



**DRAFT MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
MAY 13, 2019**

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.

Mayor Harris called the meeting to order at 6:25 p.m.

I. EXECUTIVE SESSION

It was necessary to hold an executive session on Real Estate, Pending/Potential Litigation, and/or Personnel.

A motion was made by Councilmember Bomar, seconded by Councilmember Whitlock, to adjourn to executive session at 6:25 p.m.

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

After the discussion, a motion was made by Councilmember Kelkenberg, seconded by Councilmember Bomar, to return to regular session at 6:55 p.m.

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

II. ANNOUNCEMENTS

1. AGENDA CHANGES (IF NECESSARY)
2. UPCOMING EVENTS – visit www.duluthga.net/events

Fridays-N-Duluth - May 3-August 23, 6-9pm & 6-10pm. Duluth Town Green & Parsons Alley

Indie Green Festival - Saturday, May 18, 11am-6pm. Duluth Town Green

Memorial Day Service - Saturday, May 25, 2pm-3pm. Red Clay Music Foundry

Block Party on Main - Friday, May 31 featuring "The Breakfast Club" (your favorite 80's tunes), 8pm-10pm.

Premium tables available, Duluth Town Green

Spring Fling - Saturday, June 1, 8am-2pm, Duluth Town Green

Flicks on the Bricks - Friday, June 7 featuring "Wonder." Dusk, Duluth Town Green

Summer Stage Concert - Saturday, June 8 featuring "The Petty Breakers" (Tom Petty Tribute Band), Ppm-10pm.
Premium tables available, Duluth Town Green

Block Party on Main - Friday, June 28 featuring "Full House" (your favorite 90's tunes), 8pm-10pm.
Premium tables are available, Duluth Town Green

Planning Director Bill Aiken expressed his gratitude to everyone who came out and supported Saturday's Cleanup Day in Chattahoochee Landing.

III. CEREMONIAL MATTERS

1. RECOGNITION OF 50TH ANNIVERSARY - MUNICIPAL CLERKS WEEK

The International Institute of Municipal Clerks, a professional non-profit association with members in the US, Canada, and 15 other countries, announced its 50th annual "Municipal Clerks Week" from May 5-May 11, 2019. Initiated in 1969 by IIMC and endorsed by all of its members, the week is a time of celebration and reflection on the importance of the Clerk's office and the vital services they provide for local government and the community. The Mayor and City Council expressed their appreciation to Teresa Lynn as she enters her 27th year as City Clerk with the City of Duluth.

2. APPRECIATION FOR DULUTH HIGH SCHOOL - THEATRE DEPARTMENT

The Duluth High School Theatre Department presented a free performance of "Godspell" on the Festival Center Stage on May 4, 2019 to round out Art Week activities. The City wishes to express appreciation for partnerships formed with local schools, and presented DHS Theatre Teacher Brandy Carter with a reimbursement of expenses in the amount of \$3,500 for the theatre program, to be paid from account 100-1080-1571-531800 (Special Events).

IV. CONSENT AGENDA

1. APPROVAL OF APRIL 8/22ND MINUTES

2. ORDINANCE TO AMEND 2019 COUNCIL MEETING DATES & TIMES {A}

Per Section 2.19 of the City Charter of the City of Duluth, approval of this item authorizes an ordinance (O-2019-12) changing the regularly scheduled Council meetings, to be held on the 2nd Monday of every month at 6:00 p.m. in the Duluth City Hall Council Chambers located at 3167 Main Street, Duluth, Georgia. Agenda review work sessions will be held at 5:30 p.m. before each regularly scheduled Council meeting in the Main Street Conference Room at City Hall. This change will take effect as of July 8, 2019 and for the remainder of the 2019 year. The schedule for monthly informal work sessions remains unchanged; they will be held at City Hall on the 4th and 5th Monday of every month (with the exception of May 27th and June 24th). Other work sessions/meetings may be duly called as needed and properly noticed.

