

Duluth



Greg Whitlock, Mayor
Sarah Y. Park, Post 1
Marline Thomas, Post 2

Lamar Doss, Post 3
Manfred Graeder, Post 4
Shenée Johnson-Cummings,
Post 5

**AGENDA
MAYOR AND COUNCIL
CITY OF DULUTH, GA
3167 Main Street
Duluth, GA 30096**

AUGUST 10, 2026

CITY HALL COUNCIL CHAMBERS

6:00 pm

***The leaders and staff of the City of Duluth are dedicated to ensuring that Duluth is:
an Attractive Destination, a Quality Community, a World Class Government,
and promotes a Sustainable Economic Environment.***

5:30 P.M. – AGENDA REVIEW

Main St. Conference Room

6:00 P.M. - CALL TO ORDER

Mayor Whitlock or Mayor Pro tem Thomas

INVOCATION OR MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MEETING AGENDA

II. APPROVAL OF MINUTES

III. ANNOUNCEMENTS

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

Duluth Live, August – October: Music every Friday/Saturday. Parsons Alley, 6-9pm.

Parsons Thursday Nights Out, August 13 - August 27: Parsons Alley, 6-9pm.

PLEASE NOTE: This and other City meetings may be audio and/or videotaped for broadcast, transcription and/or archival purposes. As set forth in the Americans with Disabilities act (ADA) of 1990, 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, and complies with the requirements contained in section 35.107 of the Department of Justice regulations. All agenda packets may be converted to WCAG 2.0 compatibility format by emailing agenda@duluthga.net. In addition, 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 made seven days prior to the event. Direct inquiries to the ADA Coordinator in the City Clerk office, located at 3167 Main Street, Duluth, GA. 30096, or by telephone at 770.476.3434.

Rock The Block: Live & Loud Fridays Fridays, Aug 24 - Aug 28: Town Green 6-9pm.

Multicultural Week, August 26-30: Downtown

Korean Foundation K-Pop Competition, August 29. Downtown

Flicks on the Bricks featuring Captain America: The First Avenger, September 11
Town Green. Movie starts at 7:15pm

The Big 150: Off the Rails. September 12. Celebrate Duluth's 150th Birthday with us!
Headliner Grand Funk Railroad/The Smithereens. Downtown, 2 - 10pm

Duluth Fall Festival

September 26 & 27, Downtown. Saturday 9am - 7pm, Sunday 9am - 5pm

Red Clay Theatre events – www.eddieowenpresents.com

08/14- Harvest Moon (A Tribute to the Music of CSN&Y), 08/15- Tinsley Ellis,
08/21- Jill Andrews, 08/22- Dawn Loves Nash feat. Emily Kate Boyd,
08/28- 3rd Stream Big Band Rocks, special guest Casey Hopper (guitarist for Katy
Perry), 08/29- An Evening with Jennifer Knapp and Levi Lowrey.

IV. CEREMONIAL MATTER

1. RECOGNITION – POLICE CHIEF JACQUELYN CARRUTH

Mayor and Council to recognize and congratulate Police Chief Jackie Carruth on a remarkable milestone of 30 years of dedicated service to the citizens of Duluth.

V. MATTERS FROM CITIZENS

Maximum of five (5) minutes per person. Sign-up sheet available.

VI. CONSENT AGENDA

1. ORDINANCE TO AMEND DULUTH CODE – PARKING

Council directed staff to prepare an amendment to Article III Stopping, Standing and Parking Section 8-68 subsection (14) of the Duluth Code of Ordinances. The proposed amendment modifies hours prohibiting overnight, on-street parking from 10 pm to 6 am to now prohibit from 12 am to 7 am. Approval of this item approves ordinance O2026-34 as presented.

2. ORDINANCE TO AMEND DULUTH CODE – NOISE

Council directed staff to prepare an amendment to Article III Noise Section 9.64 of the Duluth Code of Ordinances. The proposed amendment modifies hours of use and limits noise levels for power tools, lawnmowers, leaf blowers, chain saws and other agricultural equipment. Approval of this item approves ordinance O2026-35 as presented.

