



**MINUTES OF THE  
SPECIAL CALLED MEETING & WORK SESSION  
MAYOR AND COUNCIL  
CITY OF DULUTH, GA  
JANUARY 29, 2018**

**PRESENT:** Mayor Harris, Council members Bomar, Carden, Jones, Kelkenberg and Whitlock, City Manager, Department Directors, City Attorney, Finance Manager, Economic Development Manager, Public Info Manager, Event Coordinator

**ABSENT:** Council member Jones

Mayor Harris called the meeting to order at 5:30pm

**I. EXECUTIVE SESSION**

It was necessary to hold an executive session on real estate, personnel, and/or pending/potential litigation

**A motion was made by Councilmember Bomar, seconded by Councilmember Kelkenberg, to adjourn to executive session at 5:30 p.m.**

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

**After the discussion, a motion was made by Councilmember Whitlock, seconded by Councilmember Carden, to return to regular session at 5:45 p.m.**

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

**II. NEW BUSINESS**

**1. PURCHASE/SALE AGREEMENT – FAULKNER PROPERTY {A}**

The Mayor and Council considered a Purchase and Sale agreement between the City of Duluth and GLEN L. FAULKNER and ELIZABETH S. FAULKNER for the purchase of .167 acres of real property generally located on Ridgeway Road in downtown Duluth lying and being in Land Lot 293 & 294 of the 6th Land District, City of Duluth, Gwinnett County, Georgia.

**A motion was made by Councilmember Bomar, seconded by Councilmember Whitlock, to authorize the City of Duluth to enter into a Purchase and Sale Agreement with GLEN L. FAULKNER and ELIZABETH S. FAULKNER for the sale of approximately .167 acres of real property generally property generally located on Ridgeway Road in downtown Duluth lying and being in Land Lot 293 & 294 of the 6th Land District, City of Duluth, Gwinnett County, Georgia as presented for the amount of Eight thousand nine hundred and 00/100**

**DOLLARS (\$8,900.00), and to authorize the Mayor and City Attorney to take any and all steps necessary to effect the agreement.**

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

### III. ADJOURNMENT

A motion was made by Councilmember Kelkenberg, seconded by Councilmember Bomar, to adjourn at 5:48 pm.

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

**NOTES OF THE WORK SESSION  
MAYOR AND COUNCIL  
CITY OF DULUTH, GA  
JANUARY 29, 2018**

### I. PUBLIC COMMENTS

None received.

### II. PRESENTATIONS/UPDATES

1. 2018 EVENT CALENDAR {B}

Event Coordinator Madison Chucci presented event information from previous years and the proposed event calendar for 2018 for consideration and approval.

2. FACILITY ASSESSMENT UPDATE {C}

City Manager James Riker gave a progress report on general maintenance action identified in the recently completed facility assessment.

3. PLANNING & DEVELOPMENT UPDATES {D}

Planning Director Bill Aiken provided an update of land use cases and permits for the month of January.

### III. DISCUSSION ITEMS

1. BUNTEN PARK HVAC RECOMMENDATIONS

Eric Adami of Pond & Company and City employees came forward to report on the status of the Bunten Park HVAC system. The system has surpassed its operational performance life expectancy. Accordingly, staff issued a Request for Proposal (RFP) for replacement of the system. The RFP also included a bid option (1) for refurbishing all PIU (Power Induction Units) and VAV (Variable Air Volume) boxes in lieu of replacement. The City received four (4) proposals for the Bunten HVAC replacement project as follows:

Capital City Mechanical Services, Inc*:	\$368,900.00 replacement	\$349,000.00 option 1
<i>*(Proposal not valid -failure to submit complete required information)</i>		
MSI- Mechanical Services, Inc:	\$375, 500.00 replacement	\$357,000.00 option 1
Galgon HVAC & Mechanical Services, Inc:	\$399,892.00 replacement	\$359,628.00 option 1
1st Mechanical Services, Inc:	\$409,000.00 replacement	\$402,500.00 option 1

Staff recommends the project be awarded to MSI Mechanical Services, Inc. in the amount of \$375,500.00 for the project plus 10% contingency \$37,550.00 for a total not to exceed \$413,050.00 for the Bunten HVAC technology upgrade. Included in the proposed budget amendment will be an additional \$11,475 for construction administration for a total project budget of \$424,525.00. A budget amendment would be required.

