



**City of Lilburn
City Council Meeting Agenda**

**June 13, 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. Swearing in of Jenny Simpkins as City Manager**
- III. Call to Order**
- IV. Roll Call**
- V. Pledge to the Flag**
- VI. Approval of Agenda**
- VII. Announcements**
 - 1. City Events**
 - Lilburn Food Truck Tuesday
June 14, 2022, 6:00 PM - 9:00 PM @ City Park
 - Sparkle in the Park
July 4, 2022, 5:30 PM - 10:00 PM @ City Park
- VIII. Ceremonial Matter**
- IX. Public Comment**
- X. Approval of Minutes**
 - 1. City Council Meeting Draft Minutes from May 9, 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 May 9, 2022.

Department Head Approval: J. Simpkins

Mayor's Signature Required: Yes

Budgeted: N/A

Documents:

[5_9_2022 - CC DRAFT MEETING MINUTES.PDF](#)

2. Executive Meeting Draft Minutes May 9, 2022

Public Hearing (Y/N) N

Department: City Clerk

Presenter: Melissa Penate, City Clerk

Staff Recommendations: Motion to approve the Executive meeting draft minutes from May 9, 2022.

Department Head Approval: J. Simpkins

Mayor's Signature Required: Yes

Budgeted: N/A

Documents:

[05_23_2022 - EXECUTIVE MEETING DRAFT MINUTES.PDF](#)

3. FY22/23 Budget Hearing Meeting Draft Minutes from May 23, 2022

Public Hearing (Y/N) N

Department: City Clerk

Presenter: Melissa Penate, City Clerk

Staff Recommendations: Motion to approve the FY22/23 Budget Hearing meeting draft minutes from May 23, 2022.

Department Head Approval: J. Simpkins

Mayor's Signature Required: Yes

Budgeted: N/A

Documents:

[5_23_2022 - 22-23 BUDGET HEARING MINUTES.PDF](#)

4. 2022 Millage Rate Public Hearing Draft Minutes from June 1, 2022 at 10 AM & 6 PM

Public Hearing (Y/N) N

Department: City Clerk

Presenter: Melissa Penate, City Clerk

Staff Recommendations: Motion to approve the 2022 Millage Rate Public Hearing Draft Minutes from June 1, 2022 at 10:00 a.m. & 6:00 p.m.

Department Head Approval: J. Simpkins

Mayor's Signature Required: Yes

Budgeted: N/A

Documents:

[PH MEETING MINUTES JUNE 1 AT 10 AM.PDF](#)
[PH MEETING MINUTES JUNE 1 AT 6 P.M..PDF](#)

5. 2022 Millage Rate Public Hearing Draft Minutes from June 13, 2022 at 6 PM

Public Hearing (Y/N) N

Department: City Clerk

Presenter: Melissa Penate, City Clerk

Staff Recommendations: Motion to approve the 2022 Millage rate Public Hearing Drat Minutes from June 13, 2022 at 6:00 p.m.

Department Head Approval: J. Simpkins

Mayor's Signature Required: Yes

Budgeted: N/A

Documents:

[PH MEETING MINUTES JUNE 13 AT 6 P.M..PDF](#)

XI. Public Hearing

1. PH Item No. 1 - Approval of Ordinance No. 2022-586, an ordinance to amend the FY21-22 Amended Budget for eight departments in the General Fund

We are requesting to increase the budget for Human Resources and Parks due to personal service needs. Additionally, we are requesting to increase the budget for City Hall to contribute an additional \$100,000 to Fund 350, Capital Projects. Salary savings are available within the Police Department, Municipal Court, Public Works, Municipal Buildings, and Planning to cover the needed increases in Human Resources, Parks, and City Hall totaling \$139,000.

Public Hearing (Y/N) Y

Department: Finance

Presenter: Sherrie Smith, Finance Director

Staff Recommendations: Approval of Ordinance No.2022-586, an ordinance to amend the FY21-22 Amended Budget for eight departments in the General Fund.

Department Head Approval: J. Simpkins

Mayor's Signature Required: Yes

Budgeted: N/A

Documents:

2. **PH Item No. 2 - Approval of Ordinance No. 2022-587 Amending Text to Article 6, and additions Article 7 and Article 14 within the Lilburn Zoning Ordinance to clarify text and address Short Term Rentals.**

City Zoning Ordinance Article 10, Section 1002 accommodates text amendments initiated by planning department, planning commission or city council. Planning department staff recommends the 2011 Lilburn Zoning Ordinance text shall be amended to clarify code sections, removed redundancy, and add sections to accommodate a new use.

