



**City of Lilburn
City Council Meeting Minutes**

DRAFT

**September 14, 2019 at 7:30 p.m.
Zoom Meeting**

*Council Members:
Tim Dunn, Mayor
Lindsay Voigt, Post 1
Scott Batterton, Post 2
Eddie Price, Post 3
Emil Powella, Post 4*

A work session was held prior to the regular scheduled meeting, at 6:30 p.m., to allow the elected officials to discuss this evening's agenda items. No other items were discussed and no actions were taken.

The City of Lilburn issued two emergency orders in March 2020: Emergency Order No. 2020-01 and Emergency Order No. 2020-02 and Emergency Order no. 2020-02 declaring a local state of emergency due to the COVID-19 pandemic. The Georgia courts have determined that zoning hearings are subject to the Georgia Open Meetings Act, when there is a public health situation that rises to the level of a pandemic, municipalities are permitted to hold teleconference-type hearings as long as they notify the public of the type of hearing and allow the public the opportunity to participate. The City of Lilburn and its appointed bards use Zoom for public hearings during the pandemic. The notice for this hearing identified it as a potential Zoom meeting, and on the Zoom platform, the public did participate.

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I. Zoom Meeting Information

II. Executive Session (If Necessary)

Mayor Dunn asked for a motion to move to executive session at 7:20 p.m. to consult with legal counsel concerning pending or potential litigation, settlement, claims or other matters pursuant to O.C.G.A. §§ 50-14-1(b)(1)(A) and 50-14-2. Motion to move to executive session was made by Councilmember Price, seconded by Councilmember Powella.

Motion passed with a 4-0 vote.

Motion to adjourn from executive session at 7:30 p.m. was made by Councilmember Voigt, seconded by Councilmember Batterton.

Motion passed with a 4-0 vote.

III. Call To Order

The meeting was called to order at 7:31 p.m. by Mayor Dunn.

IV. Roll Call

Present via Zoom:

- Mayor Tim Dunn
- Councilmember Lindsay Voigt
- Councilmember Scott Batterton
- Councilmember Eddie Price
- Councilmember Emil Powella

V. Pledge To The Flag

The pledge to the flag was led by Mayor Dunn.

VI. Approval Of Agenda

A motion to approve the September 14, 2020, City Council agenda, with no additions, was made by Councilmember Powella, seconded by Councilmember Voigt.

Motion passed with a 4-0 vote.

VII. Announcements

1. City Events

- Community Yard Sale
September 19, 2020, 9:00 AM - 1:00 PM @ NEW LOCATION- Railroad Avenue parking lot at Lilburn City Park
- Rock the Park - September 26th CANCELED
September 26, 2020, 6:00 PM - 9:30 PM @ City Park
- City of Lilburn National Night Out-EVENT CANCELED
October 6, 2020, 6:00 PM - 8:30 PM @ To be announced
- Lilburn Daze Arts & Crafts Festival- CANCELED
October 10, 2020, 9:00 AM - 5:00 PM @ City Park
- Lilburn Food Truck Tuesday
October 13, 2020, 5:00 PM - 8:00 PM @ City Park

VIII. Ceremonial Matter

1. Bucket Brigade Day Proclamation - November 15, 2020

Mayor Dunn read the Bucket Brigade Day proclamation honoring the bucket brigade.

IX. Public Comment

Allen Owen, 268 Hood Rd. -

Mr. Owen has been in contact with Bill Johnsa, City Manager, and Jenny Simpkins, Assistant City Manager, regarding alleged code violations on Hood Road. Per Mr. Owen, there are two structures on Hood Road being used as residential properties that are zoned as Commercial Business (CB): 405 Hood Road & 238 Hood Road.

Mr. Owen noted Code Section 906.1: "Intent. It is the intent of this section to require the complete correction of nonconforming situations at the time of any building addition or significant modification of a use or development on a given parcel of land,..." Mr. Owen believes that the parking lot at 238 Hood Road significantly modified the use of the parcel land making it a non-conforming use and must cease to exist.

Article 7, Section 726.2 - Accessory uses permitted., allows for the use of one accessory dwelling unit for the principal worship leader, limited to stand-alone establishment only. It also allows for parking of associated vans or buses, but according to Mr. Owen, neither of these is the situation at this property. The code section is clear, and they are in violation and should cease.

X. Approval Of Minutes

1. City Council Meeting Draft Minutes From August 10, 2020

A motion to approve the City Council meeting draft minutes from August 10, 2020, was made by Councilmember Voigt, seconded by Councilmember Price.

Motion passed with a 4-0 vote.

XI. Public Hearing

1. PH Item 1 - RZ-2020-01 And SUP-2020-03 -R-2 For Residential Subdivision -Single-Family Detached Homes With SUP For Attached Townhomes.

Joellen Wilson, Planning Director, stated that the applicant has submitted a withdrawal for SUP-2020-03 for townhomes on Killian Hill Road. No public hearing is required at this time.

A motion to accept the withdrawal of SUP-2020-03 was made by Councilmember Price, seconded by Councilmember Powella.

Motion passed with a 4-0 vote.

A motion to send RZ-2020-01 back to Planning Commission to review new plans was made by Councilmember Price, seconded by Councilmember Batterton.

Motion passed with a 4-0 vote.

A special called Planning Commission meeting will be held via Zoom on Thursday, October 8 at 7:30 p.m. City Council will hold a public hearing for the rezoning request at their regularly scheduled meeting on Monday, October 12 at 7:30 p.m.

2. PH Item 2 - 2020 Text Amendments To Zoning Ordinance To Address Breweries

Mayor Dunn opened the floor for those in favor and those in opposition. Hearing none, Mayor Dunn closed the public hearing.

A motion to adopt Ordinance #2020-533 to approve the Zoning Ordinance Text Amendments as presented was made by Councilmember Powella, seconded by Councilmember Voigt.

Motion passed with a 4-0 vote.

3. PH Item 3 - RZ-2020-02 Official Zoning Map Amendments – CB To MU In Town Center

Mayor Dunn opened the floor for those in favor and those in opposition. Hearing none, Mayor Dunn closed the public hearing.

A motion to adopt Ordinance #2020-554 to approve the Zoning Map Amendments as presented was made by Councilmember Batterton, seconded by Councilmember Powella.

Motion passed with a 4-0 vote.

XII. Agenda

None.

XIII. Adjournment

A motion to adjourn at 8:04 p.m. was made by Councilmember Price, seconded by Councilmember Powella.

Motion passed with a 4-0 vote.

Approved this _____ day of _____, 20____.

Tim Dunn, Mayor

ATTEST:

Melissa L. Penate, City Clerk
(Seal)