

**CITY OF PINE LAKE, GEORGIA
REGULAR SESSION AGENDA
COUNCIL CHAMBERS
OCTOBER 10, 2023 @ 7:00PM
459 PINE DRIVE, PINE LAKE, GA 30072**

NOTE: All attendees are reminded to silence cellular phones and other devices that may cause interruption of the session proceedings.

CALL TO ORDER

ANNOUNCEMENTS/COMMUNICATIONS

ADOPTION OF THE AGENDA OF THE DAY

ADOPTION OF MINUTES

- Regular Meeting – September 26, 2023

PUBLIC COMMENTS – 3 minutes each please

OLD BUSINESS

1. Ordinance 2023-04 – To Amend Chapter 62 Public Works, ARTICLE IV – Lake, Parks, and Recreational Facilities

NEW BUSINESS

1. Pine Lake Courthouse Renovation Discussion
2. Consideration of Temporary Camper Permissions – 497 Oak Drive, Pine Lake, GA 30072 – Jordan Tomesch, Requestor/Owner

REPORTS AND OTHER BUSINESS

- **Public Comments – 3 minutes each please**
- **Staff and Committee Reports**
 - Administration, Courts, and Public Works – City Manager
 - Public Safety – Chief of Police
- **Reports/Comments**
 - Mayor
 - City Council
- **Information for “The Pine Lake News” eblast.**

ADJOURNMENT

**MAYOR
MELANIE HAMMET**

COUNCIL MEMBERS

Jean Bordeaux, Mayor pro tem
Tracey Brantley
Nivea Castro
Augusta Woods

ADMINISTRATIVE STAFF

ChaQuias Miller-Thornton
City Manager

Sarai Y’Hudah-Green
Chief of Police

Ned Dagenhard
Assistant City Clerk

Missye Varner
Administrative Coordinator

Susan Moore
City Attorney

**CITY OF PINE LAKE
425 ALLGOOD ROAD
P.O. BOX 1325
PINE LAKE, GA 30072**

404-999-4901

www.pinelakgega.net

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
September 26, 2023 at 7:00 PM
Council Chambers
459 Pine Drive, Pine Lake, GA**

Call to Order: Mayor Melanie Hammet called the Regular Session to order at 7:00pm.

Present: Mayor Melanie Hammet, Mayor Pro Tem Jean Bordeaux, Council Members Tracey Brantley, Nivea Castro, and Augusta Woods. Also present were City Manager ChaQuias Miller-Thornton, City Attorney Susan Moore, Chief of Police Sarai Y'Hudah-Green, and Assistant City Clerk Ned Dagenhard. Administrative Coordinator Missye Varner.

Adoption of Agenda of the Day

Council Member Brantley moved to adopt the agenda of the day; Council Member Castro seconded, and the motion passed unanimously.

Adoption of the Minutes

- Regular Meeting – September 12th, 2023

Council Member Castro moved to adopt the amended minutes from the September 12th Regular Meeting; Mayor Pro Tem Bordeaux seconded, and the motion passed unanimously.

Old Business

1. Ordinance 2023-04 – To Amend Chapter 62 Public Works, ARTICLE IV – Lake, Parks, and Recreational Facilities

The Mayor, City Council, and Administration discussed language in the draft Ordinance 2023-04 in preparation for a first read. Council entertained discussion regarding reservation of facilities and provided guidance to the Administration for the presentation of revised language specific to the same. No action was taken by City Council.

New Business

1. Contracted services for Sheep to Overgraze the Dam/Bank and Inner Walking Berm – Award Ewe Can Do It Naturally
 - a. \$10,275 – For the larger project, the dam/bank and shelf bounded by Pine Lake and Snapfinger Creek.
 - b. \$2,850 – For the larger project, the inner berm extending into the lake itself.

