



**MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
MARCH 14, 2022**

PRESENT: Mayor Harris, Council members Harkness, Thomas, Doss, Graeder, 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 announced the addition of the lease agreement of the Festival Center previously discussed at the February 28 work session under "Matters from Department Heads."

Mayor Harris called the meeting to order at 5:35 p.m.

I. EXECUTIVE SESSION

It was necessary to hold an executive session on Real Estate, Pending/Potential Litigation, or Personnel, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

A motion was made by Councilmember Whitlock, seconded by Councilmember Thomas, to adjourn to executive session at 5:35 p.m., for the purpose to discuss Real Estate, Pending/Potential Litigation, or Personnel.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

After the discussion, a motion was made by Councilmember Whitlock, seconded by Councilmember Harkness, to return to regular session at 6:00 p.m.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

Mayor Harris called for a Moment of Silence, followed by the Pledge of Allegiance.

II. ANNOUNCEMENTS

1. AGENDA CHANGES

Added item #2 under "Matters from Dept. Heads" - Authorization for Lease Agreement – Duluth Festival Center

2. UPCOMING EVENTS – www.duluthga.net/events

Little Beer Festival, Saturday, April 9, 12:00-5:00pm.

Parsons Alley/Town Green

Good Word Brewing is partnering with the City of Duluth to celebrate lower gravity beer in Downtown Duluth on Saturday, April 9.

Farmers & Artisan Market

Sunday, April 10 (and every 2nd Sun/Month), 2:00-6:00pm. Town Green

Featuring vendors who bring in-season, local produce, baked goods and other locally made food products.

Duluth Spring Arts Festival, April 29 & 1, 2022.

Saturday: 10am-5pm, Sunday: 11am-5pm. Town Green

The Duluth Arts Festival features up to 60 painters, photographers, sculptors, leather and metalwork, glass blowers, jewelers, and crafters! Offering artist demonstrations, live acoustic music, a children's play area, plus festival foods and beverages.

Duluth Easter Egg Hunt – April 16th 10am. Bunten Road Park.

III. MATTERS FROM CITIZENS

No matters brought forth.

IV. CONSENT AGENDA

1. APPROVAL OF FEBRUARY 14 AND 28 MINUTES

2. ORDINANCE TO APPOINT ALCOHOL REVIEW BOARD

{A}

Approval of this item approves ordinance O2022-09 appointing Demetrius Nelson and Michael Ashley and reappointing Joy Thompson and Rod Parris to the Alcohol Review Board with terms expiring March 31, 2026.

3. ORDINANCE TO APPOINT DOWNTOWN DEVELOPMENT AUTHORITY

{B}

Approval of this item approves ordinance O2022-10 appointing Tammy Lopez and reappointing Robb Watson, Ken Odum, and Fred Butler to the Downtown Development Authority with terms expiring March 31, 2026.

4. ORDINANCE TO APPOINT PUBLIC ARTS COMMISSION {C}

Approval of this item approves ordinance O2022-11 appointing Dr. Augustine Emmanuel and Sheila Harmony to the Duluth Public Arts Commission with terms expiring March 31, 2026.

5. ORDINANCE TO APPOINT EMPLOYEE BENEFITS COMMITTEE {D}

Approval of this item approves ordinance O2022-12 appointing Sharee Smith, Michael Park, Carla Montgomery and Helen Boyce and reappointing John Howard to the Employee Benefits and Audit Review Committee with terms expiring March 31, 2026.

6. ORDINANCE TO APPOINT ETHICS COMMITTEE MEMBERS {E}

Approval of this item approves ordinance O2022-13 appointing Nate Benard, Kyle Drake, Lana Tolbert, and Sarah Park, and reappointing Ann Tiberghien, Jean Harrivel, Alexis Server, Brett Duke, and Chip Sweney to the Ethics Committee with terms as stated.

7. ORDINANCE TO APPOINT JUDGES – MUNICIPAL COURT {F}

Per OCGA 36-32-2, municipal court judges are to be appointed for a term of not less than one year. Approval of this item approves ordinance O2022-14 reappointing Charles Barrett, Margaret Washburn, Claude Mason, and Chung Hun Lee as Duluth Municipal Court Judges until March 31, 2023.

8. ORDINANCE TO APPOINT PARSONS ALLEY DESIGN REVIEW {G}

Approval of this item approves ordinance O2022-15 appointing Ray Williams and Ken Odum and reappointing Greg Whitlock, Nancy Harris, Betsy McAtee, and Ryan Skinner to the Parsons Alley Design Review Committee with terms as stated.

