



**MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
JANUARY 8, 2018**

PRESENT: Mayor Harris, Council members Bomar, Carden, Jones, Kelkenberg and Whitlock, City Manager, Department Directors, City Attorney

A work session was held prior to the regular scheduled meeting to allow the elected officials to discuss this evening's agenda items. No other items were discussed and no action was taken.

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

Mayor Harris called for a Moment of Silence

PLEDGE OF ALLEGIANCE

I. ANNOUNCEMENTS

1. AGENDA CHANGES (IF NECESSARY)
2. UPCOMING EVENTS

State of the City: The "Be Duluth" Show - January 22 at Red Clay Music Foundry. 7pm (Doors open at 6pm).

II. CEREMONIAL MATTERS

1. OATHS OF OFFICE – COUNCIL MEMBERS

Judge Barrett administered oaths of office to Council members Marsha A. Bomar, Post 1, Council member Kirkland Carden, Post 2 and Council member Billy Jones, Post 3.

2. RECOGNITION – SHARON WALLACE – COURT CLERK COUNCIL OF YEAR AWARD

Municipal Court Judge Charles Barrett explained that on November 2nd, 2017, the Georgia Municipal Court Clerks Council recognized Sharon Wallace at its annual business meeting with its distinguished Clerk of the Court Council Year Award. The award was presented to Clerk of Court, Sharon Wallace for her continued dedication, efforts, and service in the administration of Justice to the Duluth Municipal Court. Ms. Trina Gallien, President Elect of GMCCC formally presented the award to Mrs. Wallace.

III. CONSENT AGENDA

1. APPROVAL OF DECEMBER 2ND/11TH MINUTES

2. RESOLUTION SETTING 2018 COUNCIL MEETING DATES & TIMES

{A}

Approval of this item approves a resolution setting the City Council Meetings and Work Sessions for 2018. Council meetings will be held on the 2nd Monday of every month at 7:00 p.m. in the Council Chambers of Duluth City Hall, located at 3167 Main Street, Duluth, Ga. Agenda Review Work Sessions will be held at 6:15 p.m. before each regularly scheduled Council meeting in the Main Street Conference Room, with the exceptions of January 22nd - Mayors State of City Address, May 28th - Memorial Day, June 25th - Annual GMA Training and December 24th - Christmas Eve.

Work Sessions will be held on the 4th Monday of every month at 5:30 p.m. in the Duluth City Hall Community Room with the exception dates listed above. Fifth Monday Work Sessions are scheduled to be held at 5:30 p.m. in the Duluth City Hall Community Room on January 29th, April 30th, July 30th, and October 29th.

3. ORDINANCE SETTING 2018 MILEAGE REIMBURSEMENT RATES

{B}

Approval of this item adopts an ordinance setting the reimbursement rates at 54.5 cents per mile for business use of personal vehicles, and medical mileage for the flexible spending account reimbursement plan shall be calculated at .18 cents per mile, effective January 1, 2018.

4. RESOLUTION TO APPOINT LEGAL ORGAN

{C}

Approval of this item appoints the "Gwinnett Daily Post" as the City's Legal Organ for 2018. This resolution shall not be construed to prevent the City from utilizing a newspaper of general circulation within the City of Duluth or Gwinnett County when authorized to do so by state or local law.

5. RESOLUTION TO AUTHORIZE DEPOSITORIES AND CHECK SIGNING AUTHORITY

{D}

Approval of this item approves a resolution regarding check signing authority and depositories as per the Financial Policy.

6. ORDINANCE TO AMEND THE FY18 BUDGET - \$26,442 – ENGINEERING SERVICES

{E}

The City's in-house engineering services for capital projects are now performed by an outside consultant. The consultant's time is tracked by project and the cost is allocated to the individual capital projects as work is performed based on approved invoices. Prior approved SPLOST contingency funds for Parks and Recreation capital projects has been exhausted and additional funds are needed. Approval of this item authorizes a budget amendment to add \$26,442 in unallocated 2009 SPLOST to the SPLOST 2009 - Professional Services line item. These funds will be added to individual projects as invoices are approved.