3. AUTHORIZATION FOR INTERGOVERNMENTAL AGREEMENT – TAVT {B}

Approval of this item approves an Intergovernmental Agreement for the Allocation and Distribution of Proceeds from the Title Ad Valorem Tax (TAVT) between Gwinnett County, Georgia and the City of Duluth and authorizes Mayor Harris to execute the contract. The agreement has changed to reflect the new disbursement outlined in O.C.G.A. Sec. 48-5C-1(c)(3)(C). The distribution formula was changed by the legislature in 2018 to be effective July 1, 2019.

4. APPROVAL OF PLAN - TITLE VI OUTREACH COMPLIANCE PROGRAM UPDATE {C}

Each year, the City is required to renew its commitment to the Title VI compliance by signing a non-discrimination agreement and submitting a report describing the challenges, complaints, and accomplishments of the last fiscal year. Staff solicited input regarding goals of the next fiscal year at the last Council work session. Approval of this item provides consent of the goals for the next fiscal year and authorizes the City Engineer to submit the annual report as required by GDOT.

5. APPROVAL OF INSOLVENT LIST – AD VALOREM TAXES {D}

Per Chapter 2, Article 1, Sec 2- 4 of the Duluth Code, approval of this item grants insolvency status to property tax accounts determined to be uncollectible for years up through 2018 in the base amount of \$6,826.22 plus penalties and interest for a total of \$7,682.07. Accounts are considered insolvent only after every effort to collect them has been exhausted, which includes processing late notices, returned mail investigation, cross checks with the Gwinnett County's Tax Assessors' real and personal property tax files, City and County Occupational Tax records, including onsite visits by the Licensing Compliance inspector.

6. ORDINANCE TO AMEND THE FY19 BUDGET - \$12,469 – POLICE AUCTION {E}

Approval of this item authorizes an ordinance (BA-FY19-30) to amend the FY19 budget. Recently, three (3) police vehicles were sold at auction. After commission and fees, the City received \$12,469. In order to continue maintaining a vehicle fleet that is low maintenance and dependable, the Police Department is requesting that the \$12,469 be added to the Police Vehicles-Consolidated Vehicle Maintenance-Vehicles line item.

7. ORD TO AMEND FY19 BUDGET – \$200,000 - ROGERS BRIDGE IGA AMENDMENT NO 1 {F,G}

In July of 2018, the City requested additional funding from ARC to help complete the preconstruction documents for the Roger Bridge Project. In November of 2018, those funds were granted. The City requested \$200,000 which would be split as 80% Federal Funding (\$160,000) and 20% local match (\$40,000). The Georgia Department of Transportation (GDOT) recently executed the Project Framework Agreement (PFA) Amendment, adding the \$200,000 to our preconstruction budget.

The City needs to execute an Intergovernmental Agreement (IGA) Amendment with Johns Creek, Gwinnett County, and Fulton County to further split the match (\$40,000) into four equal parts. Each entity, including the City of Duluth, will be responsible for \$10,000 of the overall match. Once the IGA is approved, a budget amendment (BA-FY19-31) is required to add both the grant funds of \$160,000 and the matching funds of \$40,000 to the project. The City of Duluth's \$10,000 matching funds will come from unallocated 2014 Parks and Recreation SPLOST funds.

The proposed budget amendment will add the following revenues to the Rogers Bridge Road Project. \$160,000 in grant funds to the Federal Grant line item and \$40,000 in matching funds to each partner revenue line item. It will further add \$200,000 in expenditures to the Rogers Bridge Road - Park Areas - Bridges - Professional Services line item. Approval of this item approves the IGA and corresponding budget amendment as presented.

8. ACCEPTANCE OF DONATION – GOODWILL OF NORTH GA

Approval of this item accepts a \$1,000 donation as presented to the Duluth Public Arts Commission from Goodwill of North GA to be credited to the Public Art Acquisition Fund, account # 209-371005 (Donations).

