



**COUNCIL MEETING
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
FULL MINUTES
JULY 17, 2025**

ATTENDANCE

Mayor: Lois Salter

Council Members: Scott Lee, Chip McDaniel, Resa Mechling and Rebecca Spitler

City Officials: Leigh Threadgill - City Administrator, Cullen Threlkeld – City Attorney

Members of the Public: 6

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 a motion regarding the agenda.

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

PUBLIC HEARING

- a) O-25-258-Zoning Ordinance Amendment, Sec. 78-111 – Walls and Fences

Salter solicited comments regarding the proposed zoning code amendment.

Delicia Reynolds, 3685 North Berkeley Lake Road, said the ordinance change is useless for addressing the deer problem. It doesn't affect the overpopulation issue at all and won't affect the deer jumping over the fence very much. The fawns can't jump 8 feet, but the does certainly can.

There were no further comments.

Salter closed the public hearing.

CONSENT AGENDA

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

- a) Minutes of June 19 ,2025, Council Meeting
- b) Minutes of June 19, 2025, Council Work Session
- c) Financial Statements of May 2025 – Unaudited
- d) 2024 Financial Statement - Audited

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

OLD BUSINESS

- a) O-25-258 – Zoning Ordinance Amendment, Sec. 78-111 – Walls and Fences

Threadgill: This amendment to increase the height of fencing in side and rear yards and to remove time limits for temporary fencing for gardens comes at the request of a citizen to provide better defense against deer intrusion and was recommended for approval by the Planning & Zoning Commission at their June meeting. Last month the council placed it on first read and tonight it is up for second read and adoption.

Lee made a motion to place O-25-258, an ordinance to amend Sec. 78-111, Walls and Fences, on second read and adopt the measure. Spitler seconded the motion. All council members were in favor and the motion passed.

NEW BUSINESS

- a) R-25-03, Municipal General and Special Election Call, Appointment of Absentee Ballot Clerk

Threadgill: On November 4th, the City will conduct a general election to fill the expiring terms of Scott Lee, Chip McDaniel and appointee Resa Mechling, who is serving the remainder of Rodney Hammond's term. Also on November 4th, the City will conduct a special election to fill the vacancy created by the death of Bob Smith, currently being filled by appointee Barbara Geier. That term runs until the end of 2027. This resolution calls for both elections and provides pertinent information such as the schedule for the qualifying period as well as advance in person voting and the compensation to be paid to poll officials. In addition, it appoints me as absentee ballot clerk.

Spitler made a motion to adopt R-25-03, a resolution to call for the Municipal General and Special Elections to be held on November 4, 2025, to appoint Leigh Threadgill as absentee ballot clerk, and to establish compensation for poll officials. McDaniel seconded the motion. All remaining council members were in favor and the motion passed.

- b) R-25-04, Opt In Resolution for Chang v. City of Milton Amicus

Threadgill: This resolution comes from the City of Milton and is endorsed by our City Attorney and recommended for your adoption tonight. We discussed it in work session and it is a show

of support to the City of Milton who is fighting a lawsuit regarding liability related to a fixed object in the right of way.

Salter added that this could affect other cities if it were pursued.

Lee made a motion to adopt R-25-04, a resolution authorizing participation in an amicus brief in the Chang V. City of Milton'appeal. Mechling seconded the motion. All council members were in favor and the motion passed.

c) Public Works – Ratification of Change Order 1, 2025 LMIG Project

Threadgill: The change order to the recently approved 2025 LMIG Project is for repairs identified by staff that can be accomplished by the contractor while here performing the repaving of Berkeley Field and Berkeley Commons. It is within the amount set aside as contingency when the contract was approved but represents an \$8,335 increase in project cost for a total project cost of \$339,427.99. The project is funded by LMIG and SPLOST.

Mechling made a motion to approve the 2025 LMIG Project Change Order 1 in the amount of \$8,335.00. Spitler seconded the motion. All council members were in favor and the motion passed.

d) Discussion – Amendment to Property Maintenance Code – Sec. 14-74, Trees

Salter asked Threadgill if she had any comments. She said that she did not, but that we should be available to answer any questions regarding the ordinance.

Salter stated that Hanson did what we ask of citizens if they want to make a suggestion. She put the time and thought in to writing up what her suggestions were and submitted in ample time for city council to begin to acquaint themselves with her suggestions and speak to other citizens about it.

Salter recognized Hanson and asked if she wanted to add anything to what she has already submitted in writing.

Susan Hanson, 3755 North Berkeley Lake Road, stated that she assumed the city council had read what the ordinance is and what her suggestions are. She amplified a little bit on those. She explained her one suggestion in part a is a certified arborist should be who does that. She indicated that she didn't know what a registered forester is, but if we keep it, that should be defined.

Her main suggestion is that tree stump rules should be changed to allow snags. A snag is the trunk of a tree that no longer has its canopy. It was a live tree without a canopy. It's also called a dead tree, but it's still functioning as a tree. If we allow a snag, it provides habitat for woodpeckers and other cavity nesters. There may be concerns about safety. She stated that when she came 37 years ago, she left a snag. She was just finding out about things about the environment, but she knew that snags were supposed to be good for the environment. After 25 years it had been peeling off. She showed the remnant of the pine tree from the tree she

left standing 37 years ago. It isn't going to fall. The other thing is that there are three snags she left in her yard. In February, a perfectly healthy tree fell down, but the three snags are still there. She does not think it's unsafe to have a snag.

The other suggestion is related to part c and tree debris. It is important to leave debris on the ground where it's attractive and can be used. It can prevent erosion and allows the nutrients to go back into the soil and make topsoil. As the ordinance is now it says all that has to be removed.

Hanson asked if there were any questions for her.

There were none.

Salter noted that council members could continue to talk to other citizens about this and she expressed her appreciation to Hanson for writing up everything so nicely.

PUBLIC COMMENTS

Gary Volino, 380 Lakeshore Drive, noted that he owns 4477 PIB in partnership with two other individuals. It's the piece behind Chris Holben. He indicated he has had many conversations with Chris Holben about that property and what they plan to do with it. For the last year they have been working with Gwinnett County to locate utilities and dig things up. Hopefully we will get all the fencing down. They've just got to tell us the fencing can come down and they're done inspecting and all those types of things. We'll clean it all up. They would like to build a pickleball or padel facility on the land. He sent that request to Caleb who is working on the zoning project the city has going on. He reread his email to Caleb asking if the new code allowed for such use, for pickleball and padel, and Caleb's response that it does and it falls under general outdoor entertainment and recreation. This was good news because he will just need to rezone the property. He noted that Threadgill was copied on it and said it was good news because it falls under C-2 and MX districts which are being considered for creation in the code update so the property would have to be rezoned to one of those categories, but that needs to wait until the code is updated, which is fine.

Salter noted that Volino was a little over the two-minute limit so she would have to stop him. She said that if he has something longer he can send it in writing at least a week in advance, as Hanson had done.

Volino acknowledged that and indicated he was just trying to create awareness about what is going on there and they are trying to do something with that land.

Delicia Reynolds, 3685 North Berkeley Lake Road, said that it isn't right for the city to cite citizens for a code violation when the city is in violation of the same code section, specifically referring to Hanson. Her property is larger than the city property that is in violation. That isn't a good thing for the city.

ADJOURNMENT

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

Salter adjourned the meeting at 8:16 PM.

Submitted by:



Leigh Threadgill, City Clerk

