



**WORK SESSION AGENDA  
MAYOR AND COUNCIL  
CITY OF DULUTH, GA  
COMMUNITY ROOM  
FEBRUARY 27, 2012  
5:30 p.m.**

**1. MUTUAL AID AGREEMENT**

HISTORY:

In light of the recent signing of the SDS agreement, the Gwinnett Association of Chiefs of Police recommend that a Mutual Aid Agreement be signed by the current seated Mayors and current appointed Chiefs of Police. The content of the agreement has not changed since the 2009 contract was signed.

IMPACT TO BUDGET: \$0

**2. DOWNTOWN PROPERTY DISPOSITION**

Staff and Council will set a date to hold a joint meeting with DDA to discuss disposition of the buildings on the old City Hall block on March 20<sup>th</sup>.

**3. NEW ORDINANCE/ALCOHOL AWARENESS TRAINING**

HISTORY: In March of 2010 Mayor and Council adopted new training requirements for applicants seeking a license for the sale of alcohol in the City of Duluth. A non-profit group called GUIDE assisted the City in setting up the training program and currently is the exclusive group providing training to license applicants. A second training group which operates as a for-profit organization and provides training to other jurisdictions has requested that it too be authorized by the City to provide the required training.

SUMMARY OF REQUEST: In light of this request the City Manager, City Clerk and City Attorney believe it would be wise to set out how training groups will be authorized and what criteria should be used to select training groups. The attached ordinance seeks to clarify the selection process and criteria.

IMPACT TO BUDGET: \$0

**4. WYNNEWOOD LANE STORMWATER BID**

HISTORY: After receiving a phone call from a property owner at 3423 Wynnewood Lane (Gilley) about the drainage swale adjacent to her driveway eroding, planning staff visited the site to determine what was causing the extreme erosion. The retaining wall adjacent to her driveway had collapsed and the erosion was undermining her driveway.

In December, 2011, staff from the planning and public works department met at the site to discuss options of clearing out the debris and exposing the pipe to get a better understanding of the situation. After the public works crew had cleared away the debris and unburied the pipe, we noted that the pipe has collapsed and corroded. While at the site, we attempted to see if any of the structures upstream were visible. We had difficulty locating the catch basin across the street along the property line between of 3422 Wynnewood Lane (Graham) and a lot owned by the City of Duluth. While one of the workers was using his shovel, he fell through the ground; there was a large void adjacent to the pipe. The pipe did not appear to be broken, however; the catch basin had been modified improperly with the addition of several 6" drains. The structure appeared to have not been grouted after the work took place. We took several photos of the area. The contractor from Georgia Development Partners (GDP) working in the area offered to clear some of the soil away so that we could get a better indication of the condition of the pipes.

On January 4, 2012, staff observed that several pipes had been connected to the storm drain line and the condition of the pipes was much worse than we originally thought, the pipe was completely corroded and there was no bottom remaining.

On January 12, 2012, staff received an email from the contractor that the line that is coming into the storm drain might be sewage based on the smell and color. After documentation with photos, staff contacted the Health Department to inquire about the process to determine if the line was indeed sewage.

January 20, 2012, staff researched septic field location maps in the area and called the Health Department back to ask if they could come out to look at the situation to make a determination. Staff received a determination from the Health Department that the runoff was sewage and that they are currently working with the adjacent homeowner to complete the repairs.

As a starting point for a solution, staff asked GDP to provide an estimate to rebuild the storm drain system adjacent to both properties and to and rebuild the driveway at 3423 Wynnewood Lane. This initial estimate was \$45,000 for the storm drain replacement project to correct the failing pipe and erosion on private property.

Because of this amount and the need to competitively bid the project, staff issued an RFP on February 8, 2012. The mandatory pre-bid meeting, held on February 17, 2012 at the site on Wynnewood Lane, and attracted a total of nine (9) potential bidders. Responses to the RFP are due on March 9, 2012. Staff is requesting review of this item at this work session so that the winning bid may be presented for approval at the March 12, 2012 City Council meeting. The sewage issue must be taken care of first; however, we do not want to delay the storm drain project any longer.

Staff has estimated that the bids should be estimated around \$50,000. If the bids are much higher than this number, we will remove it from the City Council agenda and bring it back to the March Work Session for further discussion.