The Mayor, City Council, and Administration discussed the proposal by Ewe Can Do It Naturally to lease sheep for the purpose of landscaping the dam/bank and inner berm at Pine Lake. The Council decided to bundle approval of the two quotes under one motion. Council Member Woods moved to approve the

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
September 26, 2023 at 7:00 PM
Council Chambers
459 Pine Drive, Pine Lake, GA**

proposal with an allowance for any add-on serve, as presented in the proposal, and as deemed necessary; Mayor Pro Tem Bordeaux seconded, and the motion passed unanimously. Council Member Brantley is to assist in communicating with the contractor to establish contract terms for service.

Reports and Other Business

ChaQuias Miller- Thornton — City Manager (Director of Administration, Courts and Public Works)

Please refer to [the link](#) to access the City Manager's report dated August 8, 2023. The City Manager reports are on file at City Hall for reviewing. Please email missyevarner@pinelakega.net to request a copy or call (404) 999-4931 to schedule an appointment to review the copy on file.

Chief Sarai Y'Hudah-Green — Chief of Police, Public Safety

Please refer to [the link](#) to access the Police/Public Safety report dated August 8, 2023. The Police/Public Safety reports are on file at City Hall for reviewing. Please email missyevarner@pinelakega.net to request a copy or call (404) 999-4931 to schedule an appointment to review the copy on file.

Pine Lake News Blast

Upcoming Events:

Tuesday, October 24th, 2023, Candidate Forum: PLAIN will provide an opportunity for residents to meet the candidates for Mayor and City Council as they answer questions from the community. Please submit questions in advance. Tuesday, October 24, 2023, from 7:00-9:00 pm at the Beach House. More Info.

Early Voting Starts Oct. 16th: For all Dates and Locations link to DeKalb County Advance Voting.

Lakefest - October 21st and 22nd, 11am-6pm: To be a part of the community that makes this Festival a magical time please sign up to volunteer.

NO October Pancake Breakfast: Because of LakeFest there will be no pancake breakfast in October.

Other News:

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
September 26, 2023 at 7:00 PM
Council Chambers
459 Pine Drive, Pine Lake, GA**

Dam and Berm Clearing – Council has approved a contract to clear these overgrown areas with a combination of overgrazing with sheep and hand cutting/clearing. The process of overgrazing will require that the trail along the dam be closed for 2 -3 months. Start date has yet to be determined.

2023 Swimming Season has ended: As of September 24th, no swimming is allowed at the lake. Feel free to sit on the sand and enjoy the view.

Moratorium on fishing expired September 21: The City has been collecting information on lake and greenscape impact and management through research and recommendations from SEED. Counsel continues to work on changes to the ordinances affecting use of the lake and park.

Ongoing:

Links to remember: [Link to City Manager's report](#)

Special Thanks To City Manager Thornton for conducting the first session in the brand new Government 101 series, "Getting to Know Our City's Budget" face. This was especially apt, with 2024 budget preparation coming up.

Pine Lake City Council Meetings

Meetings take place on the second and last Tuesday of each month at 7:00 PM in the Council Chamber / Courthouse at the corner of Forest and Pine. Mask at your own discretion. [Agenda Packet](#) for 9/26/2023 Meeting. For additional information on any item in this Brief, use the [Contact Us Form](#).

Adjournment

Council Member Castro motioned for adjournment at 8:18pm; Council Member Brantley seconded and the motion passed unanimously.

Ned Dagenhard
Assistant City Clerk

ChaQuias M. Thornton
Acting City Clerk



Memo

DATE: October 5, 2023
TO: Mayor and City Council
FROM: ChaQuias Thornton, City Manager
RE: Lake, Parks, and Recreational Facilities Policy

Regular Meeting 10/10/2023 – Old Business Item

Please see the attached 10 03 2023 draft of the Lake, Parks, and Recreational Facilities Policy. Review Section 62-90 as amended for revised language regarding Reservation of Facilities, and based on previous Council discussion.

Item History

On 09/12/2023 Mayor and Council elected not to extend the fishing moratorium, stating that the emergency pretense under which the moratorium was established no longer exist. Council engaged in discussion regarding amendment to lake, parks, and recreational area policy.

On 06/27/2023, the Administration (Manager and Legal) presented to Council a preliminary draft of Ordinance 2023-04 as related to amendment of the City's Lake, Parks, and Recreational Facilities codified policies. The preliminary draft served to provide language that revises existing Code provisions about the lake and park areas.

