



**City of Lilburn
City Council Meeting Agenda**

**April 11, 2022 at 7:30 p.m.
Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

*Council Members:
Tim Dunn, Mayor
Yoon-Mi Hampton, Post 1
Scott Batterton, Post 2
Mike Hart, Post 3
Emil Powella, Post 4*

I. Executive Session (if necessary)

II. Call to Order

III. Roll Call

IV. Pledge to the Flag

V. Approval of Agenda

VI. Announcements

1. City Events

- Downtown Lilburn Spring Cornhole League
Each Thursday until May 19th, 6:45 PM - 9:00 PM @ City Park
- Great American Cleanup
April 23, 2022, 8:00 AM - 11:00 AM @ Lilburn City Hall
- Mayor's Town Hall Meeting
April 27, 2022, 7:00 PM @ Lilburn City Hall
- Splash Pad Opening Day
May 7, 2022, 11:00 AM - 7:00 PM @ City Park
- Lilburn Food Truck Tuesday
May 10, 2022, 6:00 PM - 9:00 PM @ City Park

VII. Ceremonial Matter

1. 2022 Arbor Day Proclamation

Documents:

[ARBOR DAY PROCLAMATION 2022.PDF](#)

2. 2022 Georgia Cities Week Proclamation

Documents:

[GEORGIA CITIES WEEK 2022.PDF](#)

VIII. Public Comment

IX. Approval of Minutes

1. City Council Executive Meeting Draft Minutes from March 14, 2022

| | |
|-----------------------------|---|
| Public Hearing (Y/N) | N |
| Department: | City Clerk |
| Presenter: | Melissa Penate, City Clerk |
| Staff Recommendations: | Motion to approve the City Council Executive meeting draft minutes from March 14, 2022. |
| Department Head Approval: | J. Simpkins |
| Mayor's Signature Required: | Yes |
| Budgeted: | N/A |

Documents:

[3 14 2022 - EXECUTIVE MTG DRAFT MINUTES.PDF](#)

2. City Council Meeting Draft Minutes from March 14, 2022

| | |
|-----------------------------|---|
| Public Hearing (Y/N) | N |
| Department: | City Clerk |
| Presenter: | Melissa Penate, City Clerk |
| Staff Recommendations: | Motion to approve the City Council meeting draft minutes from March 14, 2022. |
| Department Head Approval: | J. Simpkins |
| Mayor's Signature Required: | Yes |
| Budgeted: | N/A |

Documents:

[3 14 2022 - CITY COUNCIL DRAFT MINUTES.PDF](#)

X. Public Hearing

- 1. PH Item No. 1 - Approval of Ordinance No. 2022-581, an ordinance to amend the FY21-22 budget by increasing General Fund revenue by \$304,517 and reconciling expenditures across 11 departments; establishing a balanced budget for a new fund, Fund 235, for ARPA;**

Since the adoption of the FY21-22 budget in June 2021 (Ordinance No. 2021-565), changes to revenues and appropriations in the General Fund, School Safety Zone Fund, Tax Allocation District Fund, 2017 SPLOST Fund, Capital Projects Fund, and Municipal Court Fund are required to reflect actual revenues and expenditures in FY21-22. Additionally, the city established a new fund to account for revenues and expenditures associated with the American Recovery Plan Act (ARPA) during the fiscal year. When the FY21-22 budget was adopted, no funds were budgeted for ARPA as appropriations were not received by the city until July 19, 2021.

Public Hearing (Y/N) Y
Department: Finance
Presenter: Sherrie Smith, Finance Director
Staff Recommendations: Motion to approve Ordinance No. 2022-581, amending the FY21-22 by increasing General Fund revenue by \$304,517 and reconciling expenditures across 11 departments; establishing a balanced budget for a new fund; and adjusting revenues and expenses.
Mayor's Signature Required: Yes
Budgeted: N/A

Documents:

[PH ITEM NO.1 - AGENDA FORM - BUDGET AMENDMENT.PDF](#)
[PH ITEM NO. 1 - ATTACH 1 - ORDINANCE NO. 2022-581 FY21-22 BUDGET AMENDMENT.PDF](#)
[PH ITEM NO. 1 - ATTACH 2 - ORDINANCE NO. 2021-566 FY21-22 BUDGET.PDF](#)

2. PH Item No. 2 - Approval of zoning application CIC-2022-01 for Change in Conditions to SUP-2014-02.

The site (5054 Lawrenceville Highway) fronts U.S. 29 and is surrounded by commercial and residential zoning. The subject site exists within the U.S. 29 Overlay District and is used in part as an overflow inventory lot for Automax.