**IMPACT TO BUDGET:** Maximum of \$50,000. Funding for this project is available in the Stormwater Utility Fund.

## 5. RED CLAY THEATER ROOF REPLACEMENT BID

**HISTORY:** In 2011, Staff received several estimates for the repair and replacement of the roof at the Red Clay Theater. Due to the wide variations in the materials, quantities and bid amounts, staff was asked to competitively bid the project. An RFP was issued on February 13, 2012. The mandatory pre-bid meeting held on February 21, 2012 at the Red Clay Theater attracted a total of eight (8) potential bidders. Responses to the RFP are due on March 9, 2012. Staff is requesting review of this item at this work session so that the winning bid may be presented for approval at the March 12, 2012 City Council meeting. Staff has estimated that the bids should be approximately \$35,000.

**IMPACT TO BUDGET:** Maximum \$35,000. Funds for the replacement of the Red Clay Theater roof project will be paid first from a 2009 insurance claim paid by FEMA and GEMA for storm damage to the roof. This claim totals \$30,233.88. If the selected bid is greater than this amount, the remainder will be funded using a portion of the proceeds of the land sale on Main Street

## 6. BUFORD HIGHWAY MEDIANS

**HISTORY:** The City was awarded a Transportation Enhancement (TE) Grant in the amount of \$300,000 in 2009 and second TE grant in the amount \$150,000 in 2011. These grants will be used to complete the Buford Highway Medians project that includes landscaping, hardscaping and a new raised median from SR 120 to Davenport Road. The City has contracted with Kimley-Horn and Associates to complete the Concept Report for the project. The Concept Report and Plan are ready for submission to GDOT for approval. Staff is presenting this plan for Mayor and City Council review prior to submittal to GDOT. Once we have an approved Concept Report and Plan, these documents will control the project that is ultimately constructed. Since there is no public open house for TE projects, this is an opportunity to review the plans and provide any comments.

**IMPACT TO BUDGET:** There will be no immediate impact to the budget. Matching funds for the two (2) Transportation Enhancement (TE) Grants have previously been budgeted through the 2005 and 2009 SPLOST.

## 7. HILL COMMUNITY CHARACTER AREA PLAN

**HISTORY:** The Hill Community is an established mostly residential neighborhood featuring some structures dating back to as far as 1878. The Duluth 2030 Comprehensive Plan divided the City into Character Areas. The Hill Community Neighborhood is identified in this document as being one of the Duluth's Targeted Community Development Character Areas and is the first small area and neighborhood planning effort. The purpose of the neighborhood plan is to establish a document upon which the community will grow, develop and improve in the coming years.

The plan was developed by staff and is the result of a series of well-attended community workshop meetings. The Planning Commission has reviewed the document and has recommended adoption of the Hill Community Character Area Plan.

**IMPACT TO BUDGET:** There will be no immediate impact to the budget. Future implementation of any projects identified in the Plan will be brought forward for discussion and approval.

## 8. SR 120 REALIGNMENT PROJECT OPTIONS

***HISTORY:*** At the August, 2011 Council Work Session, staff provided a capital project update that included the current status of the SR120 realignment project. This project reached a major milestone with the approval of the Concept Report by Georgia DOT. Staff has been working on putting together options for completing the project. These options are provided as a starting point for a strategic discussion by the Mayor and City Council.

### **Option 1 – Continue with both Federal Grants (CMAQ and Gateway)**

\$4,400,000 Total Project Costs  
\$990,000 Grants  
\$1,500,000 County SPLOST (2001)  
\$527,000 City SPLOST budgeted (2005 and 2009)  
\$1,300,000 additional local funds needed

Schedule: CE Approved – Winter, 2013  
Begin ROW – Winter, 2013  
Finish ROW – Spring, 2015  
Let Construction – Fall, 2015

### **Option 2A – Local Project only with no design changes (Use no Federal Grants)**

\$3,700,000 Total Project Cost  
\$1,500,000 County SPLOST (2001)  
\$527,000 City SPLOST budgeted (2005 and 2009)  
\$1,673,000 addition local funds needed

Schedule: Submit Encroachment Permit to GDOT– Fall, 2012  
Proceed with Bidding/Construction – Spring, 2013

### **Option 2B– Local Project with a reduced scope (Use no Federal Grants)**

\$3,200,000 Total Project Cost  
\$1,500,000 County SPLOST (2001)  
\$527,000 City SPLOST budgeted (2005 and 2009)  
\$1,173,000 local funds needed

Schedule: Submit Encroachment Permit – June, 2012  
Proceed with Bidding/Construction – Spring, 2013

The potential reduction in local project expenses is due to the reduced engineering fees for an encroachment permit vs. full GDOT Project development Process (PDP), the removal of railroad negotiations through GDOT, removal of a portion of the utility costs required by GDOT, ROW being purchased locally and removal of the new and more stringent MS4 stormwater requirements.

