093.49
4 Public Works	8,304.32
6 Culture and Recreation	1,372.55
7 Housing and Development	924.65
SPLOST Expenses	625.00
<b>Total Expenses</b>	<b>\$68,110.89</b>
NET OPERATING INCOME	<b>\$3,344.81</b>
NET INCOME	<b>\$3,344.81</b>



# City of Berkeley Lake

## Balance Sheet As of April 30, 2022

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
General Fund	3,391,051.16
SPLOST Fund	688,561.71
<b>Total Bank Accounts</b>	<b>\$4,079,612.87</b>
Accounts Receivable	
Accounts Rec 1.11.1900.1	10,619.46
<b>Total Accounts Receivable</b>	<b>\$10,619.46</b>
Other Current Assets	
Accounts Rec - SPLOST 1.11.2000	76,171.74
Franchise Tax Rec 1.11.1550	45,000.00
Prepaid items 1.11.3800	3,749.67
Taxes Receivable 1.11.1600	8,827.06
Undeposited Funds 1.11.1114	4,217.90
<b>Total Other Current Assets</b>	<b>\$137,966.37</b>
<b>Total Current Assets</b>	<b>\$4,228,198.70</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	121,737.28
<b>Total Fixed Assets</b>	<b>\$11,403,760.18</b>
<b>TOTAL ASSETS</b>	<b>\$15,631,958.88</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	15,240.11
<b>Total Accounts Payable</b>	<b>\$15,240.11</b>
Other Current Liabilities	
Deferred revenue 1.12.2500	8,826.88
Direct Deposit Payable	-0.01
Payroll Liabilities	66.10
PTO Accrual	8,785.29
Regulatory Fees Payable	9,767.12
<b>Total Other Current Liabilities</b>	<b>\$27,445.38</b>
<b>Total Current Liabilities</b>	<b>\$42,685.49</b>
<b>Total Liabilities</b>	<b>\$42,685.49</b>
Equity	
Fund Bal Unrsvd 1.13.4220	3,079,917.93

# City of Berkeley Lake

## Balance Sheet As of April 30, 2022

	TOTAL
Investmt in fixedassets 1.13.4K	11,275,940.89
Reserve for prepaids 1.13.4125	3,749.67
Restricted4CapitalProj 1.13.4155	999,694.94
Retained Earnings 1.13.3000	106,761.78
Net Income	123,208.18
<b>Total Equity</b>	<b>\$15,589,273.39</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$15,631,958.88</b>

Date of Issuance: 5/19/2022	Effective Date: 5/19/2022
Owner: City of Berkeley Lake	Owner's Contract No.:
Contractor: Construction 57	Contractor's Project No.:
Engineer: Keck & Wood, Inc.	Engineer's Project No.: 211290
Project: Task Order 1	Contract Name: Annual Contract for Roads and Drainage Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Final adjusting change order to zero out the remaining balance on the task order.

Attachments:

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>66,737.50</u>	Original Contract Times: Substantial Completion: <u>60</u> Ready for Final Payment: <u>60</u> days or dates
Increase from previously approved Change Orders No. 1-2: \$ <u>49,760.00</u>	Increase from previously approved Change Orders No. 1: Substantial Completion: <u>15</u> Ready for Final Payment: <u>15</u> days
Contract Price prior to this Change Order: \$ <u>116,497.50</u>	Contract Times prior to this Change Order: Substantial Completion: <u>75</u> Ready for Final Payment: <u>75</u> days or dates
Decrease of this Change Order: \$ <u>4,174.50</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>15</u> Ready for Final Payment: <u>15</u> days or dates
Contract Price incorporating this Change Order: \$ <u>112,323.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>90</u> Ready for Final Payment: <u>90</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>[Signature]</u>	By: <u>[Signature]</u>	By: <u>[Signature]</u>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Associate VP</u>	Title: <u>Mayor</u>	Title: <u>PRESIDENT</u>
Date: <u>5/20/22</u>	Date: <u>5-25-22</u>	Date: <u>05/19/2022</u>

ORDINANCE

AN ORDINANCE TO AMEND THE BUDGET FOR THE YEAR 2021; 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 2021 Budget shall be appropriated as follows:

Revenues		
	General	1,138,889.38
	SPLOST	410,622.08
	ARPA	<u>400,884.00</u>
	Total Revenues	\$1,950,395.46
Expenditures		
	General Government	399,037.03
	Judicial	1,740.49
	Public Safety	117,033.65
	Public Works	99,915.50
	Culture & Recreation	10,584.90
	Housing & Development	132,858.83
	Additions to Reserves	377,718.98
	ARPA	81,201.49
	ARPA – Addition to Reserves	319,682.51
	SPLOST – Admin Facilities	2,050.00
	SPLOST – Public Works	122,740.55
	SPLOST – Addition to Reserves	<u>285,831.53</u>
	Total Expenditures	\$1,950,395.46

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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Lois D. Salter, Mayor

\_\_\_\_\_  
Leigh Threadgill, City Clerk

First Read: March 15, 2022  
Second Read/Hearing: May 19, 2022  
Adoption:

A RESOLUTION TO APPROVE A LIST OF PROJECTS FOR A 2023 GWINNETT COUNTY SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) REFERENDUM AND TO AUTHORIZE THE MAYOR AND CITY ATTORNEY TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH GWINNETT COUNTY

WHEREAS, Gwinnett County has notified the City that it is considering placing a referendum question before the voters of Gwinnett County to allow continuation of the Special Purpose Local Option Sales Tax in 2023; and

WHEREAS, Gwinnett County has invited the City to review and identify qualifying projects for such SPLOST; AND

WHEREAS, the SPLOST program in Gwinnett County has historically funded a wide variety of public projects for the benefit of the citizens of the City; and

WHEREAS, the City is a “qualified municipality” as defined by O.C.G.A Sec. 48-8-110(4), and as such, is eligible to receive Special Purpose Local Option Sales Tax proceeds; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City to designate qualifying projects for consideration by the voters in such referendum and to participate in the negotiation and execution of an appropriate Intergovernmental Agreement for Use and Distribution of any such Special Purpose Local Option Sales Tax proceeds;

NOW THEREFORE, THE COUNCIL OF THE CITY OF BERKELEY LAKE HEREBY RESOLVES, that the qualifying projects listed on Exhibit “A” attached hereto and incorporated herein by reference are approved and ratified for inclusion in the 2023 SPLOST referendum in Gwinnett County. IT IS FURTHER RESOLVED that the Mayor and City Attorney are hereby authorized to execute a negotiated Intergovernmental Agreement with Gwinnett County for Use and Distribution of Proceeds Generated by the 2023 SPLOST Referendum.

SO RESOLVED this 13<sup>th</sup> day of June, 2022.

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Lois D. Salter, Mayor

ATTEST:

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Leigh Threadgill, City Clerk

**Exhibit A**

<b>Project</b>	<b>% of Proceeds</b>
Roads, Streets and Bridges	89
Administrative Facilities	2.5
Public Safety Facilities & Equipment	6
Recreation Facilities & Equipment	2.5