Text amendments to Article 6, Section 602 – Use Table, Article 14, Definitions, and a new section within Article 7 – Specific Use Provisions, Section 739 – Short-Term Rentals are recommended with an effective date of July 1, 2022.

These topics were presented generally during Council work session March 28 and Planning Commission held a public hearing May 26, 2022, and no public comments were recorded. Planning Commission recommended approval of text amendments.

Public Hearing (Y/N)	Y
Department:	Planning
Presenter:	Joellen Wilson, Planning Director
Staff Recommendations:	Motion to adopt Ordinance No. 2022-587 amending text in Article 6, and additions to Article 7 and Article 14.
Department Head Approval:	JW
Mayor's Signature Required:	Yes

Documents:

[PH ITEM NO. 2 - AGENDA FORM - ZONING TEXT AMENDMENTS 6-7-14 AND NEW SECTION 739.PDF](#)
[PH ITEM NO. 2 - ATTACH 1 - DRAFT PC MTG MINUTES 2022-05-26.PDF](#)
[PH ITEM NO. 2 - ATTACH 2 - ORDINANCE NO. 2022-587 - ZONING TEXT AMENDMENTS ART 6 7 14 STR.PDF](#)

XII. Agenda

1. **Agenda Item No. 1 - Approval of Ordinance No. 2022-588, an ordinance adopting the FY 2022-2023 Budget in the total amount of \$19,033,207 and the Five-Year Capital Improvement Plan**

The FY 2022/2023 total budget for the City of Lilburn is \$19,033,207. The city adopts balanced budgets for nine funds:

Fund 100: General Fund - \$10,299,916
Fund 210: Confiscated Assets Fund - \$45,499
Fund 230: School Zone Safety Fund - \$264,079
Fund 235: ARPA Fund - \$2,119,819
Fund 270: Tax Allocation District Fund - \$447,280
Fund 275: Hotel/Motel Tax Fund - \$100

Fund 323: 2017 SPLOST Fund - \$4,186,068

Fund 350: Capital Projects Fund - \$706,566

Fund 745: Municipal Court Fund - \$963,880

The five-year Capital Improvement Plan includes a concentration on transportation and recreation, and the plan anticipates the passage of 2023 SPLOST by voters in November 2022.

Public Hearing (Y/N) N
Department: Finance
Presenter: Sherrie Smith, Finance Director
Staff Recommendations: Motion to approve Ordinance No. 2022-588, an ordinance adopting the FY 2022-2023 Budget in the total amount of \$19,033,207, and the Five-Year Capital Improvement Plan.
Department Head Approval: J. Simpkins
Mayor's Signature Required: Yes
Budgeted: N/A

Documents:

[AGENDA ITEM NO. 1 - AGENDA FORM - BUDGET ADOPTION FY2022 - FY2023 AGENDA ITEM.PDF](#)

[AGENDA ITEM NO. 1 - ATTACH 1 - FY22-23 BUDGET ORDINANCE NO. 2022-588.PDF](#)

[AGENDA ITEM NO. 1 - ATTACH 2 - FUND SUMMARY SHEETS.PDF](#)

[AGENDA ITEM NO. 1 - ATTACH 3 - FIVE YEAR CIP.PDF](#)

2. **Agenda Item No. 2 - Approval of 2022 Millage Rate**

The Code of Georgia requires the City Council to set its millage rate annually for real and personal property within the city's corporate limits. The 2021 millage rate is 4.430 mills, and the 2022 roll-back rate is 3.454 mills. To maintain the millage rate at 4.430 mills, staff advertised the proposed tax increase and held three public hearings to meet state law requirements. The public hearings were held on Monday, June 1 at 10:00 a.m. and 6:00 p.m. and Monday, July 13 at 6:00 p.m. No public comments were received at the July 1st public hearings. A press release on the tax increase was submitted to the Gwinnett Daily, for publication on May 22 and June 5, and information on the 2022 millage rate was posted on the City's website on the same date. Expected revenue in FY 22-23 from property taxes is \$2,467,466, an increase of \$157,807 above the adopted budget for FY 20-21.