The subject property was developed residentially in 1941 and zoned CB prior to 2007; the current owner purchased the parcel and was granted a Special Use Permit with conditions in 2015 to redevelop the back half of the site to expand the auto sales inventory lot (SUP-2014-02).

Applicant seeks to expand its existing auto sales business, located upon the four parcels (R6147 012, R6147 013, R6147 014, and R6147 015). The applicant seeks to develop the front half of the subject parcel (015), to further expand and seeks to amend conditions 1 and 3 associated with SUP-2014-02.

Staff proposes conditions of SUP-2014-02 and SUP-01-06 be further revised and combined into a single set of conditions to apply to the entirety of the four relevant business properties.

Public Hearing (Y/N) Y
Department: Planning Department

Presenter: Joellen Wilson, Planning Director
Staff Recommendations: Motion to approve CIC-2022-01 and adopt Ordinance No. 2022-582 with conditions.
Department Head Approval: JW
Mayor's Signature Required: Yes
Budgeted: N/A

Documents:

[PH ITEM NO. 2 - AGENDA FORM.PDF](#)
[PH ITEM NO. 2 - ATTACHMENT 1 - CIC-2022-01 APPLICATION.PDF](#)
[PH ITEM NO. 2 - ATTACHMENT 2 - STAFF ANALYSIS AND RECOMMENDATIONS.PDF](#)
[PH ITEM NO. 2 - ATTACHMENT 3 - PC MEETING MINUTES 3.24.22.PDF](#)
[PH ITEM NO. 2 - ATTACHMENT 4 - ORD. NO. 2022-582.PDF](#)

3. PH Item 3 - Approval of zoning application CIC-2022-02 for Change in Conditions to SUP-01-06.

The site (5034 Lawrenceville Highway) fronts U.S. 29 and is surrounded by both Commercial and Residential zoning. The subject site exists within the U.S. 29 Overlay District.

The subject parcel (013) was rezoned from C-1 to C-2 in 1982 to bring a nonconforming use, auto sales, into compliance. In 2006 the property owner applied for a Special Use Permit to allow for two distinct businesses to operate on the site. The SUP was approved with conditions (SUP-01-06).

Applicant seeks to expand its existing auto sales business' operational hours, located at 5034 Lawrenceville Hwy. The applicant seeks to expand the allowed accessory service & repair hours of their business. The applicant seeks to amend condition 5 associated with SUP-01-06.

Staff proposes conditions of SUP-2014-02 and SUP-01-06 be further revised and combined into a single set of conditions to apply to the entirety of the four relevant business properties.

Public Hearing (Y/N) Y
Department: Planning Department
Presenter: Joellen Wilson, Planning Director
Staff Recommendations: Motion to deny CIC-2022-02 as submitted and adopt Ordinance No. 2022-583 with amended hours.
Department Head Approval: JW
Mayor's Signature Required: Yes
Budgeted: N/A

Documents:

[PH ITEM NO. 3 - AGENDA FORM.PDF](#)
[PH ITEM NO. 3 - ATTACHMENT 1 - CIC-2022-02 APPLICATION.PDF](#)

[PH ITEM NO. 3 - ATTACHMENT 2 - STAFF ANALYSIS AND RECOMMENDATIONS.PDF](#)

[PH ITEM NO. 3 - ATTACHMENT 3 - PC MEETING MINUTES 3.24.22.PDF](#)

[PH ITEM NO. 3 - ATTACHMENT 4 - ORD. NO. 2022-583.PDF](#)

XI. Agenda

1. Agenda Item No. 1 - Authorization for application – 2023 Community Development Block Grant (CDBG) – Velva Way Sewer

The City requests authorization to proceed with a CDBG application to provide sanitary sewer, installation of laterals and associated residential septic to sewer conversion connection fees. Surveys have been performed and Velva Way qualifies as a potential recipient of CDBG infrastructure funding. If awarded, all expenditures are 100% reimbursed to the City.

