



**MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
JULY 11, 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.

I. EXECUTIVE SESSION

Mayor Harris called the meeting to order at 5:40 p.m. and called for a motion to enter 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 5:40 p.m.

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

Councilmember Doss entered the executive session at 5:43 p.m.

After the discussion, a motion was made by Councilmember Graeder, seconded by Councilmember Whitlock, to return to regular session at 5:58 p.m.

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

Mayor Harris called for a moment of silence followed by Pledge of Allegiance.

II. ANNOUNCEMENTS

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

Fridays-N-Duluth every Friday May -September, 6pm-9pm. Town Green/Parsons Alley.

Duluth Farmers & Artisan Market every 2nd Sunday of the month, 2:00-6:00pm. Town Green and Parsons Alley.

Connect Duluth, July 19, 6:30pm. Connect Duluth offers you the unique opportunity to sit in the comfort of your own home and talk to your elected officials about the topics that interest you most.

Summer Stage Concert, July 23, 8 pm. The Evolution of Pop is coming to Town Green.

Bubblepalooza, July 27, 11am.

III. MATTERS FROM CITIZENS

Lidia Apel of 3332 Dogwood Lane, Duluth came forward to request help in damage to her property due to stormwater runoff when the fire station was built on the corner of Old Peachtree and Bunten Road. Staff will continue to work with Gwinnett County and keep the Mayor and Council updated on progress.

IV. CONSENT AGENDA

1. APPROVAL OF JUNE 13, 2022 MINUTES

2. ORDINANCE TO INCREASE MILEAGE REIMBURSEMENT {A}

The Internal Revenue Service recently announced an increase in the optional standard mileage rate for the final 6 months of 2022 in recognition of recent gasoline price increases. Accordingly, approval of this item approves ordinance O2022-23 setting the standard mileage rate for City of Duluth business travel at 62.5 cents per mile, effective July 1, 2022.

3. ASSIGNMENT OF CONTRACT – WOLVERTON TO CHA CONSULTING {B}

In 2019, Wolverton and Associates was acquired by CHA Consulting. As such, their contracts need to be assigned to the new company name. Wolverton currently has one active contract with the City of Duluth, for preconstruction services for the Main Street Enhanced Sidewalk.

The contract has an Assignment Clause allowing the contract to be assigned to the new company providing the City approves that change. As the same staff will be working on the same scope of work from the same office, staff has no objection to the reassignment of the contracts from Wolverton to CHA. Staff is asking for Council approval to allow the Mayor or City Manager to sign off on the attached reassignment document allowing Wolverton (now CHA) to continue their work for the City under this contract.

4. ORDINANCE TO AMEND DULUTH CODE – STORMWATER

{C}

The City of Duluth has implemented a Stormwater Utility to generate funds that are used to make improvements to the City's Stormwater System. Staff recognizes that the existing system has significant deficiencies that are typical with aging infrastructure. As part of the Stormwater Asset Management & Capital Improvements Program, the City must develop a sustainable funding model that will allow the City to make strategic, timely, and cost-conscious decisions about repairs to the City's stormwater infrastructure.

Approval of this item will approve ordinance O2022-24 to amend Chapter 15 of the Duluth Municipal Code by establishing that one (1) equivalent residential unit (ERU) equals two thousand nine hundred ninety-seven (2,997) square feet of impervious surface area, that the cost of one (1) ERU shall be equal to \$75.00 annually and that a attached single-family residential (ASFR) shall be charged at a rate of 0.5 ERU (\$37.50 annually).

With the proposed funding strategy in place, approval of this Text Amendment will also improve the City's ability to inspect, maintain, repair, and replace man made structural conveyances (pipes, inlets, junction boxes, etc.) in platted, residential subdivisions with recorded easements through an increased Extent of Service and offers a legal process for a resident, property owner, or Homeowners Association to petition the City to hold a public hearing to establish a special assessment district to recoup the City's expenses for repairing a stormwater detention facility in disrepair on private property to its originally design. If approved, the rate changes will take effect immediately and be represented on the 2022 Property Tax bills.

5. ORDINANCE TO AMEND BUDGET – \$300,000 STORMWATER UTILITY

{D}

Based on Council approval of the Stormwater Utility Ordinance increasing the charge per 1 Equivalent Residential Unit (2,997 square feet) to an annual fee of \$75.00, staff is requesting approval of a budget amendment (BA-FY23-01) to increase the revenues and expenditures in the Stormwater Utility Fund based on the additional revenue to be generated. Staff estimates Stormwater Utility revenues will increase by approximately \$300,000. Approval of this item approves Ordinance BA-FY23-01 to add \$300,000 in stormwater revenue to the Stormwater Utility - Stormwater Utility Charges 2022 line item and a like amount to Stormwater Utility - Stormwater Collection & Disposal - Repairs and Maintenance Drainage line item.

6. ORDINANCE TO APPOINT DULUTH TAD ADVISORY COMMITTEE

{E}

Approval of this item will approve ordinance O2022-25 to re-appoint members of the Tax Allocation District Advisory Committee.