If Option 2A or 2B is selected, Staff will schedule a meeting with Georgia Department of Transportation for concurrence with returning the Federal Grants and obtaining their approval. This schedule anticipates that the Mayor and Council will consider approval of this direction and timeline at the March 12, 2012 City Council Meeting.

**IMPACT TO BUDGET:** Depends on which option is selected. At this stage, all costs provided above are approximate for planning purposes.

## 9. ROGERS BRIDGE DOG PARK BUDGET

**HISTORY:** Expenditures for the Chattahoochee Dog Park have exceeded the original budget. Through project management, many of the items have been negotiated, exchanged for credits and otherwise brought in line with the project budget. However, despite these efforts, several additional expenditures have resulted;

Additional design fee for the engineered fountain design	\$9,500.00
Georgia Power charged the City of Duluth to place a power pole and meter	\$877.00
Design firm overrun on reimbursable expenses in the amount	\$450.00
Construction change orders:	\$18,931.32
Change Order #1 =	\$11,935.91 for additional water meter and associated lines
Change Order #2 =	\$3,837.31 for addition of header curb around parking spaces, filter fabric under gravel and rock swale in drainage areas
Change Order #3=	\$3,158.75 for additional pipe to drainage swale area
Potential Change Order #4 – Bottom Fence rail on small dog park	\$5000.00

The total of these cost overruns on this project are \$34,758.32. Applying the contingency funds that were built into the project budget, the total project shortage is \$19,800.00. We are proposing that the funds come from a residual balance in the Roger's Bridge Trail project that was unspent, this amount is \$6,996.06.

**IMPACT TO BUDGET:** The additional \$12,803.94 will come from the Roger's Bridge Park overall unallocated SPLOST funds.

## 10. RED CLAY FINANCIAL REPORT

Staff to report on the Red Clay operations from December 2011 through February 2012.

**SPECIAL CALLED MEETING  
MAYOR AND COUNCIL  
CITY OF DULUTH, GA  
COMMUNITY ROOM  
FEBRUARY 27, 2012**

**Mayor - Call to order**

**I. EXECUTIVE SESSION**

It will be necessary to hold an executive session on Real Estate, Pending/Potential Litigation, Personnel.

**II. ADJOURNMENT**

*THE NEXT REGULARLY SCHEDULED MEETING OF THE MAYOR AND COUNCIL IS SET FOR MARCH 12<sup>TH</sup>*

AS SET FORTH IN THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1992, THE CITY OF DULUTH GOVERNMENT DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN THE ADMISSION OR ACCESS TO OR TREATMENT OF EMPLOYMENT IN ITS PROGRAMS OR ACTIVITIES. THE CITY OF DULUTH PLANNING AND DEVELOPMENT DEPARTMENT HAS BEEN DESIGNATED TO COORDINATE COMPLIANCE WITH THE NON-DISCRIMINATION REQUIREMENTS CONTAINED IN SECTION 35.107 OF THE DEPARTMENT OF JUSTICE REGULATIONS. INFORMATION CONCERNING THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, AND THE RIGHTS PROVIDED THEREUNDER, ARE AVAILABLE FROM THE ADA COORDINATOR.

THE CITY OF DULUTH GOVERNMENT WILL ASSIST CITIZENS WITH SPECIAL NEEDS GIVEN PROPER NOTICE (SEVEN WORKING DAYS). ANY REQUESTS FOR REASONABLE ACCOMMODATIONS REQUIRED BY INDIVIDUALS TO FULLY PARTICIPATE IN ANY OPEN MEETING, PROGRAM, OR ACTIVITY OF THE CITY OF DULUTH GOVERNMENT SHOULD BE DIRECTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT, 3167 MAIN STREET, DULUTH, GA. 30096, TELEPHONE NUMBER (770) 476-1790.