*Staff was authorized to place award of bid and budget amendment on the next Council meeting agenda for authorization.*

## 2. STARTUP OF 2017 SPLOST PROJECTS

Planning Director Bill Aiken came forward to present. The City has entered into an Intergovernmental Agreement (IGA) with Gwinnett County for the design and construction of six transportation projects. The IGA has been executed, and the projects are ready to be populated with budget.

1. Main Street Multi-Use Trail
2. SR 120/George Rogers/DHS intersection (signal)
3. Rogers Bridge Road at Main Street intersection (signal vs. roundabout)
4. Pine Needle Intersection Relocation
5. Bunten Road Sidewalks
6. Western Gwinnett Bikeway (County Managed)

Staff has prepared preliminary estimates for budgets for projects 1-5 as listed and for the 2014 SPLOST project of SR 120 sidewalk from DHS to Hill Street. Actual budgets will be finalized after task orders have been negotiated and assigned to on-call design teams. Staff recommended moving forward into the negotiation of the design phase for projects 1-5 above and the SR 120 sidewalk project remaining from the 2014 SPLOST. After negotiation is complete, staff will then request budget amendments based on actual numbers.

*Staff was authorized to place this on the next Council agenda for approval.*

## 3. ORDINANCE TO AMEND DULUTH CODE CHAPTER 3-ALCOHOL

City Clerk Teresa Lynn explained the recent requests from a wholesaler and brewery to locate inside city limits, for which limited regulations were previously in place. City Attorney Stephen Pereira reviewed the ordinance and recommended changes, which were presented to the Alcohol Board on January 9, 2018. The only questions Board members raised were how the fees were determined. Mr. Pereira explained that the Wholesaler fees were set the same as retailers per Duluth Code Section 3-335. The fee for a Brewery for beer/malt beverages license was determined by the action it performs, ie: a brewery acts/operates as three separate functions; retail, consumption on and off premises, and manufacturing. The Board recommended approval of guidelines and fees.

City Attorney Pereira summarized the following amendments to the Duluth Code of Ordinances, Chapter 3 adding provisions and setting fees related to Brewers and for other purposes.

- Section 3-103 To add definition of Brewer in proper alphabetical order.
- Section 3-250(b) Pertaining to Retail sales of malt beverages and wine for consumption on premises for breweries
- Section 3-330 (new) Brewer/Brewery
- Section 3-204 Application; form; content; process; deposit
- Section 3-335 To set fees pertaining to licensing fees for breweries and wholesalers
- Section 3-240 To clarify that wholesalers are exempt from alcohol permitting/training

*The City Attorney was authorized to prepare amendment to the City's Alcohol Ordinance and to place on the next Council agenda for authorization.*

#### 4. ORDINANCE TO AMEND ELECTED OFFICIAL COMPENSATION

City Clerk Teresa Lynn came forward to explain the request. Section 2-27 of the Duluth Code of Ordinance defines the term "official city meeting" as any regularly scheduled or called meeting of the city council at which a quorum is present and any official meeting or training session of the National League of Cities or Georgia Municipal Association. Staff recommended an amendment to Section 2-27 of the Duluth Code by removing the verbiage "or training session of the National League of Cities" and replacing with "Gwinnett Municipal Association" meetings.

Further discussion on transitioning toward a flat salary-based method of compensation rather than including a "per meeting" element is forthcoming.