Public Hearing (Y/N) N
Department: Finance
Presenter: Sherrie Smith, Finance Director
Staff Recommendations: Motion to approve Resolution No. 2022-10, setting the annual millage rate for 2022 at 4.430 mills.
Department Head Approval: J. Simpkins
Mayor's Signature Required: Yes
Budgeted: N/A

Documents:

[AGENDA ITEM NO. 2 - AGENDA FORM - 2022 MILLAGE RATE.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 1 - RESOLUTION 2022-10 ADOPT 2022 MILLAGE RATE.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 2 - 2022 PT-38 CITY AND INDEPENDENT SCHOOL MILLAGE RATE CERTIFICATION.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 3 - 2022 PT-32.1 COMPUTATION OF MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 4 - 052222 GDP AD.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 5 - NEWS RELEASE CITY OF LILBURN 2022 MILLAGE RATE.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 6 - WEB SITE MILLAGE INFO FINAL.JPG](#)
[AGENDA ITEM NO. 2 - ATTACH 7 - PH MEETING MINUTES JUNE 1 AT 10 AM.PDF](#)
[AGENDA ITEM NO. 2 - ATTACH 8 - PH MEETING MINUTES JUNE 1 AT 6 P.M..PDF](#)

3. **Agenda Item No. 3 - A Resolution adopting the date of billing Ad Valorem Property Taxes, Streetlight Assessments and Solid Waste Fees and affirming that the position of Finance Director shall have the authority to collect Ad Valorem taxes and the authority to sign Fi. Fa.**

Approval/authorization of Resolution No. 2022-11, a Resolution adopting the billing/collecting dates of Ad Valorem Property Taxes, Streetlight Assessments and Solid Waste Fees as on or before September 15, 2022 (billing date) and November 15, 2022 (due to City of Lilburn date); and affirming that the position of Finance Director have the authority to collect Ad Valorem taxes and the authority to sign Fi. Fa..

Public Hearing (Y/N)	N
Department:	Finance
Presenter:	Sherrie Smith, Finance Director
Staff Recommendations:	Approval of Res. No. 2022-11 establishing Ad Valorem, Streetlight Assessments and Solid Waste Fees billing and due dates and affirming that the position of Finance Director has the authority to collect Ad Valorem taxes and the authority to sign Fi. Fa.
Department Head Approval:	J. Simpkins
Mayor's Signature Required:	Yes
Budgeted:	N/A

Documents:

[AGENDA ITEM NO. 3 - AGENDA FORM - RESOLUTION 2022-11 TO ESTABLISH TAX BILLING AND COLLECTING DATES AND PARTIAL PAYMENTS.PDF](#)
[AGENDA ITEM NO. 3 - ATTACH 1 - 2022-2023 RESOLUTION 2022-11 TO ESTABLISH PROPERTY TAX BILLING AND COLLECTION DATES.PDF](#)

4. **Agenda Item No. 4 - Approval of Ordinance No. 2022-589 Amending Text to Chapter 14, Businesses, and Chapter 105, Buildings and Building Regulations within City Code to accommodate Short Term Rentals.**

As a continuation of efforts to regulate short term rentals in accordance with 2021

changes to Georgia law that expanded the definition of "Innkeeper" to include dealers and marketplace facilitators such as Airbnb and VRBO and allow homes to be listed with various marketplace facilitators for use as short-term rentals, text amendments are recommended by staff to add sections to Chapter 14, Businesses, and modify Chapter 105, Buildings and Building Regulations, to accommodate an occupational tax certificate for short-term rental as an accessory business use of a residential dwelling.

These topics were presented during Council work session March 28 and accompanying codes and fee schedules are being amended consecutively. With the adoption of the proposed ordinance staff will also modify the electronic permit application form with criteria and fees and begin accepting applications for the permit and occupational tax certificate on July 1, 2022.

Public Hearing (Y/N)	N
Department:	Planning
Presenter:	Joellen Wilson, Planning Director
Staff Recommendations:	Motion to adopt Ordinance No. 2022-589 amending Chapter 14, Businesses and Chapter 105, Buildings and Building Regulations to accommodate short-term rentals with effective date of July 1, 2022.
Department Head Approval:	JW
Mayor's Signature Required:	Yes
Budgeted:	N/A

Documents:

[AGENDA ITEM NO. 4 - AGENDA FORM -TEXT AMENDMENTS TO 14 AND 105 STR.PDF](#)
[AGENDA ITEM NO. 4 - ATTACH 1 - ORDINANCE NO. 2022-589 TEXT AMENDMENTS CHPTS 14 AND 105.PDF](#)

5. Agenda Item No. 5 - Approval of Resolution No. 2022-12, a rate resolution establishing the FY22-23 fee schedule for the City of Lilburn

With adoption of the FY22-23 budget, staff recommends adoption of a rate resolution setting a fee schedule for FY22-23 administrative fees, fees for services, regulatory fees, license fees, permit fees, and rental fees. The schedule includes the following changes from the current fee schedule:

- o Decrease fee for Temporary Use Permits from \$100 to \$50 for all temporary use permit applications due to the recent policy change increasing the maximum number of TUPs per parcel per year from four to 12. Add a fee of \$25 per food truck requested as part of a TUP application.
- o Add a fee to inspect short-term rentals to cover actual cost to inspect required of all STRs to receive annual Certifications of Compliance. The re-inspection fee is \$75.
- o Increase fees associated with Small Wireless Facilities in the City's rights-of-way by 2.5% annually in accordance with state law.
- o Increase collection and disposal fees for residential sanitation from \$163.32 per year to \$199.32 per year to account for actual increase in the city's cost to pay Waste Management to provide this service.

