

Minutes of the
REGULAR MEETING
of the
CITY COUNCIL
LOOKOUT MOUNTAIN, GEORGIA

January 13, 2022
6:00 p.m.

PRESIDING: Mayor David Bennett

PRESENT: Council Members Taylor Watson, Kevin Leckenby, Caroline Williams, and Arch Willingham; City Attorney Bill Pickering; and City Manager Kenny Lee.

CALL TO ORDER AND PLEDGE: Mayor David Bennett called the Regular Meeting of the City Council to order at 6:00 p.m. on January 13, 2022, at the City's temporary City Hall, Lookout Mountain United Methodist Church, 1300 Lula Lake Road, Lookout Mountain, Georgia 30750. City Council Member Caroline Williams led the Pledge of Allegiance.

1509 CHICKAMAUGA TRAIL – MICHELLE WARREN – HOME SHARING

APPLICATION: The Council considered the Ms. Michelle Warren's Application for Home Sharing at her residence at 1509 Chickamauga Trail. City Attorney Bill Pickering had reviewed the application and stated that it was in order. Mr. Pickering reminded Ms. Warren that she must be present at all times when space in the home is being rented. Council Member Arch Willingham made a motion to approve Ms. Warren's Home Sharing Application. The motion was seconded by Council Member Taylor Watson and passed unanimously. Neighbor Mark Jones addressed the Council stating he strongly opposed this application due to people staying there not being vetted and the loud noise that sometimes comes from the home. Mr. Jones stated he felt it was a detriment to the value of his property and that other neighbors were opposed as well. Mayor Bennett shared with Mr. Jones that the Home Sharing Ordinance had been in place for several years and that home sharing was permissible so long as Ms. Warren met the requirements of the ordinance. The Mayor added that there are other ordinances in place that address nuisances like loud noises or foul language. Mr. Jones asked if the City does inspections on homes when residents apply for a home sharing permit. Mr. Pickering replied that the City doesn't typically do inspections but has rules and limitations for home sharing that are contained in the ordinance. Ms. Warren gave an explanation of the structure of the home which has two sections under one roof connected by a breezeway. A resident from 1503 Chickamauga Trail stated that he and other neighbors had concerns and mentioned unsafe driving in the area. Mayor Bennett shared with the residents that an inspection would be completed to make sure everything was in accordance with the ordinance and if any neighbor is experiencing issues there are remedies for that as well. Mayor Bennett read a report from Ms. Warren listing guests that had stayed at the house. Ms. Warren stated she checks out each guest and meets them and greets them when they arrive since they will be staying in her home. She stated she takes this very seriously. The Council agreed to an inspection of the home.

OFFICE RESIDENTIAL DISTRICT – FIRST READING OF ORDINANCE 337: City Attorney Bill Pickering provided a brief summary of the Municipal Planning Commission's extensive work in developing regulations for a proposed Office Residential zoning district. A detailed outline of the proposed ordinance and the regulations for the district was made public, and members of the public provided comments and suggestions on it. The Planning Commission conducted public work sessions and meetings, and a Public Hearing on the proposed zoning district was conducted on November 30, 2021. Although the process began with a request by See Rock City, Inc., to rezone its property at 1402 Patten Road, Rock City advised the City of Lookout Mountain that it was not yet ready to request that its property be rezoned for the proposed district. Mr. Pickering provided the Council with Mr. Keith Sanford's (Planning Commission Chair's) report on the proposed zoning decision (submitted in accordance with the City's Zoning Procedures and Standards Ordinance) with an outline of the proposed ordinance as approved by the Planning Commission. Mr. Pickering commented that since Rock City had withdrawn its rezoning request, the proposed ordinance, while creating the new Office Residential district, did not designate any property in the City to be included in the district. Instead, the ordinance states that the boundaries of the district will hereafter be established by the City Council. Mr. Pickering asked if there were any questions or comments. Resident Charlie Schelberg commented that because Rock City had withdrawn its rezoning request, residents were not in attendance at today's Council meeting to express their concerns, but that this should not be interpreted as acquiescence and that residents would oppose any future request by Rock City to have its Patten Road property rezoned. Mr. Pickering then presented Ordinance No. 337, an ordinance to amend the City of Lookout Mountain, Georgia's Zoning Ordinance, to create an additional zoning district in the City of Lookout Mountain to be designated as the Office Residential District, to delineate uses of property permitted in the district, to establish regulations for buildings, structures and property located in the district, and for other purposes. Council Member Council Member Arch Willingham made a motion to approve Ordinance No. 337 on First Reading. The motion was seconded by Council Member Kevin Leckenby and passed unanimously.