The attached serves as draft form of proposed amendments to the policy – for potential first read. This draft (with comments and notes) provides amendments to the Ordinance 2023-04 draft pertaining to use, access, process, and operational procedures relevant to the City's lake, parks, and recreational facilities.

Also attached are notes (with comments) from a committee of elected officials, public safety, and residents (including anglers) that pertain to lake area policy, education, signage, etc.

Please feel free to contact the following persons, if you should have any questions or concerns regarding the information contained within the attached:

Councilmember Tracey Brantley (committee)
Councilmember Augusta Woods (committee)
Chief of Police Y'hudah-Green (committee)
City Manager ChaQuias Thornton (policy draft – administrative)
City Attorney Susan Moore (policy draft – legal)

Thank you,

CMThornton

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PINE LAKE, GEORGIA, TO AMEND CHAPTER 62 PUBLIC WORKS, ARTICLE IV - LAKE, PARKS AND RECREATIONAL FACILITIES OF THE CITY OF PINE LAKE CODE OF ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the lake, parks, wetlands and recreational facilities within the City of Pine Lake are central to the City's identity, activities and culture; and

WHEREAS, it is necessary that such resources and other facilities open to the public be managed to preserve them and to encourage usage that is safe and is respectful of others, wildlife and the environment; and

NOW THEREFORE, BE IT ORDAINED by the City of Pine Lake, as follows:

Section 1.

City Code Section 62, Article IV is hereby amended by striking the existing language and inserting in lieu thereof the following:

"Sec. 62-85. - Penalties.

A violation of this article shall, upon conviction, be punishable as provided by Section 1-9.

Sec. 62-86. – ~~Opening and closing dates of lake.~~ Swimming in the lake.

(a) The lake shall be officially open and closed for swimming each year with the opening and closing dates and times to be designated annually by ~~resolution~~ vote of the city council.

(b) The lake shall remain officially open for swimming during that period, unless closed for public health and safety or environmental reasons. The days and hours shall be ~~regulated~~ enforced by the ~~parks~~ police department.

(c) The city makes the lake available for the recreational usage of the ~~citizens and their guests~~ public and limits the liability of the city to persons entering thereon, pursuant to the provisions of the Recreational Property Act, O.C.G.A. § 51-3-20 et seq., as said act presently exists and as said act may be amended in the future, ~~the city endorses a swim at your own risk policy~~ Use of the lake for swimming, boating or other activity is at your own risk and the provision of a beach ~~manager~~ monitor by the city does not and shall not serve to waive the protection against liability afforded to the city under the terms of said Recreational Property Act.

(d) No person is permitted to swim outside the designated area unless they have filed with the city a signed copy of the waiver and release of the liability required by the city.

Sec. 62-87. - Regulations ~~made by parks department.~~

~~The parks department is hereby authorized and directed to~~ city council may promulgate such rules and regulations from time to time as may be required to regulate the use of the lake, parks and tennis courts by persons using the lake, parks and tennis courts in order to protect the rights and safety of the public, property of the citizens of the city, the protection of the environment or wildlife, or such other interests as determined by the city council. This may include, but is not limited to, designation by the city council of dates, times, areas and conditions for fishing. Violation of any such rules or regulations so promulgated and published on the city's website or otherwise made publicly available shall be deemed a violation of this Code.

Sec. 62-88. - Use of facilities ~~restricted to city owners, residents and guests.~~

Swimming in the lake and use of the parks and tennis courts shall be ~~restricted to property owners, residents of the city and their guests~~ open to members of the public. Minors under the age of 12 must be accompanied and supervised by an adult over the age of 18.

~~Sec. 62-89. — Concessions.~~

~~The concession operation shall be placed under the supervision of the administration department and is hereby authorized to contract with a third party to run the concession stand upon such terms and conditions as it deems best.~~

Sec. 62-~~90~~ 89. - Beach house and clubhouse.

