



**DRAFT MINUTES
MAYOR AND COUNCIL
CITY OF DULUTH, GA
AUGUST 11, 2025**

PRESENT: Mayor Whitlock, Council members Harkness, Thomas, Doss, Graeder, and Cummings, City Manager, Asst. City Managers, Department Directors, City Attorney

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

Mayor Whitlock called the meeting to order at 6:00pm.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MEETING AGENDA

A motion was made by Councilmember Thomas, seconded by Councilmember Doss, to approve the August 11, 2025 Council Agenda as presented.

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

II. APPROVAL OF MINUTES

A motion was made by Councilmember Graeder, seconded by Councilmember Cummings, to approve the July 14 and 28, 2025 meeting minutes as presented.

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

III. ANNOUNCEMENTS

1. UPCOMING EVENTS – www.duluthga.net/events for detailed information

Duluth “Wednesday Flavors on Main” – Wednesdays 8/13, 8/20, 8/27, 9/3
Duluth “Parsons Thursday Nights Out” – 8/14, 8/21, 8/28, 9/4
Duluth “Rock the Block: Live and Loud Fridays” – 8/15, 8/22, 8/29, 9/5
Duluth “Live” – Fridays 8/15, 8/22, 8/29, 9/5 and Saturdays 8/16, 8/23, 8/30, 9/6
Eddie Owen Presents “Nashville Nation” – 8/15
Eddie Owen Presents “Pet Sounds Live” – 8/16
Eddie Owen Presents “David Ryan Harris” – 8/22
Co-Sponsored: SoFried's Words & Rhythms Poetry Day Festival – 8/23
Eddie Owen Presents “The Ridibund Chamber Music Society” – 8/24
Peach State Cornhole Fall leagues – Tuesdays/Thursdays starting 8/26
Eddie Owen Presents “MaMuse” – 8/29
Duluth “Viva Las Duluth” – 8/30
Eddie Owen Presents “In the Round” – 8/30
Eddie Owen Presents “Fire Lake: A Tribute to Bob Segar” – 8/31
Eddie Owen Presents “Jazz Legacy Project: Billy Strayhorn” – 9/3
Eddie Owen Presents “Max Gomez and Shannon McNally” – 9/4
DFAL Art Walk – 9/5
Eddie Owen Presents “Becky Buller Band Album Release Tour” – 9/6
Duluth “Farmers & Artisan Market” (Sept -November) 9/7, 9/21, 10/5, 10/19, 11/2, 11/16

IV. MATTERS FROM CITIZENS

None.

V. CONSENT AGENDA

1. ORD TO AMEND FY26 BUDGET \$1,000,000- STORMWATER {A}

At the July 28 council work session, staff gave an update on recent critical infrastructure repairs involving two neighborhoods. Based on the staff report, the council approved the transfer of \$1,000,000 from the General Fund to the Stormwater Utility Fund to address these stormwater system repairs. Approval of this item authorizes ordinance BA-FY26-03 to amend the FY26 budget as presented.

2. APPROVAL OF AMENDED PURCHASING POLICY {B}

At the July 28 council work session, staff presented an updated purchasing policy based on Georgia HB 137 - Public Works Bidding Threshold which increased the limit for formal bidding of Public Works construction contracts from \$100,000 to \$250,000. The Purchasing & Accounts Payable Policies & Procedures was updated

to include a category for purchases over \$99,999 but less than \$250,000. Approval of this item adopts the updated purchasing policy as presented.

3. ORDINANCE TO APPOINT DPAC MEMBERS {C}

Approval of this item approves ordinance 02025-32 appointing Marisa (Ginger) Tonteveetong and Shaena Leuthe to fill unexpired terms of Sheila Harmony and Augustine Emmanuel on the Duluth Public Art Commission, terms ending 3/31/26.

4. ORDINANCE TO AMEND BUDGET - \$85,000 – RESURFACING {D}

Staff is requesting additional funds to cover unexpected paving problems in the Howell Wood Area. Approval of this item authorizes ordinance (BA-FY26-05) to add \$85,000 in 2023 SPLOST Transportation funds to Transportation/infrastructure Improvements - Paved Streets - Repairs & Maintenance - Streets/Sidewalks line item, including associated transfers.

5. ORDINANCE TO AMEND BUDGET - \$21,000 – MUNICIPAL COURT FUNDS {E}

The City employs a Municipal Court Fund to record funds received from citations. Funds received are either paid to third parties (State Agencies) or transferred to the General Fund. Revenue in the fund has exceeded the available budget, therefore staff is requesting \$21,000 to close out the fund for FY25. Approval of this item approves ordinance BA-FY26-06 to add \$21,000 to Municipal Court Fund - Court Fines line item and a like amount to Municipal Court Fund - Municipal Court - Transfer to General Fund line item.