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

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

V. PUBLIC HEARING

Mayor Harris opened the public hearing and called on City Manager James Riker to present.

1. FIRST HEARING – CONSIDERATION OF FISCAL YEAR 2020 BUDGET {H}

Per State Code of Georgia, the Mayor and Council to hold a public hearing in order to receive public comment on the proposed FY 2020 Annual Operating and Capital Projects Budget. Prior to this public hearing, staff and council reviewed the proposed FY 2020 budget in a budget workshop on May 6, 2019, which was open to the public.

City Manager James Riker came forward to present. He presented the strategic vision statements of the City and the proposed balanced FY 2020 operating budget of \$29,884,381 and a Capital (project length) budget of \$34,971,140. He noted the operating budget comparison from FY2019 and FY2020 and most importantly, reliance on prior year reserves to balance budget has steadily decreased.

Mr. Riker reported a snapshot of the finances as of April 24, 2019. He summarized revenue percentages, of which property taxes comprise the most; salaries and benefits make up the majority of expenditures. The proposed budget anticipates the tax millage rate remaining at 6.551.

Mr. Riker also reported that Stormwater fees are under review for this year. Other considerations for FY2020 are Tax Allocation District funding and Downtown Development Authority activity. Facilities analysis is still underway, and camera speed enforcement is also being considered.

The ordinance adopting the FY 2020 budget will be presented for consideration on Monday, June 10, 2019 at a regularly scheduled meeting of the Mayor and Council.

Mayor Harris called for questions or comments from Council and the public. Being none, Mayor Harris closed the public hearing.

No motion was necessary.

VI. NEW BUSINESS

1. BID AWARD – CENTURION HILLS STORMWATER PROJECT {I}

The Mayor and Council considered awarding a bid for a Storm Drain Replacement Project at Romulus Drive and Augustus Drive. The existing storm drains are corrugated metal pipe (CMP) at this roadway intersection, which have significantly corroded and require replacement. The contractor will replace the existing storm drainpipes and structures at this intersection using reinforced concrete pipe (RCP) with funding from the Stormwater budget.

On April 22, 2019, the Department of Planning and Development received bid packages from six (6) contractors. The list of contractors and their bid amount for the project are as follows:

A1 Contracting	\$224,870.00
A&S Paving, Inc.	\$183,480.00
Ohmshiv Construction	\$150,078.00
Precise Development Group, Inc.	\$149,950.00
The Dickerson Group, Inc.	\$129,316.50
Southern Premier Contractors, Inc.	\$ 81,890.00

After reviewing bid packages and contacting references, staff recommended entering into contract with the low bidder, Southern Premier. Southern Premier is a local company and is currently on the City's on-call list. Mr. Aiken also noted that a notice to proceed will be issued and Southern Premier indicated that they would begin the project after Memorial Day.

Councilmember Whitlock commented on the coordination between the Planning Dept. and Public Works and thanked them for working together for repairs/paving.

A motion was made by Councilmember Kelkenberg, seconded by Councilmember Jones to approve the bid award to Southern Premier Contractors, Inc. in an amount not to exceed \$81,890 for the Centurion Hills Stormwater Project.

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

VII. MATTERS FROM CITY MANAGER

Mr. Riker asked Planning Director Bill Aiken to report on the hotel project. Mr. Aiken reported that the civil plans have been reviewed and approved, and mobilization will begin on site Wednesday.

Mr. Aiken also announced that an Open House will be held on Tuesday, June 11th at City Hall from 4:30- 6:30 to receive comments on the Main Street Trail project.

VIII. ADJOURNMENT

A motion was made by Councilmember Bomar, seconded by Councilmember Carden, to adjourn at 7:35 pm.

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

The next scheduled meeting of the Mayor and Council is on June 10, 2018 at 7:00 p.m.