3. ORDINANCE TO AMEND BUDGET-\$46,500 – CAMERA SERVERS

At the July 27th Work Session, Chief Carruth informed council that the three camera servers at Public Works, WP Jones, and Festival Center are at end of life and need to be replaced at a cost of \$16,471. An additional server at City Hall will be at end of life in January 2027 and will be replaced at that time, costing \$30,029. Total camera server replacement cost of \$46,500 and will come from unallocated 2023 SPLOST Public Safety Funds. Approval of this item approves budget amendment BA-FY27-05 to add \$46,500 in 2023 SPLOST Public Safety Funds to Police Capital Projects - Police - Computers line item, including associated transfers.

4. ORDINANCE TO AMEND BUDGET-\$200,000 – RED CLAY

Staff is seeking additional funds relating to the Red Clay renovation project. Specifically, additional carpet, security cameras/access control, electrical improvements and other items have been identified as needing to be upgraded during the renovation. Accordingly, staff is requesting a budget amendment in the amount of \$200,000. Approval of this item approves budget amendment BA-FY27-06 to add \$200,000 in General Funds to Red Clay Theater - Special Recreational Facilities - Site Improvements line item, including associated transfers.

5. ORDINANCE TO AMEND DULUTH CODE – STORMWATER

Per ongoing and recent discussion by Mayor and Council, and decision at the annual strategic retreat held June 26, 2026, stormwater rates are to be increased by 3% per year starting with the 2026 property tax billing cycle. Approval of this item approves ordinance O2026-36 as presented.

6. TRAFFIC CALMING POLICY/BUDGET AMENDMENT

Per ongoing and recent discussion by Mayor and Council, and decision at the retreat of June 26, 2026, the City's traffic calming policy is to be approved to allow a formal path forward for residents to request service, and staff to investigate services requests related to traffic calming measures. Additionally, staff is requesting a budget amendment in the amount of \$50,000 to cover initial studies related to the list of initial requests made over the years prior to this policy being adopted. Approval of this item approves the policy as presented, and budget amendment BA-FY27-04 to add \$50,000 in unallocated 2017 SPLOST

Transportation Funds to Residential Traffic Calming - Paved Streets - Professional Services line item, including associated transfers.

7. RESOLUTION – DEPOSITORIES AND CHECK SIGNING

In January of each year, staff brings before Council a Resolution regarding designating certain depositories for the City. Upon review, an error was found in the language identifying the depository for "Urban Redevelopment Agency" instead of the City of Duluth. Staff also at this time recommends narrowing down the list of banking institutions to only those banks the City currently hold funds in. Approval of this item approves resolution R2025-08 accordingly.

VII. PUBLIC HEARING

1. PROPOSED 2026 TAX MILLAGE RATE

Each year, the Gwinnett County Tax Assessor reviews the assessed value of taxable property in the County. When the total digest of taxable property is prepared, Georgia Law requires calculation of a "rollback" millage rate (RMR) that produces the same total revenue on the current year's new digest that last year's millage rate would have produced, had no reassessments occurred. The City of Duluth is considering maintaining the same millage rate as last year, which is 6.551 mills. For the 2026 digest, the current millage rate exceeded the rollback millage rate by 0.185 mills, or stated another way, as a percentage of the rollback millage rate, the current millage rate represents a 2.91% "increase." The reassessment revenue would add approximately \$525,644. This is the second of three public hearings as required by O.C.G.A 48-5-32.1.

Georgia law requires that the City publish a "Notice of Property Tax Increase" in the legal organ when the tentative adopted millage rate exceeds the rollback millage rate. *Attached for reference.*

The third Public hearing is scheduled to be heard at 5:30 pm. August 24, 2026 in the Community Room, followed by adoption of an ordinance setting the 2026 Millage Rate.

VIII. NEW BUSINESS

1. APPROVAL OF FRANCHISE AGREEMENT – GOOGLE FIBER

Mayor and Council to consider approval of a proposed agreement with Google Fiber to allow for the expansion of Broadband Fiber in Duluth. Ryan Fender GMA Local Government and Jess George with Google Fiber will be on hand to answer questions.