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

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

VI. PUBLIC HEARINGS

Mayor Whitlock summarized the public hearing process.

1. RESOLUTION OF ABANDONMENT – PEACHTREE ROAD {F}

Mayor Whitlock opened the public hearing and called City Manager James Riker forward.

Mr. Riker presented resolution R2025-10 proposing the abandonment of a portion of Peachtree Road and swapping of right of way for dedication of a new public roadway. The proposed abandonment is a .593 acre portion of Peachtree Road pursuant to O.C.G.A. §32-7-2(c) following proper notice to all property owners located on the portions of the municipal street system closed and abandoned by

this action. Mr. Riker also explained that appraisals have been obtained and the existing value of the right of way is far below the value of the new right of way.

This abandonment is subject to any and all previous utility easements conveyed to Gwinnett County or any other public or private entity or franchise holder, and these easements or other property rights previously conveyed shall not be extinguished or altered by this action.

The resolution authorizes the Mayor, City Manager, City Clerk, and the City Attorney to take such action and execute such documents as are necessary to exchange the property as presented.

Mayor Whitlock called for discussion from Council. There being no discussion, the Mayor called for questions/comments from the public.

Applicant Mr. Kenneth Wood of 350 Research Court, Peachtree Corners came forward and further clarified the public road section.

There being no further comments or questions, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Harkness, seconded by Councilmember Graeder, to approve resolution R2025-10 as presented.

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

2. ORDINANCE OF REZONING– CASE Z2025-001 BUFORD HWY {G}

Mayor Whitlock opened the public hearing for Case Z-2025-001 and called the Director of Community Development & Engineering, Margie Pozin, forward to present.

Ms. Pozin several owners, along with applicant Embry Development Company, LLC, are requesting the rezoning of the properties from HC-A (Highway Commercial Auto) and HC-R (Highway Commercial Retail) to PUD (Planned Unit Development) to allow for a 77-unit townhome development. The pertinent parcel numbers are R6292 065, 6292 043, 6292 043A, 6292 057, 6292 042, 6292 069, 6292 041, 6292 049, 6292 056, 6292 050, and 6293 644. She showed the location and surrounding zoning categories, and described the characteristics of the Core Neighborhood District and downtown Core itself.

Ms. Pozin also showed the master plan for the development and architectural graphics, and said that staff feels the project is consistent with the comprehensive plan as well as the future land use map with a density just over 12 units an acre. The subject property is very connected to downtown, with trails that go to the sidewalks, which lead through South on Main. She concluded by saying that the project does meet a housing need in the community, and the Planning

Commission recommended approval with conditions at their July 7, 2025 hearing, and further highlighted the conditions for approval.

Mayor Whitlock called for discussion from Council.

Council asked questions regarding lighting, fencing and resident access, detention pond and elevations, which were deferred to the applicant to answer.

Mayor Whitlock called the applicant forward.

Applicant Kenneth Wood of 350 Research Court, Peachtree Corners, came forward. He pointed out this area as the “gateway” to downtown and as such, they proposed enhancing the look and size of the townhomes to meet the city’s vision for the area. He addressed the current roadway location as a complete hindrance to development and currently provides improper access to Buford Highway. The facades are varied in that some will have large porches, others more of an inset for creating variation. There is a proposed multi-use trail, green area, and the 4 foot fencing does not block the attractiveness of the project. He discussed guest parking and amenities such as community parks, potential for a pool/cabana area, bark park, and said the stormwater pond is underground and the top of it will also be greenspace/park area.

Councilmember Harkness inquired about roof top decks, a gated entrance, and guest parking.

Mr. Wood responded that rooftop decks are not contemplated at this point because they seem to have such waterproofing issues. There is not a gated entrance but fencing along the back and the front, which the HOA will maintain, approximately 30 guest parking spaces. Each unit technically has four spaces with two in the garage and two on each driveway.

The Mayor called for questions/comments from the public.

Michael Johnson of the 2127 Tallapoosa Dr, Chattahoochee Reserve subdivision, inquired about the sales price of the units.

Mr. Wood confirmed that the price range will be \$500,000 to high \$600,000 per unit.

Ken Odum of 3597 W. Lawrenceville Street, Duluth came forward representing the Duluth Downtown Development Authority (DDA) and spoke in support of this project, which has been a vision of the DDA for several years to have walkability and ownership vs. rental.

There being no further comments or questions, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Graeder, seconded by Councilmember Doss, approving ordinance O2025-33 for Case number Z2025-001 with conditions as presented.