- o Remove all rental fees except for fees to rent the whole Gartrell Nash Pavilion and the Preston Room as the City does not rent the Calvin Fitchett Pavilion or Band Shell.
- o Remove all fees associated with Special Event Permits as City no longer offers Special Event Permits. Replace this section with fees for 5K events and co-sponsored events.

Public Hearing (Y/N) N
 Department: City Manager
 Presenter: Jenny Simpkins, City Manager
 Staff Recommendations: Motion to approve Resolution No. 2022-12, a rate resolution establishing the FY22-23 fee schedule for the City of Lilburn.
 Department Head Approval: J. Simpkins
 Mayor's Signature Required: Yes
 Budgeted: N/A

Documents:

[AGENDA ITEM NO. 5 - AGENDA FORM - FY22-23 RATE RESOLUTION.PDF](#)
[AGENDA ITEM NO. 5 - ATTACH 1 - RESOLUTION FY22-23 FEE SCHEDULE.PDF](#)

6. Agenda Item No. 6 - Award of Bid –LMIG Resurfacing Bid– 6.2.2022

The City opened bids on Thursday, June 2, 2022, for the LMIG Resurfacing bid. Staff reviewed the bids, checked all references, and recommend that Garrett Paving be awarded the contract. Included you will find the bid tabulation.

List of streets to be repaved are Joy Lane, Bridgewater Drive, and Nantucket Drive

Public Hearing (Y/N) N
 Department: City Manager
 Presenter: Jenny Simpkins, City Manager
 Staff Recommendations: Motion to approve LMIG Resurfacing bid to Garrett Paving in the base amount of \$233,397.51. Further, authorize Mayor and/or City Manager to execute contract on behalf of the City of Lilburn.
 Department Head Approval: J. Simpkins
 Mayor's Signature Required: Yes
 Budgeted: N/A

Documents:

[AGENDA ITEM NO. 6 - ATTACH 1 - BID TABULATION LMIG 2022-6.2.2022.PDF](#)
[AGENDA ITEM NO. 6 - AGENDA FORM - LMIG BID AWARD.PDF](#)

7. Agenda Item No. 7 - Approval to purchase 2021 Ford F550 truck with service body and Versalift Insulated Bucket utilizing state contract from Wade Ford,

Smyrna, Georgia.

Staff has been researching and planning for a bucket truck replacement for a couple years. The current bucket truck is a 1999 model Ford F350, (23 years old). Due to the environmental effects and age, the current truck is requiring many repairs, several of them pertain to the hydraulic system of the bucket lift. Staff discussed our options with various vendors and other local governments in the past year. Staff is increasing our height and reach capabilities with this new purchase; we are able to reach an additional 12 to 14 feet. This increase, up to 47 feet, will allow us to increase our community safety as we are able to reach more sight distance and safety concerns for signs, intersections, tree limbs, etc. The supply chain has impacted availabilities of these type vehicles. We were able to acquire a late 2021 model that was recently returned from the Versalift company having the service bed and lift system installed. 2022 models are still not available and are starting at \$10,000.00 higher. This purchase was planned for utilizing SPLOST funds. The Georgia Department of Administrative Services contract number is 99999-SPD SPD0000155-006.

Public Hearing (Y/N)	N
Department:	Public Works
Presenter:	Mike Helton, Director of Public Works
Staff Recommendations:	Motion to approve the purchase of 2021 Ford F550 Truck with VST-47-I VERSALIFT platform and insulated lift and Brand FX service body, utilizing state contract price of \$195,000 from Wade Ford.
Department Head Approval:	MH
Mayor's Signature Required:	No
Budgeted:	N/A

Documents:

[AGENDA ITEM NO. 7 - AGENDA FORM - BUCKET TRUCK PURCHASE.PDF](#)
[AGENDA ITEM NO. 7 - ATTACH 1 - QUOTE.PDF](#)

XIII. Consent Agenda

XIV. 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).