7. ACCEPTANCE OF DONATION – ORDINANCE TO AMEND BUDGET – STATE OF CITY

{F}

The City of Duluth has received \$6,750 in donations from local business to support the Mayor's Annual State of the City Address to be delivered later this month at the Red Clay Music Foundry. Approval of this item accepts the donations and approves a corresponding budget amendment to add \$6,750 to the Public Information/Marketing - Public Information Administration - Employee/Council & Community Relations line item 100-1080-1570-531703.

8. ACCEPTANCE OF DONATION – \$775 – PARKS & RECREATION QUILT RAFFLE

Recently, the Parks and Recreation Department conducted a raffle for a beautiful hand-made quilt that raised \$775 for its Youth Scholarship Fund. Approval of this item accepts the donation which will be used to assist local youth with the cost of attending the Parks and Recreation's summer day camp program.

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

Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.

IV. PUBLIC HEARING

Mayor Harris opened the public hearing to consider an Ordinance of Special Use for Speedway, LLC – Case SU#2017-006.

1. ORDINANCE OF SPECIAL USE – SPEEDWAY, LLC – CASE SU#2017-006

The Mayor and Council considered a request (SU#2017-006) from Speedway, LLC for Special Use approval to operate a convenience store with fuel pumps on a +/- 1.98 acre property located at northeast corner of the Rogers Bridge Road and Buford Highway intersection, Duluth, Georgia 30096 (tax parcel 7201 002). The property is currently zoned Duluth HC-R (Highway Commercial Retail District) and will not change.

Planning Commission recommended denial of Case SU#2017-006 at the December 4, 2017 hearing. Staff recommends *Withdrawal without Prejudice* of Case SU#2017-006.

Mayor Harris called for discussion from Council. Councilmember Bomar explained that the initial proposal for a gas station type of establishment was not supported by the surrounding residences and not felt to be the best use of the site by the Planning Commission or Council. Council action of allowing the applicant to withdraw “without prejudice” affords them an opportunity to reapply for a more suitable project within a short amount of time.

Mayor called forward applicant. No comments were made.

Mayor called for questions/comments from the public. There being no further comments or questions, Mayor Harris closed the public hearing and called for a motion.

A motion was made by Council member Carden, seconded by Council member Bomar, to allow the applicant to withdraw Case #SU2017-006 without prejudice.

Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.

V. NEW BUSINESS

1. APPOINTMENT OF MAYOR PRO TEMPORE

Mayor Harris announced that the Charter of the City of Duluth states the Mayor Pro tempore will be selected by a majority vote at the first regular meeting of the Mayor and Council in each year. The Council shall elect a council member to serve as the Mayor Pro tempore. The Mayor Pro tempore shall assume the duties and powers of the Mayor during the Mayor’s disability or absence. Mayor Harris will provide her recommendation for the appointment of the 2018 Mayor Pro tempore.

A motion was made by Councilmember Carden, seconded by Councilmember Jones, to appoint Councilmember Greg Whitlock as Mayor Pro tem for 2018.

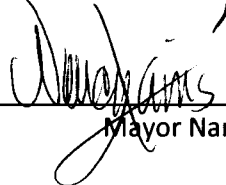
Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.

VI. ADJOURNMENT

A motion was made by Councilmember Bomar, seconded by Councilmember Kelkenberg, to adjourn at 7:16 p.m.

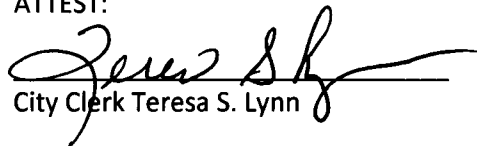
Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.

Approved this 12 day of February, 2018.



Mayor Nancy Harris

ATTEST:



City Clerk Teresa S. Lynn