Use of the beach house and clubhouse shall be subject to the facility rental use and fee regulations approved by the city council and overseen by the administration department. ~~shall be placed under the supervision of the administration department and shall not be used or lighted without its approval and consent.~~

Sec. 62-~~91-90~~ 90 - Reservation of facilities.

It is the intent of the City that the lake, beach, greenspaces and other outdoor areas of the City be available for public use and that any exclusive, private or commercial use of an area be subject to the City's facility rental usage permit, conditions and fees unless specifically excluded.

- (a) Existing city parks and other public spaces shall not be used by any group, individual or organization for a gathering or event of more than 10 people without first filing an application and obtaining a reservation approval through the city clerk's office.
- (b) No table, shelter or other structure shall be erected on any public property without first filing an application and obtaining reservation approval through the city clerk's office. This prohibition does not apply to an individual shade shelter erected on the beach while in use and not exceeding 90" in length, 60" in width and 48" inches in height. Such shelter may only be erected and used in an area that does not interfere with use and enjoyment of the beach by other users as determined at the sole discretion of the City.
- (c) Sleeping overnight or camping in city parks or other city facilities is prohibited.

Sec. 62-92-91 - Fishing; hours permitted and license required.

Unless otherwise established by a vote of the city council, the lake shall be open for fishing each day during daylight hours only, from sunrise until sunset to individuals with a state fishing license. Fishing in the lake shall be catch and release only with s single line and must be done in a manner that will not injure other wildlife or their habitat. No cast nets are permitted. Use of single, barbless hooks and naturally biodegradable bait is encouraged. It is prohibited to leave fishing lines unattended or to leave any fishing tackle in public spaces. Any unattended fishing equipment may be collected and discarded. Upon any charges brought under this section, the officer or official bringing such charges shall note the time of the offense on the citation or warrant.

Sec. 62- ~~93~~ 92. - Use of boats.

Row boats, kayaks, paddleboards and canoes will be allowed on the lake during daylight hours only. All motorized boats are hereby prohibited."

Section 2. The various clauses and subsections of this ordinance are intended to be severable.. Should any of the provisions of this ordinance be deemed invalid by a court of competent jurisdiction, it is the intent of the City Council that the remaining provisions remain in full force and effect.

Section 3. All ordinances and portions of ordinances in conflict with the terms of this ordinance are hereby repealed as to the subject matter of this ordinance.

Section 4. This ordinance shall become effective upon its approval by the City Council, signature by the Mayor, and approval as to form by the City Attorney.

ADOPTED this ____ day of _____ 2023.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA

Mayor Melanie Hammet

ATTEST:

ChaQuias Thornton, Acting City
Clerk (SEAL)

Approved as to Form:

Susan J. Moore, City Attorney



Memo

DATE: October 5, 2023
TO: Mayor and City Council
FROM: ChaQuias Thornton, City Manager
RE: Pine Lake Courthouse Facility Renovations

Regular Meeting 10/10/2023 – New Business Item 1.

The Administration is requesting Council discussion of the Pine Lake Courthouse Facility Renovations project.

Design firm (TSW Planners Architects Landscape Architects, Atlanta) has completed design option for the proposed renovation of the 1st floor courthouse and alternate design for the basement level police facility.

Thank you,

CMThornton



Memo

DATE: October 5, 2023
TO: Mayor and City Council
FROM: ChaQuias Thornton, City Manager
RE: Consideration of Temporary Camper Permissions – 497 Oak Drive, Jordan Tomesch - Requestor/Owner

Regular Meeting 10/10/2023 – New Business Item 2.

Jordan Tomesch, owner of 497 Oak has issued request for temporary domicile within a camper on the property while principle single family residence is being built on the property. Request, as presented by the requestor, is attached. Site sketch depicting the proposed location of the temporary camper is also attached.

Administrative Notes

CHAPTER 54 – PLANNING AND DEVELOPMENT
ARTICLE II. - REGULATIONS

Sec. 54-29. - Mobile homes; trailers.

It shall be lawful for any resident of the city to maintain upon the property occupied by him or her not more than one camper type trailer or tow-able living unit classified as a "camper," provided the same is not used upon the premises as a permanent dwelling unit, and the same must be confined within the property limits of the lot. Such resident may also maintain one utility type trailer not exceeding six feet in width and seven feet in length nor having more than two wheels, and one boat trailer in good and serviceable condition.