Being no further discussion, Mayor Harris called for motion. A motion was made by Councilmember Whitlock, 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. AWARD OF BID – 2022 LMIG FULL DEPTH RECLAMATION/PAVING

{F}

The Mayor and Council considered award of a bid for 2022 LMIG Full Depth Reclamation and Paving on various City Streets. (Legal notice is attached and run twice in Gwinnett Daily Post as well as placed on the Georgia Procurement website and City website). This project, if approved, will repair and resurface nine streets. Base Streets are: Bennigan Lane, Leprechan Way, Galway Court, Longlake Drive, Longlake Way, Towne Village Drive, Creek Village Court, Stone Village Court, River Village Court.

The City received one (1) bid for this project. Project was bid as a Base Bid and Alternates, each group priced separately. Staff and City Engineers believe receiving only one bid is a result of contractors being overwhelmed with work plus shortages in materials and labor; recently other local governments advertised for work and received no bids.

Company	Bid
Stewart Brothers	\$2,327,845.90

Following a review and analysis of the bid, plus reference checks by Columbia Engineering as well as the City's own experience with Stewart Brothers, recommends awarding the 2022 LMIG Full Depth Reclamation & Paving Project bid (with contingency) to Stewart Brothers, in an amount not to exceed, \$2,560,630.49.

Councilmember Harkness asked which neighborhoods this work would be performed in.

Public Works Director Audrey Turner said that the last four are the whole neighborhood of Olde Town Residences, the first ones listed are in the back half of Castlemaine, and the Longlake roads complete a section of Riverbrooke.

Councilmember Graeder noted that the impact of price increases means less mileage can be covered with the same amount of money.

Ms. Turner agreed and said that the costs were 30-40% higher than originally anticipated, which is why the award is for the Base Bid only, with no alternates.

Councilmember Thomas asked if this was for full repaving or partial, and what the lead time would be.

Ms. Turner said that some would be full-depth reclamation, others milled and inlaid. Work is expected to be started within the next month, with no cost escalation factors included in the contract.

Being no further discussion, Mayor Harris called for motion.

A motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to approve awarding the 2022 LMIG Full Depth Reclamation & Paving project to Stewart Brothers, in an amount not to exceed \$\$2,560,630.49 as presented and authorize the Mayor or City Manager to execute the contract as approved by the City Attorney.

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

2. ORDINANCE TO AMEND BUDGET - \$2,560,631 – STREET PAVING {G}

Based on Council approval to award the 2022 LMIG Full Depth Reclamation & Paving contract to Stewart Brothers in the amount of \$2,560,630.49, staff is requesting approval of a budget amendment (BA-FY23-02) to add unallocated 2017 SPLOST Transportation fund to the street resurfacing capital project fund (ST-32).

The Mayor and Council are asked to approval ordinance (BA-FY23-02) to add \$2,560,631 in unallocated 2017 SPLOST Transportation funds to the Transportation/Infrastructure Improvements - Paved Streets - Repairs & Maintenance - Streets and Sidewalks line item, including associated transfers.

Being no further discussion, Mayor Harris called for motion.

A motion was made by Councilmember Doss, seconded by Councilmember Whitlock, to approve, ordinance BA-FY23-02 to amend the FY23 budget as presented.

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

VI. MATTERS FROM DEPT HEADS/CITY ATTORNEY

1. ROGERS BRIDGE – ATT OVERHEAD FIBER

City Engineer Margie Pozin came forward to explain the current location of the AT&T fiber lines, which are currently overhead, that run along Rogers Bridge Road into the park, and across the Chattahoochee River where they go underground (on the Fulton County side of the River). To move the lines underground from the Trailhead building to the bridge and across the river will cost about \$100,000. Staff requested Council set aside the funding to cover this cost in the event the project budget for local match runs out for PK-33. The City Manager will monitor and report back to Council if necessary.

Council agreed to support the underground installation using the Contingency funds that were set aside for the Bridge Project.

2. 5TH ANNUAL COMMUNITY CLEAN-UP DAY

Planning Director Bill Aiken came forward to report on the City of Duluth 5th annual Citywide Community Clean-Up Day, which was held on June 11th and was a tremendous success. The Clean-Up Day is offered as a complementary service to our wonderful residents as part of the Duluth N.O.W (Neighborhood Outreach Work) Program. This is an amnesty dump day accepted several difficult to dispose of items from the residents of Duluth. In addition to collecting an expanded list of disposable materials, the City uses this event as a fantastic opportunity for public outreach to educate residents on the many services offered by the City, assist with code compliance in targeted areas, and obtain MS4 credit from Georgia EPD by reducing the amount of pollutants that may eventually end up on our stormwater system and waterways.

Staff gave a presentation showing photos of the event, provided statistics on how the event continues to grow in success, and recognized all those that contribute to make this event one-of-a-kind.

VII. MATTERS FROM COUNCIL

Councilmember Graeder thanked staff for another successful events weekend.

Councilmember Thomas announced her acceptance into the Leadership Gwinnett program

VIII. MATTERS FROM CITY MANAGER

- Announced the passing of former member of the Planning Commission, Greg Lock
- HVAC for the Council Chambers will be installed Friday 7/15
- SPLOST agreement executed and forwarded to Gwinnett County
- Chief Belcher's retirement party - 5:30 pm on 7/21 at the Festival Center

IX. ADJOURNMENT

A motion was made by Councilmember Whitlock, seconded by Councilmember Thomas, to adjourn at 7:00 pm.

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

Approved this 8 day of August, 2022.



Mayor Nancy Harris

ATTEST:



Asst. City Mgr./City Clerk, Teresa Lynn