

Mayor's Message *February, 2010*



The City Administrator, City Engineer, and I have just met at City Hall with two representatives of the Federal Emergency Management Agency (FEMA), one representative of Georgia Emergency Management Agency (GEMA), and one representative of the Georgia Safe Dams Program, as well as two engineers from Piedmont Geotechnical Consultants – the dam experts. Also attending at my invitation were staff advisors of Congressman John Linder and U.S. Senator Saxby Chambliss, and City Council member, Frank Lombardi. I am very grateful for the interest and support of our federal legislators, and to all our local citizens who responded to my request to contact legislators to express their concern and ask for their help. Unfortunately FEMA and GEMA are only willing at this point to fund a very small part of the cost of **dam repair**. I have asked our engineers and the Safe Dams representative to come to a **Town Hall Meeting at the Chapel on Saturday, March 13 at 10 AM** to answer questions from our citizens. By then we expect to have some more definite information to give.

In an effort to communicate better what our city is doing in **stormwater management**, I share with you the following. On August 4, 2008, the City received approval of its Stormwater Management Plan (SWMP) from the Georgia Environmental Protection Division (EPD). Since then, the City has been implementing the SWMP, including performing required inspections and undertaking maintenance activities where funding is available. The required inspection schedule and standards for maintenance are as follows:

- 1) Dam to be inspected monthly and mowed monthly during the growing season. If deficiencies are noted, maintenance to be specified by the Georgia Safe Dams Program.
- 2) The Open Drainage System (ditches, canals, swales) determined to be the City's responsibility will be inspected and maintained on a 6-week rotational basis from March to November. Maintenance includes removal of manmade and natural objects that could block the system, manual removal of excess emergent vegetation, mowing of bank side vegetation, litter removal, re-grading to match existing pipe inverts if necessary.
- 3) The Closed Drainage System (pipes, catch basins, culverts, outfalls) will be inspected on a 5-year rotational basis, or 20% each year over five years. Maintenance includes cleaning catch basins and pipes, removing blockages from culverts and investigating dry weather flows from outfalls
- 4) Private structural controls (retention/detention ponds, wetlands, and infiltration basins, etc.) will be inspected at a rate of 20% a year such that 100% of private structural controls will be inspected during a 5-year period. Maintenance of private ponds will be subject to maintenance agreements, where in existence. If no maintenance agreement exists, then the private property owner is responsible for maintenance.
- 5) Complaint response maintenance or "remedial" maintenance is performed based on evidence of system impairment or failure identified through citizen complaints or city staff inspection. The City has a work-order system to deal with this type of maintenance.

Please note item 5 above, which identifies the importance of citizen complaints regarding drainage problems. If anyone knows of one, please contact City Hall and speak to Gene Rodgers, the Ordinance Enforcement Officer, to make sure the city is aware of the problem. Please also check drainage structures on your property (usually a driveway culvert), and do all you can to keep them free from debris and leaf litter build-up to ensure they function properly. The city regularly has the right-of-way checked and leaves and debris removed, but it would help if citizens are able to assist in this ongoing effort.

The City has been the happy recipient of several **donations of beautiful artwork** recently. Marilyn Suriani, who is widely regarded for her photography, gave a beautiful framed photograph of Berkeley Lake. Ann Tuck Baden created a large oil painting of the dam and purple martin homes just for City Hall. The Dennissons gave a painting by Gay Smith as a memorial to her. Thanks to all for their generosity.

You may recall that our Arts Advisory Committee, led by Carol Seitz, is creating and managing a rotating showcase of local artists' works within our City Hall. The area they've designed is called the Blue Heron Gallery, and it's about to host its second **Art Show featuring the paintings of Jeanette Rolader**. The wife of Pete Rolader and a native Atlantan, Jeanette was a resident of Berkeley Lake from 1978 until her death in 1988. You are all invited to an Artist Open House on **Sunday, March 7 from 2PM-4PM at City Hall**. Please bring your family and friends to meet the Rolader family and view Jeanette's works. Her art will be displayed until the end of April.

Congratulations to our three **new Council Members**: Anne Carpenter, Jim Donnelly, and Scott Lee. They are working hard to learn everything they can as quickly as possible about city issues. Thanks also to the three others who cared enough about the City to offer themselves as candidates.

