



**WORK SESSION OF THE  
MAYOR AND COUNCIL  
CITY OF DULUTH, GA  
AUGUST 27, 2018**

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

**ABSENT:** Councilmember Kelkenberg

**Mayor Harris called the work session to order at 5:30.**

**I. PUBLIC COMMENTS**

No public comments submitted.

Mayor Harris thanked Planning Staff for hosting a very successful Comprehensive Planning meeting.

**II. PRESENTATIONS/UPDATES**

**1. GLASS RECYCLING OPTIONS**

{A}

Staff and Monica Moseley with Republic Services provided a presentation regarding options and costs/rebates for glass recycling.

The Mayor and Council authorized the City Manager to begin the process of setting up a pilot recycling program at the City Maintenance Facility, and to place a short term contract agreement on the Council agenda to provide this service.

**2. DPAC FINANCIAL/PROJECT UPDATE**

{B}

As required by municipal code section 2-272(e), the Duluth Public Art Commission presented an annual report with detailed accounting of Performing Art and Acquisition Fund (PAAF) monies raised and spent and/or earmarked for future expenditures.

Finance Manager Ken Sakmar provided an update on the financial status of the Commission, highlighting revenues, expenditures and fund balances. Deputy City Clerk/Staff liaison Kristin McGregor provided an update on the continuing projects, proposed projects, and community initiatives.

Councilmember Whitlock wanted to ensure that the location of the willow oak sculpture project would not be too close to Ascension for safety reasons as well as shifting the focus of the roundabout.

Councilmember Jones agreed to serve on the sub-committee for the Red Clay Theatre Window project.

### 3. RENTAL HOUSING – SINGLE FAMILY ZONING

Planning Director Bill Aiken gave a presentation to the Mayor and Council detailing regulations for rental housing in single-family zoning districts in the City of Duluth.

Staff pointed out that approximately 1,237 or 16% of the homes in single family neighborhoods are renter occupied.

The old zoning ordinance definition reflected that a dwelling unit described as a room or suite of two (2) or more rooms that is designed for the occupancy, cooking and sleeping of one or more persons living as a family and “family” was defined as one or more persons occupying a single dwelling unit provided that, all members are related by blood, marriage or adoption. No such family shall contain over three unrelated persons. The term “family” does not include any organization or institutional group.

The Unified Development Code describes the dwelling unit as a room or suite of two or more rooms that is designed for the occupancy, cooking, and sleeping of one or more than one person living as a single household. Family described as “one or more persons occupying a dwelling unit and living as a single household, as distinguished from persons occupying a boarding house or motel, as herein defined. The UDC added a definition of Household

Mr. Aiken explained the types of rental in a single family neighborhood, which are typically one of four scenarios.

1. Owner rents entire home to a single household or family.
2. A portion of an owner occupied home is rented out.
3. Multiple rooms are rented out to individuals.
4. Short term rentals (VRBO, Airbnb, etc.)

He explained each scenario and when/if each would be allowable under current regulations, and questioned whether any proposed Unified Development Code (UDC) changes are necessary.

1. Is the City adequately regulating rental housing in single family neighborhoods?
2. Should we define Long Term vs Short Term Occupancy?
3. Should staff research and propose new definition of Household and Family?

*Council directed staff to prepare amendments to UDC to be less restrictive in family definitions for single family dwellings but be more protective of property and bring back before Council.*

### 4. TREE REMOVAL PERMIT

Senior Planner Dan Robinson came forward and outlined current regulations for tree removal in the City of Duluth. Single family homes must maintain 20% of “plantable” area to be covered with trees. “Plantable” area is defined as the lot area minus impervious surfaces.

For new homes, building permits are issued when this ratio is met. For existing homes, the City does not require a permit for removing trees, which could result in a disruption of this ratio. Mr. Robinson reported how other jurisdictions regulate the removal of trees from single-family properties.

Staff requested input on current regulations and if any proposed Unified Development Code (UDC) changes are necessary.

Councilmember Carden said he would follow up with the people who lodged the complaints to investigate further. Complaints should be directed to staff for handling.

*Council directed staff to leave the UDC unchanged at this time.*

## 5. CAPITAL IMPROVEMENT PROJECT UPDATE

{C}

City Engineer Margie Pozin presented an update on the status of current capital improvement projects. She discussed:

- George Rogers Avenue
- Buford Highway/Pleasant Hill Interchange
- SR 120 Phases I and II
- Rogers Bridge
- Davenport Road
- Main Street trail
- SR 120 at George Rogers/DHS signal
- Main Street at Rogers Bridge Road
- Pine Needle at SR 120 intersection
- Bunten Road sidewalks (stop at park entrance)
- IGA SPLOST project prioritization
- Willbrooke Trail

Council held a discussion with staff on a proposed lease agreement between the City and Pure Taqueria to extend the Main Street corner patio/public gathering area at a proposed cost of approximately \$55,000. Ms. Pozin pointed out that a change order to the contract would be required.

*No decision was made. Staff will bring back to Council.*

## 6. POLICE DEPARTMENT UPDATE

{D}

Police Chief Randy Belcher updated the Mayor and Council on the status of current projects and programs initiated by the Police Department.

## 7. DOWNTOWN DEVELOPMENT AUTHORITY UPDATE

{E}

Economic Development William Corbin provided a presentation to the Mayor and Council detailing several initiatives planned by the City of Duluth Downtown Development Authority (DDA).

*Staff was directed to continue with Branding and Awareness initiative and begin advertising for the Rideshare promotion for Thursday's in Duluth from September 20 until November 8 as presented.*

### III. DISCUSSION ITEMS

#### 1. GWINNETT COUNTY BUS DONATION

Gwinnett County has donated a retired transit bus to the City of Duluth for display to the general public. Accordingly, the City would like to extend a similar courtesy to the Southeastern Railway Museum and allow the bus to be placed for public display at the museum.

*Staff was authorized to execute a bill of sale and agreement with SERR to be placed on a future consent agenda.*

## 2. TRANSFER OF RAILROAD STREET

The City Attorney provided an update on the transfer of Railroad Street to McDaniel Enterprises, Inc. consistent with past agreements.

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

## IV. MATTERS FROM DEPARTMENT DIRECTORS

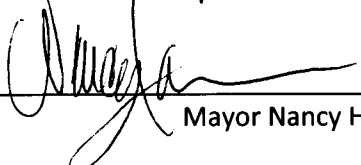
1. Truck and Tap – Easement required to place transformer on City property

*Staff to place on the next Mayor and Council agenda under consent authorizing execution of easement to allow Georgia Power install transformer.*

2. Future Rezoning: Providence Group Z#2018-001 4.3 acres, 47 townhomes proposed. Planning Commission denied on August 6, 2018 scheduled to come before the M&C September 10.
3. Influencers Church Case Z#2018-003: 11.21 acres being proposed to be rezoned from PUD to O-N to allow for church. Scheduled to go before the Planning Commission September 17, 2018 and to the Mayor and Council October 8.

## V. ADJOURNMENT

Approved this 10th day of September, 2018.

  
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Mayor Nancy Harris

ATTEST:

  
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Deputy City Clerk Kristin McGregor