*The City Attorney was authorized to prepare an amendment and place on the February 12, 2018 Consent Agenda.*

#### 5. REQUEST FOR CONSIDERATION – GEORGE ROGERS LIGHTING

Planning Director Bill Aiken came forward to explain the request. The federally funded Hospital Connector Project, now known as George Rogers Avenue, is substantially complete and open to traffic. The project's scope did not include lighting. Staff reached out to Georgia Power to request several options for lighting that would be appropriate to the downtown location and functional to allow vehicles and pedestrians to use the facility any time of day.

Four options were developed by staff and priced by GA Power. They include:

1. Street Lighting/Cobra Heads Only	\$18,404 Down Plus	\$244.65 per month
2. Shepherd Crooks Only	\$111,010 Down Plus	223.30 per month
3. Post Tops Only	\$99,710 Down Plus	\$418.50 per month
4. Hybrid (Cobra + Post Tops)	\$48,519 Down Plus	\$265.35 per month

The George Rogers final Pay Application is not in yet, so staff does not know the exact number for the remaining budget that can be redirected to the lighting cost. However, it is estimated that of the \$1,772,000 construction budget, approximately \$85,000 remains, which can cover lighting, landscaping, and a decorative street sign at the roundabout.

Staff recommended Option 4 (Hybrid) as it offers aesthetics, lighting on both sides of the road, is consistent with other downtown lighting, and is within budget. Staff will check with the County to see if SPLOST can be used and also work with Georgia Power to see about staggering options on either side of the street for option 1 and review design options.

*This item will be brought back to Council once other options are available.*

## 6. REQUEST FOR PROPOSAL – ON CALL STREET SWEEPER

Planning Director Bill Aiken explained that per the City's MS-4 Permit, we are required to sweep the street annually. We also sweep them after major events. Staff coordinates the sweeps with those of the County to ensure the timing of them is staggered.

The City entered a contract in 2016 with Ambrose; they were the only bidder but they backed out of the contract before their first sweep. Staff immediately secured the previous sweeper as they agreed to honor their old rates, however, a contract was never formalized. Therefore, Staff recommended bidding this service again for a one-year term, renewable for two additional one-year terms, for a total potential term of 3 years, to assess the company's performance.

An RFP was presented for review. Staff anticipates procurement of a new contract to coincide with the fiscal year, and the first sweep would be after the July 3rd event. Budget is set aside in the Stormwater program and therefore no additional budget is requested.

*Staff was authorized to send the RFP and solicit bids for street sweeping as presented.*

## 7. MODIFICATION TO ORDINANCE – PUBLIC ART COMMISSION

City Manager James Riker came forward to explain the discussion. As part of a comprehensive review of the City's Boards and Commissions, staff is recommending some changes to the composition of the Duluth Public Art Commission.

*Staff was authorized to place this item on the next Council agenda for approval.*

## 8. RETIREMENT PLAN UPDATE

City Manager Riker explained the recommendation. Staff solicited the assistance of Southern Actuarial Services to evaluate the City's retirement program and provide a recommendation for ongoing contribution levels per the attached documentation. This information was presented to the Finance Committee in December 2017. Staff recommended reducing from 9% to 7% contribution level for the remainder of this budget year, with an evaluation prior to finalizing the FY19 contribution levels.

Councilmember Kelkenberg elaborated on the Finance Committee discussions and supported the recommendation.

*Staff was directed to modify contribution levels as discussed for the remainder of FY18 budget year.*

## IV. MATTERS FROM COUNCIL

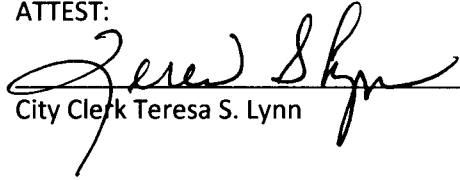
Councilmember Bomar was concerned about landscaping for George Rogers Avenue.

## V. ADJOURNMENT

Approved this 12 day of February, 2018.

  
\_\_\_\_\_  
Mayor Nancy Harris

ATTEST:

  
\_\_\_\_\_  
City Clerk Teresa S. Lynn

KM 1/21/18