



**WORK SESSION OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
APRIL 27, 2009**

PRESENT: Mayor Harris, Council members Bomar, Dugan, Mundrick and Whitlock
City Administrator, Department Directors, City Attorney

ABSENT: Councilmember Hall

A work session was held prior to the regular scheduled meeting to allow the elected officials to discuss and ask questions of department directors regarding this evening's agenda items.

No other items were discussed and no action was taken.

**MINUTES OF THE
MAYOR AND COUNCIL
APRIL 27, 2009**

Mayor Nancy Harris called the meeting to order at 7:00 p.m.

INVOCATION/PLEDGE: Mayor Nancy Harris

WELCOME RESIDENTS: Chattahoochee Landing/River North

I. CEREMONIAL MATTERS

1. RECOGNITION – JONATHAN KROHN

The Mayor and Council recognized 14 year-old Duluth resident Jonathan Krohn who has written his first book, "Define Conservatism." In February, Jonathan addressed the Conservative Political Action Conference and has gained notoriety for his exceptional ability to express his political ideals and beliefs: "Respect for the constitution, respect for life, less government, and personal responsibility." Jonathan is home educated through a classical education program that emphasizes history, political science and humanities. He said that he loves living in Duluth because he believes that the strong base of majority of citizens in Duluth have similar core principal values.

2. PRESENTATION - STATE CERTIFICATION AWARD

Frank Rotondo, Executive Director of the GA Association of Chiefs of Police, came forward and presented the Georgia Police Accreditation Coalition (GPAC) State Certification Award. This award signifies that the Duluth Police Department meets the highest standards for professionalism and procedures set by the State of Georgia. Out of over 700 agencies in the state, Duluth is only the 93rd to have earned this status.

3. GIRL SCOUT APPRECIATION – CALABOOSE IMPROVEMENTS

The Mayor and Council recognized Girl Scout Troop 142: Cadettes Mary Cerny, Chrissi Chandler and Baylee Wilcox. Along with the support of troop members Ariel Boxall, Denise Shepherd, Quinn Hill and Kelly Ibele, and their leader Nan Wilcox, the girls painted the Calaboose (the original City jail built in 1908) as a project sponsored by Downtown Development Authority (DDA) Design Committee Chairman Rob Ponder. This project will hopefully earn them the Girl Scout Silver award, the second highest honor given by the Girl Scouts.

II. CONSENT AGENDA

1. APPROVAL OF APRIL 13, 2009 MINUTES

2. ORDINANCE TO AMEND THE FY09 BUDGET – \$22,727– AUCTION PROCEEDS & PURCHASES *[Exhibit “A”]*

Approval of this item approves an ordinance to amend the FY09 budget to incorporate auction proceeds and the purchase of a replacement vehicle for the Public Works Department.

3. AUTHORIZATION FOR CONTRACT – GMA ALCOHOLIC BEVERAGE TAX AUDIT *[Exhibit “B”]*

Approval of this item authorizes the Mayor to execute a contract with the Georgia Municipal Association to provide Alcoholic Beverage tax recovery services for the City. The cost of this service will be offset by audit findings.

4. ACCEPTANCE OF DONATION – \$200 – VETERAN’S FLAGS & MARKERS

Approval of this item accepts a \$200 donation to the Veteran’s Flag and Marker program from Ms. Elise Whitworth, to be credited to account # 100-37114 “Flag Donations.”

5. AUTHORIZATION AND WAIVERS – 2009 CITY EVENTS *[Exhibit “C”]*

The following downtown events are deemed sponsored by the City of Duluth. Approval of this item waives food service requirements per Section 26-2-370 of the Official Code of GA, which exempts food vendors from having to obtain said permits provided that the event lasts 120 hours or less. It also waives signage fee and location requirements provided that the City Clerk and Public Works Director are given a list of where signs will be erected throughout the City for promotion of approved events. (Alcohol will be permitted only for events or portions of events denoted with asterisks.) The following are scheduled events thus far:

General/Special Events:

Better Morning Atlanta – live filming (May 7th, 5am-7am)
Barefoot in the Park Fine Arts Festival** (May 9th and 10th)
Memorial Day Services (May 23rd)
Duluth Celebrates America** (Hudgens Park, July 3)
Brown Bag Lunches (Thursdays, last week in May-first week in August)
Duluth Fall Festival** (September 25-27)
Kiwanis Pancake Breakfast (Bunten Road Park, October)
Annual Hometown Holiday Festival/Tree lighting**(December 5th and 6th).

Flicks on the Bricks 2009 Family Film Festival:

Hotel for Dogs (June 13th)
B98.5 sponsored movie-Coraline (July 11th)
Tale of Despereaux (August 8th)
Dave FM/Special Events Network sponsored movie- (September 19th)
Monsters vs. Aliens (October 31st)

SummerStage Concert Series:

Blues on the Green-Ross Bon and the Mighty Blue Kings** (May 30th)
Great American Rock and Roll Revival** (June 27th)
Symphony on the Green-Gwinnett Symphony Orchestra and Chorus** (June 19th, July 17th, August 21st)
Fall Festival Concert-The Swinging Medallions** (Sept 12th)

6. RESOLUTION –COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) *[Exhibit "D"]*

Approval of this item approves a resolution authorizing staff to submit the 2010 CDBG application.