The U.S. Census Bureau is recruiting 10-12 Berkeley Lake citizens as temporary, part-time census takers. These **short-term jobs** pay \$14 - \$20 hourly with flexible hours and reimbursement for authorized expenses. If interested, see www.2010censusjobs.gov and contact the Duluth office at 678-327-2860.

Gwinnett County staff has given me a copy of the plans for the **North Berkeley Lake Road sidewalk and traffic calming measures**. I am leaving it out on my desk in City Hall for interested citizens to study at their convenience. I have also been talking with the county regarding their plans to replace the **water mains in the old part of the City**. To date those plans are not definite.

Many **thanks** to Beth Gilbert who has served for years as our City Historian. She has asked to be relieved of that task, and Kay Lee has kindly consented to take it on as a volunteer. Thanks also to Rebecca Spitler for completing our Tree City and Growth Award Applications. These are somewhat time consuming, but they bring honor to our city and help to keep us all informed about best practices in managing our trees. The City wishes to thank KeyWorth Bank in Johns Creek for provided refreshments for our grand opening of City Hall.

The following changes have been made to our **City Code of Ordinances** since the last *Mayor's Message*. Details are available on the website.

- O-106-09, Amendment to Chapter 78, Zoning, which modified Sections 61 (Height and Density), 112 (Exception to front yard requirements), 203, (RMD residential multi-family duplexes) and 374 (Fees) and added Section 114, Substandard lots of record. The modifications noted above were to make corrections and clarifications to existing text.
- O-108-09, Amendment to Chapter 14, Building and Building Regulations, which modified Sections 2 (Permit fees), 184 (Permit fee), and 218 (Fee). The modifications removed specific fees and replaced those fees with a reference to the fee schedule.
- O-109-09, Amendment to Chapter 78, Zoning, which modified Sections 3 (Definitions), 89 (Accessory Structures) and 197 (Area, yard coverage, height and supplementary regulations). The modifications added new regulations to limit impervious surface coverage on residential lots to 30% of the total lot area.

Although it is not new, I want to direct your attention again to Chapter 74-3, Parking control, which sets forth the regulations related to **roadway and right-of-way parking**. Please remember that parking on the right-of-way overnight could result in a citation from the city which our security officers may issue. Also one of our citizens was unpleasantly surprised recently that a visitor to their home was ticketed by the Gwinnett County police for right-of-way parking in an action entirely separate from the City. Just a "heads up."

Congratulations to **BL Elementary School** which has received a Platinum Award - the top echelon of awards given by the Governor's Office of Student Achievement. They were among the top 27 schools in the state in student achievement gains on the qualifying standardized tests, had more than 35% of students score in the "Exceeds" range, and were in the top 2% of the state in student achievement gains.



Mayor's Address to the Citizens of Berkeley Lake
regarding the
State of the City
February, 2010

As always at this time of the year, I respond to the Mayor's requirement stated in our ordinances: "To prepare and present to the council an annual report of the city's affairs." The City Charter says "The Mayor shall recommend to the city council such measures relative to the affairs of the city, improvement of the government, and promotion of the welfare of its inhabitants as the mayor may deem expedient." Also as always, I will welcome any response to what I say here tonight, and any question, or ideas from council or citizens.

I believe in looking at things in a positive light, but I must tell you that the last few months feel like a battle to me with several fronts. We continue the battle with the county which has gone on for two and a half years to get fair taxation for our citizens. Every effort has been made by the cities to resolve this fairly through mediation, compromise proposals by cities, and large expenditures of money for lawyers. I regret to tell you that there has been no resolution in that battle. As you know, this effort is not designed for financial gain to the cities. Berkeley Lake and the other 14 cities of Gwinnett County have not asked for money for our municipalities. We have only asked that our citizens not be taxed for services which the county does not provide to them. I believe that to be a worthy goal still, in spite of the continuing legal bills and the huge amounts of time that I and Rebecca Spittler have spent in this effort. I can only hope for a good outcome soon.