Note: The formal Zoning related Variance Request process is not applicable for this request.

Please note that the Administration will recommend the following conditions as terms for approval:

- A. Temporary quarters such as RV's and camping trailers shall be limited to a maximum of 120 days, subject to approval of an extension by the City Manager for another 30-day period provided construction proceeds diligently.
- B. Such quarters shall be limited to a maximum length of 24 feet.
- C. In the case of such quarters coming to and going from the property shall necessitate installation of a gravel construction entrance to prevent mud from being deposited on the street.

The requestor has presented that he does not plan to place the camper on the property until the permanent driveway that will service the principle structure is constructed.

- D. The building setback of the zoning district shall dictate placement of the RV or camping trailer.

- E. The RV or camping trailer shall be registered with the city clerk and the owner of the trailer shall furnish the city clerk an identifying mark or number for the trailer and maintain a current motor vehicle registration tag affixed to the trailer.
- F. Building permit for the development of the subject lot (to include construction of the principal structure) must be issued prior to having the RV or camping trailer placed on the lot.

Please let me know if you should have any questions or concerns pertaining to the request or the information contained within or attached hereto.

Thank you,

CMThornton

Ordinance from Which I am Seeking a Variance:

Sec. 54-29. - Mobile homes; trailers.

(a)

Trailers, mobile homes, mobile living units, semi-permanent living units, temporary living quarters, portable shelters suitable for living and pavilion style car shelters not anchored in concrete shall be prohibited within the city limits. Any structure not correctly issued a building permit, by the city and the county and properly constructed as a permanent domicile will not be allowed within the city limits.

(1)

A resident may erect a temporary tent-like structure or pavilion for a period of seven days for special occasions such as wedding receptions, family reunions or a child's sleep over party. All temporary structures, as defined by this Code may be made permanent by application for and approval of a variance from the council of the city. It shall be lawful for any resident of the city to maintain upon the property occupied by him or her not more than one camper type trailer or tow-able living unit classified as a "camper," provided the same is not used upon the premises as a permanent dwelling unit, and the same must be confined within the property limits of the lot. Such resident may also maintain one utility type trailer not exceeding six feet in width and seven feet in length nor having more than two wheels, and one boat trailer in good and serviceable condition.

Variance Application Requirements:

Variances may be granted only upon making all of the following findings, which shall apply within the property for which the subject variance request is being made.