A motion was made by Councilmember Bomar, seconded by Councilmember Dugan, to approve the Consent Agenda as presented.

Those voting for: Council members Bomar, Dugan, Mundrick and Whitlock
Motion carried.

III. OLD BUSINESS

1. ORDINANCES OF ANNEXATION AND REZONING - M-2 TO C-2 - CASE A#0157-08
LIAN CONG ZHANG TAX PARCELS 6-261-054 and 6-261-061
[Exhibits "E" & "F"]

Planning Director Cliff Cross came forward to explain that a public hearing was held before Council on March 23rd and further discussed on April 13th to consider ordinances of annexation and rezoning for Case A#0157-08 for approximately 1.2 acres of the property commonly known as 2933 Pleasant Hill Road (Parcel Numbers 6-261-054 and 6-261-061) into the City of Duluth. During those meetings, the Council directive was to postpone the request to allow the applicant time to clean up the property to meet the standards set forth in City Code and Regulations. Prior to the April 13th meeting, staff received notice from the applicant that they had not entirely completed the work. As a result, staff requested and Council agreed to postpone the decision until April 27th to allow the applicant additional time to address the remaining property maintenance issues on the property.

Mr. Cross reported that staff conducted an on-site inspection Monday and said that Staff was pleased with the cleanup progress performed by the applicant, and therefore recommended approval of the request for rezoning of the property from M-2 (County) to C-2 (City) at this time. He displayed new photographs of the area (attached hereto as Exhibit "F") to demonstrate the improved conditions of the subject site, and also noted that a "flea market" is not an allowed use for this property.

Councilmember Bomar explained to the public that Council requested cleanup prior to annexation because they did not want to put the applicant in the position of being annexed and immediately being in violation of the City property maintenance guidelines. Mr. Cross confirmed that there would be no current violations of the property maintenance ordinance.

A motion was made by Councilmember Mundrick, seconded by Councilmember Whitlock, to approve the ordinances of annexation and rezoning for Case A#0157-08, Tax Parcels 6-261-054 and 6-261-061 from M-2 TO C-2 as presented.

**Those voting for: Councilmembers Bomar, Dugan, Mundrick and Whitlock
Motion carried.**

IV. NEW BUSINESS

1. AUTHORIZATION FOR PURCHASE/ORDINANCE TO AMEND THE FY09 BUDGET

[Exhibits "G" & "H"]

Mayor Harris explained that the City is expected to receive additional 2005 SPLOST funds. It is estimated that there will be an additional \$130,000 for Roads/Sidewalks; \$40,000 additional for Recreation; \$380,000 for Public Safety; and \$450,000 for Administrative Facilities. The \$450,000 can be used for debt payments on the City Hall and thus saving the use of general revenue funds. The \$40,000 Recreation funds is recommended for Taylor Park, the \$130,000 Road funds will be needed for paving projects and possibly road right-of-way on projects that are in the process. The \$380,000 in Public Safety funds cannot be used to repay debt so would go to either facility improvements or equipment.

Mayor Harris further noted that the first and most immediate needs are for \$179,922.80 to replace the 10-15 year old radar equipment currently in use, as well as the replacement of VHS "in-car" camera equipment (also approximately 10 years old) with digital technology. (A specific list is attached hereto as Exhibit "H.") The balance of the 2005 additional Public Safety funds of \$199,983.70 would go primarily to hardware necessary for the New World software for the police department, along with additional equipment for the digital video cameras. These final items would be purchased as the New World system is being installed and the equipment needed over the next year.

Councilmember Bomar explained that there are only certain approved categories that SPLOST money can be spent on. The initial listing for approved expenditures provides the ratio of money for each category and how it is approved to be allocated, and the division of any "new" money obtained through SPLOST has to follow the same ratio

A motion was made by Councilmember Dugan, seconded by Councilmember Whitlock, to authorize the police equipment purchase as presented and further authorize a budget amendment accordingly.

**Those voting for: Councilmembers Bomar, Dugan, Mundrick and Whitlock
Motion carried.**

V. MATTERS FROM CITIZENS

1. EROSION CONCERNS

Mr. Robert Gresham of 2650 Chattahoochee Drive came forward to ask for help regarding an erosion issue. The bank was stable before the County made road improvements, which have now caused mud to run down into his parking lot, and is causing problems for the tenants. City Administrator Phil McLemore reported that he has begun working with Gwinnett County to correct the problem and he will follow up with them and keep Mr. Gresham updated.

2. KATHY FINCHER ART EXHIBIT – CHOCOLATE PERKS

Council member Marsha Bomar announced that local artist Kathy Fincher will exhibit art pieces this weekend in Chocolate Perks.