Public Hearing (Y/N) N
Department: City Manager
Presenter: Bill Johnsa, City Manager
Staff Recommendations: Motion to authorize the application of the 2023 CDBG regarding the addition of sanitary sewer, installation of sewer laterals and associated conversion fees on Velva Way and authorize the Mayor to execute all associated documents on behalf of the City.
Mayor's Signature Required: No

Documents:

[AGENDA ITEM NO. 1 - AGENDA FORM CDBG VELVA WAY SEWER.PDF](#)

2. Agenda Item No. 2 - Approval of Ordinance No. 2022-584, an ordinance to modify Chapter 62, Taxation, of the City of Lilburn City Code of Ordinances by adding Article III, excise tax on rooms, lodging, and accommodations, to provide for an effective date, and for other purposes.

Georgia law regarding hotel motel tax changed in 2021, expanding the definition of "Innkeeper" to include dealers and marketplace facilitators such as Airbnb and VRBO. At this time, there are no hotels inside the city limits; however, there are homes listed with various marketplace facilitators that are being used as short-term rentals. The city will receive hotel motel tax from these marketplace facilitators beginning July 1, 2022, with the adoption of this proposed ordinance. Staff recommends a hotel motel tax rate of 3%.

Public Hearing (Y/N) N
Department: City Manager
Presenter: Jenny Simpkins, Assistant City Manager
Staff Recommendations: Motion to approve Ordinance No. 2022-584, an ordinance to modify Chapter 62, Taxation, of the City of Lilburn City Code by adding Article III, excise tax on rooms, lodging, and accommodations, to provide for an effective date of July 1, 2022.
Department Head Approval: B. Johnsa
Mayor's Signature Required: Yes
Budgeted: N/A

Documents:

[AGENDA ITEM NO. 2 - AGENDA FORM - HOTEL MOTEL TAX ORDINANCE.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 1 - HOTEL MOTEL TAX ORD. NO. 2022-584.PDF](#)

3. Agenda Item No. 3 - Approval of Resolution No. 2022-10, a resolution to repeal and replace Section 9 of the City of Lilburn General and Administrative Policies and Procedures Manual pertaining to private events on city property.

Currently, Section 9, Special Events Policy, of the City of Lilburn General and Administrative Policies and Procedures Manual, allows private rental of Lilburn City Park, the bandshell, and Camp Creek Greenway. With the addition of the new Calvin Fitchett pavilion and splash pad, City Council has reconsidered city policy on renting public space for private use as they prefer to city-owned property to be available to the general public. Resolution No. 2022-10 will repeal and replace Section 9 of the Administrative Policies and Procedures Manual with an updated policy for private events on city property. The proposed policy does not allow rental of Lilburn City Park, the bandshell, the Calvin Fitchett pavilion, the splash pad, or the Camp Creek Greenway with only three exceptions: (1) the Gartrell Nash Pavilion by the playground will be available for private rental; (2) co-sponsored events; and (3) 5K run/walk events.

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| Public Hearing (Y/N) | N |
| Department: | City Manager |
| Presenter: | Jenny Simpkins, Assistant City Manager |
| Staff Recommendations: | Motion to approve Resolution No. 2022-10, a resolution to repeal and replace Section 9 of the City of Lilburn General and Administrative Policies and Procedures Manual pertaining to private events on city property. |
| Department Head Approval: | B. Johnsa |
| Mayor's Signature Required: | Yes |
| Budgeted: | N/A |

Documents:

[AGENDA ITEM NO. 3 - AGENDA FORM - RESOLUTION AMENDING GENERAL AND ADMIN POLICIES MANUAL.PDF](#)
[AGENDA ITEM NO. 3 - ATTACH 1 - RES. NO. 2020-10 AMENDING ADMIN POLICIES.PDF](#)

XII. Consent Agenda

XIII. Adjournment

As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. City Clerk, 340 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

City of Lilburn will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to City Clerk, 340 Main Street, Lilburn, GA 30047, telephone number [770-921-2210](tel:770-921-2210).