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

3. ORDINANCE OF REZONING-CASE MZ2025-001 – DAVENPORT RD {H}

Mayor Whitlock opened the public hearing to consider an ordinance to modify a condition of rezoning for Parcels R6264 496 and R6264 037 located at 3282 Davenport Road, and called Director of Community Development & Engineering, Margie Pozin forward to present.

Ms. Pozin explained that these parcels were rezoned on March 10, 2025 as part of Case Z2024-005 to allow for a single family detached residential subdivision. One of the conditions involved an ADA-compliant trail that would connect this neighborhood to the neighborhood behind it, and there is a very deep creek separating the two, and so the drop-off is very significant. In order to comply, it would have a switchback. It would just be constant switchback until you crossed and then switch back again to get back up, which is not really what pedestrians are going to do. Again, this is where we want a system of trails and connectivity for pedestrians, but it's not always possible.

A topography survey had not yet been completed at the time of the initial rezoning. Staff would not want to support a non-ADA-compliant trail, so that makes this condition somewhat prohibitive. The Planning Commission recommended approval of the modification at their July 7, 2025 hearing.

Mayor Whitlock called for discussion from Council.

Councilmember Harkness commented that initially he was hesitant but then discovered the area already has a sidewalk in front of it for connectivity and is safely walkable to downtown.

Mayor Whitlock called the applicant forward for comment.

Andrew Perry of 115 Major Court, Roswell came forward in agreement with the amendment to the condition for the walking trail.

Councilmember Graeder asked if a bridge would have been possible and a concern with insurance problems having another access point.

Mr. Perry noted it would provide connectivity to another neighborhood but didn't eliminate the zig zags, and the intent to have the HOA privately maintain the roadways, having a public path leading into a private road might affect the insurance.

The Mayor called for questions/comments from the public.

Mr. Jason Dearborn of 3380 North Gate Lane said he is very close to the area, and presented concerns regarding public access to a “higher end” neighborhood and not having responsible neighbors along Davenport Road, especially regarding pet ownership.

Mayor Whitlock thanked him for the comments and said that Council would be looking more closely into the area. Being no further comments or questions, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Cummings, approving ordinance O2025-34 for Case MZ2025-001 with conditions as presented.

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

4. ORDINANCE-PUD MODIFICATION CASE Z2025-002 – FOUNDRY APTS *{/}*

Mayor Whitlock opened the public hearing and called forward the Director of Community Development & Engineering, Margie Pozin forward to present an ordinance to amend an existing PUD (Planned Unit Development) for parcel R6322 133 to allow for a change in density for Case Z2025-002.

Ms. Pozin said that Owner/Applicant FP Peachtree Industrial, LLC, is requesting a modification to the existing PUD (Planned Unit Development) on approximately 32 acres to allow for the conversion of 64 three bedroom apartment units into 128 one bedroom apartment units to meet current market demand. She described the existing conditions, nearby zoning, and Character Area for the Urban Neighborhood District. She showed the site plan, elevations and noted staff findings showing consistency with the Comprehensive Plan.

Ms. Pozin referenced the reduction in number of three bedroom apartment units and noted that the City would still have approximately 345, which is still a considerable number. She discussed the sidewalk gap and landscape buffers that will both be improved as part of this project. All of the requirements from the original PUD are still going to be applied, and this follows the property, not the ownership of the property, so if the property sells, the conditions remain. They are limited to a maximum of 168 one-bedroom units and 152 two-bedroom units, so they will have a total unit count of 320. They are also required to develop six additional parking spaces, with administrative leeway to approve up to twelve additional spots if the need arises.

The roofing equipment must be screened from public view, and the sidewalk and buffer enhancements will happen prior to certificate of occupancy issuance. The Planning Commission recommended approval with conditions at their July 7, 2025 hearing.

Mayor Whitlock called for discussion from Council.

Councilmember Thomas asked how many three bedroom units will be available at the Foundry after the conversion and in addition the total number of one bedroom units available in the City.

Mayor Whitlock called the applicant forward.

Dakota Carruthers of 1075 Peachtree Street NE and Jeremy Leventhal of 100 South Commons, Pittsburgh, PA presented additional information regarding the renovation. The existing multifamily community was developed in 1985. The property was acquired in 2021 and there have since been upgrades to amenities, additions of amenities, and even some renovations in the units. Staff visited the site and toured some of the units to see where the wall would go up, where the new kitchen would go, and how these would be separated. They are proposing no changes other than a walkway to the new doorway that will be created for the new units.

Ms. Carruthers further explained that they feel this meets the Comprehensive Plan especially where it references optimizing the land use without expanding the existing footprint. The project is slated to take place over a long period of time as the units vacate, so this is not something that's happening immediately. The Conditioned property site improvements would be completed before the first CO was issued, and gradually the interiors of the individual units would be renovated.

