Duluth

MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
JANUARY 8, 2024

PRESENT: Mayor Harris, Councilmembers Harkness, Thomas, Doss, Graeder, and Whitlock, City Manager, Asst. City Managers, Department Directors, City Attorney

A work session was held prior to the regularly scheduled meeting to allow the elected officials to discuss this evening's agenda items. No other items were discussed, and no action was taken.

Mayor Harris called the meeting to order at 6:00pm

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MINUTES

A motion was made by Councilmember Harkness, seconded by Councilmember Thomas, to approve the meeting minutes from December 11, 2023 as presented.

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Whitlock
Motion carried.

II. CEREMONIAL MATTERS - OATHS OF OFFICE

Municipal Court Judge Charles Barrett administered the Oaths of Office.

1. Councilmember – Post 4 – Manfred Graeder
2. Councilmember – Post 5 – Shenée Johnson Holloway
3. Mayor – Greg Whitlock

III. RECESS TO WELCOME RECEPTION

The meeting recessed at 6:10pm to the city hall reception area and reconvened at 6:40pm.

IV. APPROVAL OF MEETING AGENDA

A motion was made by Councilmember Doss, seconded by Councilmember Thomas to approve the January 8, 2024 Council Agenda as presented.

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Holloway Motion carried.

V. MATTERS FROM CITIZENS

1. STORMWATER CONCERN

Coleman Binford of 4024 Chaderton Court, Duluth came forward sharing that he is grateful for the hydrology study being conducted by his property. His property and others in close proximity have been experiencing flooding, costing them thousands of dollars in repairs. He stated that the flooding is due to lack of storm drains, drainage easements and creek proximity.

VI. CONSENT AGENDA

1. RESOLUTION – 2024 MEETING DATES & TIMES *{A}*

Approval of this item approves resolution R2024-01 to set and publicize regularly scheduled Mayor and Council meetings for 2024 in accordance with Georgia law.

2. ORDINANCE SETTING 2024 MILEAGE REIMBURSEMENT RATES *{B}*

The IRS announced that the business standard mileage rate for transportation expenses paid or incurred beginning January 1, 2024 will be 67 cents per mile. Approval of this item adopts ordinance O2024-01 setting the reimbursement rates, effective January 1, 2024.

3. RESOLUTION TO APPOINT LEGAL ORGAN *{C}*

Approval of this item approves resolution R2024-02 naming the "Gwinnett Daily Post," aka The Times Journal Inc., as the City's Legal Organ for 2024. This resolution shall not be construed to prevent the City from utilizing a newspaper of general circulation within the City of Duluth or Gwinnett County when authorized to do so by state or local law.

4. RESOLUTION – DEPOSITORIES & CHECK SIGNING *{D}*

Approval of this item approves resolution R2024-03 regarding check signing, investments and depositories per the Financial Policy.

5. DESIGNATION OF OPEN RECORDS OFFICERS *{E}*

Approval of this item as per Open Records Act O.C.G.A. 50-18-71(b) designates the Assistant City Manager/City Clerk or his/her designee as the Open Records Officers to receive written requests on behalf of the City and approves resolution R2024-04 listing the 2024 designees.

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

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Holloway Motion carried.

VII. PUBLIC HEARING

1. ORDINANCE OF TEXT AMENDMENT – CASE -TA2023-003 {A}

Mayor Whitlock opened the public hearing to consider a text amendment ordinance to amend definitions in the Unified Development Code (UDC).

Community Development/Engineering Director Margie Pozin came forward to present. When the UDC was first adopted in 2015, the definition and application of breezeways was inadvertently left out. Recent requests to include breezeways in home additions has led staff to think about the best way to allow would-be home improvers a path forward. Including a definition and usage standard in the UDC will clarify intent and allow homeowners to include breezeways where logical and functional.

The breezeway would allow the extension of the principal structure without having the extension be considered an "accessory structure." Currently an extension must be by way of an enclosed and temperature-controlled hallway. The proposed revision removes the requirement of enclosing the "hallway" and leaving it as a covered open-air breezeway. The text amendment would require changes to Section 203. Definitions as well as Section 304. Standards for SF Detached and SF Attached Dwellings by adding 304.01 Overhangs and Breezeway.

Mayor Whitlock called for questions/discussion from Council and called for questions/comments from the public.

Being no comments, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Doss, seconded by Councilmember Graeder to approve ordinance O2024-02 as presented.

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Holloway Motion carried.

VIII. NEW BUSINESS

1. APPOINTMENT OF MAYOR PRO TEMPORE

The Charter of the City of Duluth states the Mayor Pro tempore will be selected by a majority vote of the Mayor and Council each year at the first regular meeting. The Council shall elect a councilmember to serve as the Mayor Pro tempore, who shall assume the duties and powers of the Mayor during the Mayor's absence. Mayor Whitlock recommended Councilmember Marline Thomas, Post 2 as his appointee as the 2024 Mayor Pro tempore.

A motion was made by Councilmember Harkness, seconded by Councilmember Holloway to appoint Councilmember Marline Thomas as Mayor Pro tem for 2024.

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Holloway Motion carried.

IX. EXECUTIVE SESSION

It may be 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).

Mayor Whitlock called for a motion to adjourn to executive session at 6:50pm.

A motion was made by Councilmember Thomas, seconded by Councilmember Doss to adjourn into an executive session.

Voted For: Councilmember Harkness, Thomas, Doss, Graeder, and Holloway Motion carried.

After the discussion, a motion was made by Councilmember Thomas, seconded by Councilmember Graeder to adjourn from executive session and reconvene into regular session at 7:20pm.

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Holloway Motion carried.

X. ADJOURNMENT

A motion was made by Councilmember Holloway, seconded by Councilmember Graeder to adjourn at 7:20pm.

Voted For: Councilmembers Harkness, Thomas, Doss, Graeder, and Holloway
Motion carried.

Approved this 12 day of February, 2024.

Mayor Greg Whitlock

ATTEST:

Asst. City Mgr./City Clerk, Teresa Lynn