The state has not been kind to our citizens regarding taxes either. Last year I predicted that the state might "rescind the property tax grant that former Governor Barnes initiated to give people a break on their city and county taxes." Indeed, they did that; and your tax bills went up as a result. I added, "There may be other bad news as well which will force us to make some difficult decisions." In my worst nightmares I did not envision the bad news that came in September with the damage to the dam. At this point in each previous year I have reported to you that we had a significant reserve fund. Not tonight. We have a total of \$663,000 in the general fund with expected expenditures of \$616,000 this year. That constitutes a surplus of only \$47,000 before we begin to repair the dam. Dam repair is estimated to cost approximately 4 million dollars, of which FEMA and GEMA say they will cover only a very small part. We will appeal that decision, but whatever the final cost to the city, we will be forced to negotiate a loan to cover it. Funds will come in slowly from SPLOST to reimburse us for the building of City Hall, but I have told the council that I fear SPLOST will realize less than was envisaged when City Hall was designed before the economic downturn. I have and will continue to advise a very cautious and conservative mindset regarding expenditures.

Crime in our city, while still considerably lower than surrounding areas, is always a concern. In the last year air conditioning units were stolen 3 consecutive times from an office park. That stopped after we began our security patrols, but then there were burglaries from several houses where no one lived in River District and one on Lakeshore Drive. Small valuable items were taken from a home in Berkeley Commons and another on Lakeshore Drive while the homeowners were away. Our security officers have begun a list of all vacant homes and homes up for sale so that they may monitor those closely. They are reaching out personally to contractors at work in the city in an effort to stay apprised of workers needing to be on these sites. As always, I urge our citizens to take reasonable precautions with their own homes and to watch over their neighbors' as best they can.

We have accomplished a lot in the past year, the most obvious being the completion of our City Hall. Our staff has packed everything and moved twice, so just keeping up with normal operational issues was difficult. I am pleased that we saved a significant amount of money by refinancing the greenspace bond. Much has been done (and spent) in the way of stormwater management, in spite of the fact that we continue to shield

our citizens from the county's stormwater utility fees. This was all done without increasing taxes. We have pursued our Comprehensive Plan and are moving now toward revision of our tree ordinance in response to that. We obtained a grant of \$15,000 from the Urban and Community Forestry Grant Program which will support that goal. We made some progress toward the long awaited North Berkeley Lake Road sidewalk and succeeded in getting the county to commit to the highest priority traffic calming measures previously identified in our StreetSmarts study. Our small staff continues to be a great strength and an excellent resource for us. They all work flat out all the time and are never able to catch up on all the things we want to do. In this difficult time they have not asked for nor been given raises; and they have never received any health or retirement benefits, which makes them significantly undercompensated relative to staff in other cities and the general workforce. We are very lucky to have them, and I struggle to keep them from becoming discouraged enough to leave us.

Last year I suggested that we should make "better use of technology to store, retrieve, and use information." We have investigated that possibility somewhat recently, but have not had the staff time or the money to implement those changes. So I hold this out to you again this year as a goal. We need to improve our communication technology in at least three ways: The first regards emails which hold a valuable historical record for the city that currently resides on council members' personal computers and vanishes when they leave us. For that and other reasons, we need to change the way we handle emails relating to city business. We should also update our technology for document sharing efficiency and for specific issue management. Thirdly, I believe we must renovate our city website to make it more user friendly for citizens. I would like for citizens, for example, to be able to subscribe to a specific topic of interest to them and then receive notifications from the City when something changes regarding that topic.

This is clearly a very challenging time for our city. A friend spoke to me recently of how difficult this time must be for me as Mayor, but it is surely difficult for all of us together. The dam situation has the capacity to reopen old wounds within the City if neighborhoods position themselves against each other in a time of economic scarcity. And we have some "armchair quarterbacks" out there who seem quick to make negative judgments on any action taken based on little beyond their own arrogance. So in conclusion I put it to you that this is a time of challenge not just for your leaders, but for all of you as well. Will we succumb to suspicion and conflict, or will we build on the best in ourselves and each other? I truly hope and pray for the latter. This is not an easy time, but with patience, hard work, and mutual support, we can come through it well. It may be a defining year for Berkeley Lake.