TOWN CENTER – COMMERCIAL DEVELOPMENT: Mayor Bennett reported that one bid had been received in response to the City's Request for Proposals for the commercial development of property in the new Town Center. The proposal was submitted by a joint venture comprised of DBS Corporation and other entities. Mayor Bennett asked that he along with Vice Mayor Arch Willingham and City Attorney Bill Pickering be authorized to negotiate with DBS on behalf of the City on a contract that will be presented to the City Council for approval. Council Member Kevin Leckenby made a motion to authorize Mayor Bennett, Vice Mayor Arch Willingham, and City Attorney Bill Pickering to move forward with the negotiation of a development agreement with DBS Corporation and its partners. The motion was seconded by Council Member Taylor Watson and passed unanimously.

PLANNING COMMISSION UPDATE – ARCH WILLINGHAM: Council Member Arch Willingham reported that the MPC had been working almost exclusively on the Office Residential zoning ordinance.

FIRE AND POLICE UPDATE – TAYLOR WATSON: Council Member Taylor Watson read the monthly police report. Ms. Watson reminded residents to lock their car doors and homes.

FAIRYLAND SCHOOL UPDATE – CAROLINE WILLIAMS: Council Member Caroline Williams reported that the school had new landscaping in addition to having the fence around the playground removed with a new fence going up. Ms. Williams shared that the old fence with the hand prints are available. Covid is at its highest level at the school since the pandemic began.

STORM WATER COMMITTEE – TONY TOWNS: Council Member Tony Towns was absent, but his report was included in the Council's packet,

PUBLIC WORKS – KEVIN LECKENBY: Council Member Kevin Leckenby addressed the Council thanking the city workers for being in place in case the ice storm hit. The settling of Lula Lake sidewalks is being addressed. The zone map for brush and leaf pick up has been updated. Residents can visit the web page to check where the team will be working. Public Works is working to get the leaves and debris to the landfill as quickly as possible. The gas line project is continuing and is currently working at the Lookout Mountain Club. The next dumpster day will be February 4.

CITY MANAGER – KENNY LEE – COMPREHENSIVE PLAN UPDATE: City Manager Kenny Lee advised the Council that the City website is being updated weekly and includes the current draft of the Comprehensive Plan and the committee's agenda. The Comprehensive Plan Public Hearing will be next Tuesday, January 18, at 5:30 PM.

TRAILS AND GARDEN UPDATE – JIMMY CAMPBELL: Mr. Campbell reported that the Committee is in the process of applying for an application for a state grant for trails with the trails costing around \$115,000. The grant if approved would provide 70% of the funding. Mr. Campbell shared he would go to a few foundations to help come up with the remaining 30%. The garden is dormant. A plan for the garden at the top of Red Riding Hood will be presented soon.

SEWER ADVISORY BOARD UPDATE – PUMP STATION REPAIRS: Sewer Advisory Board Member Jimmy Campbell stated that the engineer is working on the plans for the new pump station. The City hopes that construction will begin in the summer. The original estimate was \$950,000, but the current estimate is \$1,300,000. Mr. Campbell shared that GEFA has a program which could provide the City with additional funding at an extremely low interest rate.

MAYOR'S REPORT: Mayor Bennett reported to that the Sims property will be purchased by the Lookout Mountain Conservancy. Closing is projected to be at the end of this month or in February. The City will move into the new City Hall in about two weeks.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Cindy Roberts
City Clerk