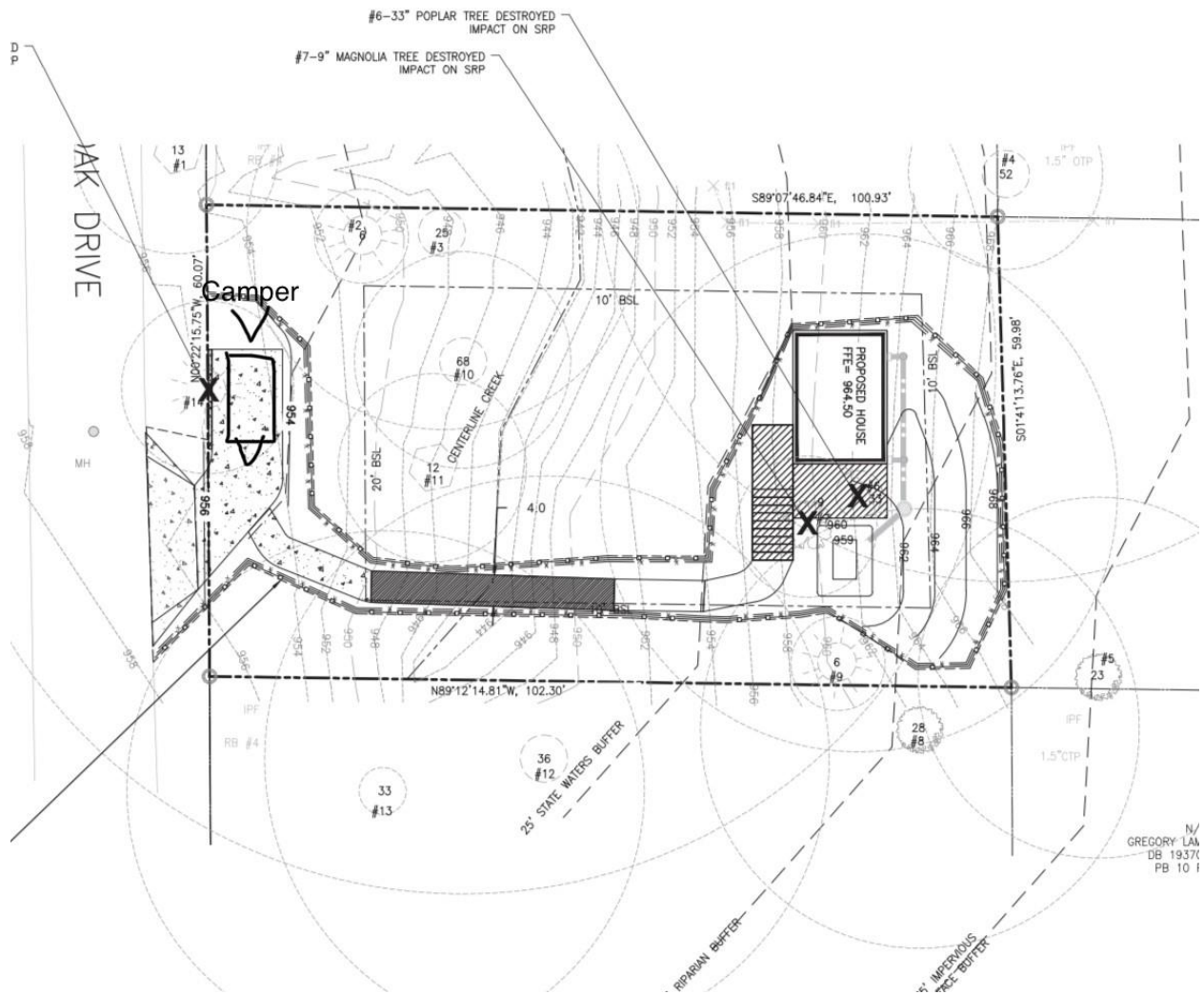
- A. There are extraordinary or exceptional conditions pertaining to the particular property because of its size, shape or topography.
- B. Such conditions are unusual or peculiar to the particular piece of property involved.
- C. The strict application of the zoning ordinance would create an unnecessary hardship.
- D. The hardship identified is concerned with the physical use of the property, not the financial condition of any person.
- E. Specimen trees are located in such a manner on the subject property that the property cannot be practically developed without the removal or substantial destruction of such specimen trees but could be developed through variances that would protect the same trees.
- F. Relief if granted would not cause substantial detriment to the public good, safety or welfare, or impair the purpose and intent of this zoning ordinance.

My Findings and Request:

Many jurisdictions allow for someone to live in an RV or Camper on a property, while building a primary residence on the property. Pine Lake allows for one camper to be parked on each

property. Pine Lake also allows for a temporary structure to be made permanent. I am requesting that I may live in a camper temporarily for the duration of the building permit once the building permit is issued and once a driveway has been installed. This variance will end once a certificate of occupancy has been issued for 497 Oak Dr.

- A. I will be constructing a tiny home on 497 Oak Drive and during that time there will be expensive materials and tools on the property. I would like to be present on the property to safeguard these assets. I will be able to complete the construction quicker because I will be living on the property.
- B. The conditions of construction are unique because my property does not yet have a dwelling on it.
- C. The ordinance allows for a camper to be made permanent, however, I am only asking for a temporary allowance until construction is complete.
- D. The property is zoned for residential use, however since there is no dwelling on the property yet, I am unable to use the property as intended.
- E. Isn't relevant to this variance request.
- F. Relief would not cause substantial detriment because the variance would only be temporary.



N/
 GREGORY LAM
 DB 1937
 PB 10 I