

Minutes of the
REGULAR MEETING
of the
City Council of Lookout Mountain, Georgia
May 21, 2015

PRESIDING: Vice Mayor David Bennett.

PRESENT: Council Members Beth Soloff, Jim Sabourin, and Caroline Williams; City Attorney Bill Pickering; City Manager Brad Haven.

ABSENT: Mayor Sandy Gothard; Council Member Taylor Watson; City Clerk Cindy Roberts.

CALL TO ORDER: Vice Mayor David Bennett called the regular meeting of the City Council to order at 5:30 p.m. at City Hall, 1214 Lula Lake Road, Lookout Mountain, Georgia. Council Member Jim Sabourin opened the meeting with a prayer.

APPROVAL OF MINUTES: The minutes of the Council's Regular Meeting of March 19, 2015, Special Meeting of May 7, 2015, and Executive Session of May 7, 2015, were approved as submitted.

ZONING PROCEDURES AND STANDARDS: Vice Mayor Bennett asked City Attorney Bill Pickering to comment on draft zoning procedures and standards which had been provided to the Council. Mr. Pickering stated that the draft procedures were recently provided to him by Planning Commission Member Jimmy Campbell. Mr. Pickering stated that he had begun his review of the draft procedures and would be studying them further. Mr. Pickering noted that procedures to a large extent dealt with processes for amending the City's zoning ordinance, and one question to consider is whether the proposed procedures for amendments should be incorporated into the existing zoning ordinance as modifications of the amendment procedures already there. Mr. Campbell was in attendance at the Council meeting and provided additional comments. Mr. Campbell stated that he was part of a subcommittee of the Planning Commission which was studying the City's zoning ordinance and related matters and that the subcommittee had been working with Mr. Barnett Chitwood of the Northwest Georgia Regional Planning Commission. The draft zoning procedures which had been provided to City Council were prepared by Mr. Chitwood. Mr. Campbell explained that the Council was not being asked to approve the procedures at this time. Mr. Campbell stated that the draft procedures would require considerable additional study and that his and Mr. Chitwood's only request was that the Council confirm its willingness to move forward with the study and to consider potential amendments to the City's zoning ordinance and procedures. The Council provided Mr. Campbell with this confirmation.

MOTORIZED CART ORDINANCE: Mr. Pickering provided the Council with background on the City's motorized cart ordinance, also referred to as the golf cart ordinance. Mr. Pickering noted that the original ordinance, enacted in 2010, included a three-year sunset (automatic expiration) provision which was later extended to four years. In July 2014, the Council adopted

a revised motorized cart ordinance which strengthened some of the existing regulations but also permitted the operation of motorized carts in additional areas of the City, including portions of Lula Lake Road. The revised ordinance, adopted in July 2014, included a one-year sunset provision. This provision was added because of continued concerns that some golf cart owners were not complying with the existing regulations, and the Council wanted to monitor the matter for another year and encourage strict enforcement of the ordinance by the Police Department. Mr. Pickering noted that the expiration date of the ordinance adopted last year was approaching, and he recommended that the Council decide whether it wanted to make the ordinance permanent. If so, two readings of a new ordinance (without the sunset provision) will be needed before the Council's regular meeting in July 2015. Mr. Pickering stated that he had prepared such an ordinance for the Council's consideration and that the Council could consider the ordinance at today's meeting or could wait until the June meeting. Mr. Pickering added that it would be good to receive input from Chief Gann on whether golf cart owners had been complying with the existing regulations over the past year. Chief Gann could not be present for today's meeting, but Mr. Bennett stated that he had discussed this matter with him and that Chief Gann was satisfied that golf cart owners had been complying with the existing regulations. Mr. Bennett believed that only a couple of citations and/or warning had been issued. It was the consensus of the Council to move forward with a motorized cart ordinance not containing a sunset provision. Mr. Pickering explained that the ordinance which he had prepared (Ordinance No. 286) was identical to the revised ordinance adopted in July of last year (Ordinance No. 278), except that the new ordinance did not contain a sunset provision. Mr. Pickering then read in its entirety Ordinance No. 286, an ordinance to designate certain public streets within the City of Lookout Mountain for the combined use of motorized carts and regular vehicular traffic. Council Member Beth Soloff made a motion to approve Ordinance No. 286 on first reading. The motion was seconded by Council Member Jim Sabourin and passed unanimously. Mr. Bennett added that the City would continue its efforts to educate golf cart owners on the requirements of the ordinance and that those requirements, including loss of privileges for multiple violations, would be strictly enforced.

MONTHLY STORMWATER, SEWER AND CITY MANAGER'S REPORT: City Manager Brad Haven provided the Council with the monthly Stormwater, Sewer and City Manager's Report which is on file and available for review. Mr. Haven commented on several items, including:

- The City has received a letter from the Georgia Environmental Protection Division (EPD) advising that the City's 2014 Annual Report is complete and acceptable. Mr. Haven advised that this remedies the concerns previously noted by EPD.
- There was a major failure of the City's # 2 sewer pump. This has been remedied, and the pump has been returned to service.
- Update on the new street signs.
- Update on plans for the striping of City streets. Potential sources of funding were discussed.
- Work on odor control is ongoing, and a trial of the hydrogen peroxide system is scheduled for the first week of June.

VICE MAYOR'S REPORT; OTHER MATTERS: Vice Mayor Bennett thanked Mr. Haven for his helpful email advising residents of street closures during the upcoming Memorial Day bike race.

Council Member Beth Soloff provided the Council with an outline of elements which may be included in a Request for Proposal (RFP). Ms. Soloff advised that the outline was based on an RFP published by the River City Company for the development of the 700 Block of Market Street in Chattanooga. Ms. Soloff encouraged the Council to review that RFP online.

Two City residents who live at the corner of Hardy Road and Peter Pan appeared before the Council to express their concern about motorists speeding and ignoring stop signs on Hardy Road. Mr. Bennett thanked the couple for bringing this matter to the City's attention and stated that the matter would be referred to the Police Department and would be addressed.

Concern was expressed regarding the use of homes in the City as vacation rentals. Matthew Smisson (reporter for the Chattanooga.com) noted that there were two VRBO (Vacation Rental by Owner) listings of houses within the City limits of Lookout Mountain. Mr. Pickering stated that this use was a violation of the City's zoning ordinance. Mr. Pickering added that Mayor Gothard was addressing the matter with certain property owners and would continue to do so.

There being no further business, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

William H. Pickering
City Attorney and Acting Clerk