Mr. Leventhal came forward to present. He reported that One-person households are the fastest-growing household type in the U.S., now approximately 30 percent of all households, up from about 19 percent in 1974. The Foundry, our apartment complex, conversion proposal directly serves professionals, empty-nesters, young employees seeking smaller, affordable, individual homes. Duluth's rental market is missing one-bedrooms. one-bedroom units account for about 27% of the rental market in Duluth with approximately 1,500 units out of 5,500 units in total. In Atlanta 1-bedroom units compose of 39% of the market and the national average is 40%. If you include total inventory of housing, not just rentals, but homes in the area, Gwinnett County has only 6 percent of all housing as one-bedrooms. The Foundry is requesting the ability to transform all of the 3-bedroom units into 1-bedroom units over time to not vacate residents.

Councilmember Doss asked about the relational makeup of the residents currently renting three-bedroom units, if they are roommate or family situations.

Mr. Leventhal stated that there is a variety in rentals, and the relationship makeup extends from roommates to family dwellings. A total of eight buildings are included in the plan to restructure the units.

Councilmember Harkness expressed concern that this modification would reduce workforce housing in Duluth and create a demographic imbalance, and discussed the reasoning for his concerns. He discussed the Marlow project and the impact that it would have on available inventory.

Councilmember Thomas shared concerns regarding the need to compel renters to vacate in order to get the units constructed in a quicker time period, however, did acknowledge the need for smaller units with the expansion of the medical community and the walkability of the area.

Mayor Whitlock shared a search from Realtor.com for rental units in Duluth. The cost of rent for a 3-bedroom unit in The Foundry is \$2,000 per month. Other apartment communities in Duluth for 3-bedrooms range from \$1,460 – \$2,150 per month. Single family homes and town homes have a rental market of \$1,500-\$2,300 per month. Currently there are over 250 vacant three-bedroom units available in Duluth.

Overall, Council supported the business model and need for affordable one-bedroom units in walkable areas for young professionals, empty nesters etc. and agreed that The Foundry's rental percentages show that it is a well-run property with higher safety statistics, but did not want the current residents to feel as though they were being pushed out.

The Mayor called for questions/comments from the public.

Michael Johnson of 2127 Tallapoosa Drive shared concern with compelling residents to vacate the three-bedroom units especially with the walkability of the area and good programs/schools for young families.

Mr. Leventhal stated that The Foundry would honor the leases per the law and reminded the Council of the investments made in the property especially to the amenities. The renewals would be at market rate and traditionally any non-renewals would be for problems with the tenants.

There being no further comments or questions, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Doss approving ordinance O2025-35 for Case number Z2025-002 with conditions as presented.

Voted For: Councilmembers Thomas, Doss, Graeder, and Cummings
Voted Against: Councilmember Harkness
Motion carried.

VII. NEW BUSINESS

1. APPROVAL OF IGA/ORD TO AMEND BUDGET – URBAN REDEV. AGENCY {J,K}

The Mayor and Council considered an Intergovernmental Agreement (IGA) between the City and Urban Redevelopment Agency (URA) to transfer \$503,510.91 from the City to the URA to defray the cost of acquisition and demolition of 3135 Buford Highway. The IGA requires the URA to provide additional funding and demolish the structures located on 3135 Buford Highway consistent with the adopted Urban Redevelopment Plan. City revenues to be transferred through this IGA were obtained via Article VII - Blighted Property Tax section of the Duluth Code of Ordinances. This IGA and use of the revenues is consistent with Section 9-115 (c). Staff requested approval of a budget amendment to add \$503,510.91 in blight tax revenue to the Blight - Nuisance Tax - Other Financing Uses - Transfer to the URA line item.

A motion was made by Councilmember Doss, seconded by Councilmember Cummings, to approve, the IGA between the City and URA, authorize the Mayor or City Manager to execute the agreement and approve ordinance BA-FY26-04 to transfer funds as presented.

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

VIII. MATTERS FROM MAYOR & COUNCIL

Mayor and Council expressed appreciation to staff for the successful multi-cultural events held downtown this past weekend.

IX. MATTERS FROM CITY MANAGER

City Manager James Riker reported that the lumber was delivered to the train viewing platform. Construction is expected to begin this week, but it will not be completed by Fall Festival.

X. ADJOURNMENT

A motion was made by Councilmember Thomas, seconded by Councilmember Cummings, to adjourn at 7:25pm.

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

The next scheduled meeting of the Mayor and Council is a public comment session for the 2025 millage rate on August 25, 2025 at 10:00am in the Council Chambers. The second millage public input session will be held in conjunction with the regularly scheduled 4th Monday work session on August 25 at 5:30pm in the City Hall Community Room.

DRAFT

KM 8/14/25