VI. ADJOURNMENT

A motion was made by Councilmember Bomar, seconded by Councilmember Mundrick, to adjourn from regular meeting into a work session at 7:35 p.m.

All for. Motion carried unanimously.

**POST COUNCIL MEETING WORK SESSION
MAYOR AND COUNCIL
APRIL 27, 2009**

Upon adjournment, Mayor Harris announced that a work session would be held in the Main Street conference room.

1. STRICKLAND HOUSE (DULUTH HISTORICAL SOCIETY) LANDSCAPE MAINTENANCE

Public Works Director Audrey Turner stated that the Public works Department was prepared to mow front and rear yards, do the weed-eating and edging along sidewalks and blowing of the debris twice per month. She told the members that the cost would be approximately \$200 per visit, which includes two hours of labor for five employees. They are not prepared to handle flowers, straw or mulch, or issues concerning large trees/branches or shrubbery, or any time of leaf blowing. The Historical Society has also asked for use of the dumpsters for yard trash that they clean up on their own, and Council was favorable to that idea.

Council directed the City Administrator to prepare a formal agreement for Council ratification.

2. FESTIVAL CENTER – PRIVATE RENTAL

City Administrator requested Council directive as to whether or not the Council wished to continue with the renting of the Festival Center. Mr. McLemore reported that the facility was first designed to have

events that would bring people to the downtown. He stated that the facility was not a “for profit” venue and that if it was the desire of Council to contract out weddings, etc., then instead of hiring a PT events coordinator, that he would have the current Festival Center Manager managing the events.

Mr. McLemore noted that most downtown merchants felt like having weddings downtown contributed to their business. PR/Marketing Director Alisa Williams said that a big advantage to people renting our facility is that they are allowed to use their own vendors.

Council directed the City Administrator to prepare a “cost vs. revenue” analysis for raising any rates, as they feel it should be a goal to close the gap between costs and expenditures.

3. CGI COMMUNICATIONS PROPOSAL – BANNER AND VIDEO

Marketing and Public Relations Director Alisa Williams requested direction on the weekly report item concerning entering into an agreement with CGI Communications to produce a Community Video showcasing Duluth on the City’s website. Alisa stated that she, along with IT Tech Steve Beauregard and Economic Development Manager Chris McGahee, took part in a teleconference with CGI on April 15th to view some of the projects they have already completed and were impressed and felt this would be a good opportunity to enhance our website. CGI’s Streaming Video Tour Book is an invaluable tool for the City of Duluth to enhance its website by adding a video welcome message, and to showcase our community in a powerful, new and innovative way. They will come to our location with a film crew to videotape the necessary footage to fully produce the “Welcome” video PLUS 6 additional community highlight videos on topics such as relocation, business and industry, education, etc. The program will be customized to showcase the best of what Duluth has to offer to residents, visitors, and your business community. Also with the click of a button we will be able to send our whole video interface to anyone in the world with an email address. The videos will not come in as an attachment or a download; they will automatically buffer and play for the end user. Whether it be a recruiter, site locator, future resident, or visitor we will now have a powerful and cutting edge way to answer all questions about our community! In addition, we will be able to track video viewership on our website through SmartTrack technology. This innovative tracking technology shows you not only which video has been viewed and when, but also what community it was viewed from, allowing the City to further tailor our website to meet the individual needs of the end user. We will also receive a City Guide “Avatar” who answers FAQ's and guides visitors to areas of interest on the City's website. This tool is not only able to inform, but personalize your website like never before. The avatar is created using a series of questions determined by the City that are then recorded at CGI Communications studios using our own talent. Alisa reported that the City of Snellville was a local city that was taking part in the video. There are sponsor logos around the video and this is how they offer this service for free (if you click on the logo it takes you to a video about that business which CGI creates for them). CGI will sell these advertisements with guidance from us on who would most likely want to be a part of this project to advertise their own business.

The Marketing Director was asked to contact other participating cities and get responses. Council would also like to review the contract between the advertisers and CGI.

Council directed the City Attorney to review the City contract with CGI and report back to Council of any concerns. The City Administrator will forward the City Attorney's comments through a weekly report and place on this item for discussion on the next work session.

4. TOWN GREEN CONDITION

The condition of the Town Green was discussed. The City Administrator reported that he was working with Georgia Power to correct the electrical issues with the irrigation system and was working with the landscaping company on the replacement of the sod. He stated that he would contact Georgia Power on Tuesday for status. He said that the irrigation would need to be working before the sod is planted.

Public Works crews are also working on filling in the cracks in the concrete as well as reviewing what can be done to the broken bricks.

5. MAIN STREET DUMPSTER UPDATE

Councilmember Bomar requested an update on the demolition of the "old dumpster site" located on Main Street. She presented a rendering of what could be accomplished if the building was renovated into a gazebo.

The City Administrator is to prepare cost analysis and to contact the Fall Festival Executive Committee to see if they will consider assisting with funding this project.

Approved this _____ day of _____, 2009.

Mayor Nancy Harris

ATTEST:

City Clerk Teresa S. Lynn