9. ORDINANCE TO APPOINT PLANNING COMMISSION {H}

Approval of this item approves ordinance O2022-16 appointing Scott Perkins and Shenee Holloway, and reappointing Alana Moss to the Planning Commission.

10. ORDINANCE TO APPOINT ZONING BOARD OF APPEALS {I}

Approval of this item approves ordinance O2022-17 appointing Robert Pennington and William Latta, and reappointing Ken Wilson to the Zoning Board of Appeals.

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

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

V. NEW BUSINESS

1. RESOLUTION – CHIEF OF DULUTH POLICE DEPARTMENT

{J}

As previously discussed after Chief Belcher announced his upcoming retirement, the Mayor and Council considered approving resolution R2022-04 appointing Colonel Jacquelyn Carruth as Chief of the Duluth Police Department, effective July 22, 2022.

A motion was made by Councilmember Whitlock, seconded by Councilmember Doss to approve resolution R2022-04 as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

2. AUTHORIZATION FOR AGREEMENT – PINE NEEDLE IGA

{K}

A portion of Pine Needle Drive resides in unincorporated Gwinnett County, outside the Duluth City Limit. As part of project CD-73, once the City constructs the cul-de-sac, the County will no longer have direct access to that section of roadway and therefore the City will need to maintain it. The Mayor and Council considered approval of an inter-governmental agreement (IGA), which specifies the details of this maintenance agreement and has been approved by the City Attorney.

A motion was made by Councilmember Doss, seconded by Councilmember Harkness, to approve the IGA with Gwinnett County and authorize the Mayor to execute the agreement.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

3. AUTHORIZATION FOR CONTRACT – ROGERS BRIDGE ART PROJECT

{L}

As discussed at the February 28 Work Session, the Duluth Public Arts Commission (DPAC) recommends authorizing a contract with Phil Proctor of Nucleus Sculpture Studio for the construction of the Rogers Bridge Park art project entitled "Composition 1." The project funding of \$100,000 will come from the DPAC PAAF funds, account 209-111111.

A motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to approve awarding the contract for the Rogers Bridge art project to Nucleus Sculpture Studio and further authorize the City Manager to execute a City-Attorney approved contract and furthermore approve any associated expenditures as budgeted for required sitework.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

VI. MATTERS FROM DEPT HEADS/CITY ATTORNEY

1. ORDINANCE TO AMEND BUDGET - \$19,252 - POLICE VEHICLES

{M}

The Police Department recently sold three vehicles at auction; after commission and fees they received \$19,252. To continue maintaining a vehicle fleet that is low maintenance and dependable, the Police Department has requested that \$19,252 be added to the Police - Consolidated Vehicle Maintenance Division - Vehicles line item. The Mayor and Council considered ordinance BA-FY22-33 to amend the FY22 budget as presented.

A motion was made by Councilmember Graeder, seconded by Councilmember Doss, to approve the ordinance to amend the FY22 budget as presented.

**Voted For: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

2. AUTHORIZATION FOR LEASE AGREEMENT – DULUTH FESTIVAL CENTER

{N}

As discussed at the February 28 work session, the Mayor and Council considered approving a temporary lease agreement between the City and The Management Group, LLC for the Park Side Suite of the Duluth Festival Center beginning March 15, 2022 for \$1,200 per month. The City retains the right to use the space as a "green room" for artists performing on the Festival Center stage throughout event season. Although it is a month-to-month lease, anticipated timeframe is until the leasing office is open at SODO.

Councilmember Harkness recused himself from discussion/vote due to his involvement with the Management Group.

A motion was made by Councilmember Thomas, seconded by Councilmember Whitlock, to approve the lease agreement as presented.

**Voted For: Council members: Thomas, Doss, Graeder, and Whitlock
Those abstaining: Councilmember Harkness
Motion carried.**

VII. MATTERS FROM COUNCIL

- Praise for new Duluth Life Magazine
- Strategic Conference productive
- Sunday afternoon farmers market well received
- Compliments for new Taylor Park Playground

VIII. MATTERS FROM CITY MANAGER

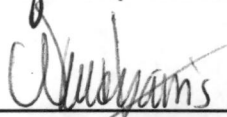
- Construction of the Paver Lot is underway; signs will be posted soon
- Courtyard Marriott Hotel is pleased with their occupancy rate

IX. ADJOURNMENT

A motion was made by Councilmember Whitlock, seconded by Councilmember Harkness, to adjourn at 6:20 pm.

**Voting for: Council members Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.**

Approved this 11 day of April, 2022.



Mayor Nancy Harris

ATTEST:



Asst. City Mgr/City Clerk, Teresa Lynn