The agreement includes paying the City a Franchise Fee equal to two percent (2%) of Gross Revenues for a calendar quarter. The payment will be accompanied by a report showing the basis for the computation and such other relevant facts as may be required by the City to determine the accuracy of the payment. The proposed agreement includes a franchise term of 10 years. The agreement has been reviewed by GMA's Legal Counsel as well as the City Attorney. The agreement and the Franchise are subject to the City's valid authority under State and local laws as they exist now or may be amended from time-to-time, and subject to the conditions set forth in the Agreement. Individual Permits Required and Performance Bond Required. Google Fiber will cooperate with the City in identifying ways to minimize the amount of construction in the Public ROW through joint trenching, sharing duct banks, and cost sharing with the City and third parties undertaking similar construction projects involving the installation of underground communications facilities.

2. ADOPTION OF SIDEWALK AND TRAIL MAP

Mayor and Council to consider readoption of the City of Duluth sidewalk and trail map. When applying for grants for specific sidewalk or trail projects, the City's current Sidewalk and Trail map must be included. The project for which the City is seeking funding must be depicted on the map (or in a plan). The City's map shows existing and future sidewalks, so it is interpreted as a map as well as a plan.

Staff has added both the Chattahoochee River Trail and the McClure Bridge Road Trail (names of these projects may change, but the intent is the same) to the map so that applications for grant funding will be complete.

3. RESOLUTION – GTIB GRANT MATCH – MCCLURE TRAIL

The Mayor and Council to consider approval of resolution R2026-06.

At the Mayor and Council Retreat of 2025, staff introduced several high level concepts for projects that will create a more comprehensive trail system within the City. Since that time, staff has been seeking out grant opportunities that align with these potential trail projects. The intent is to leverage these grants with locally funded matches such that the City's financial investment is reduced and the value of the trail project(s) is increased.

One such grant is available for application at this time. The Georgia Transportation Infrastructure Bank (GTIB) has opened its call for projects for the 2027 fiscal year. GTIB offers loans and grants for roadway, bike/pedestrian, and traffic operations projects.

Staff believes the trail connection currently proposed between the Hudgens Property at Pleasant Hill Road and downtown Duluth would be a competitive application, and could help fund the preconstruction effort (design and right of way acquisition). An alternatives analysis is currently under way with public involvement meetings expected this fall.

Since a preferred alignment for this trail has not yet been determined, staff would feel more comfortable seeking funding in phases.

The grant application requires a resolution from Council that commits a portion of the project cost which in this case could be derived from the City's SPLOST revenues for transportation. With information known to date, staff believes a 20% match is reasonable and customary. GTIB stipulates that grant requests over \$2,000,000 require a 67% project sponsor match, where grant requests less than \$2,000,000 do not have a minimum match requirement. Applications that include a local match are more competitive.

Preliminary cost estimates show the design (\$1,300,000) and right of way acquisition (\$1,200,000) phases to cost about \$2,500,000. The City sponsored match is therefore estimated at \$500,000, with a total request from GTIB of \$2,000,000. Staff is requesting Council adopt the resolution such that it can be included in the grant application.

IX. MATTERS FROM DEPT HEADS/CITY ATTORNEY

X. MATTERS FROM MAYOR & COUNCIL

XI. MATTERS FROM CITY MANAGER

XII. EXECUTIVE SESSION (if necessary)

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).

XIII. ADJOURNMENT

The next scheduled meeting of the Mayor and Council is a special called meeting and regular work session on Monday, August 24, 2026 at 5:30 p.m.



**DRAFT MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
JULY 13, 2026**

PRESENT: Mayor Whitlock, Council members Park, 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 this evening's agenda items. No other items were discussed and no action was taken.

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MEETING AGENDA

A motion was made by Councilmember Graeder, seconded by Councilmember Thomas, to approve the July 13, 2026 Council Agenda with the removal of public hearing item 7 regarding accessory structures.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

II. APPROVAL OF MINUTES

A motion was made by Councilmember Thomas, seconded by Councilmember Doss, to approve the June 8 and June 26, 2026 meeting minutes "as presented" or "with changes as follows..."

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

III. ANNOUNCEMENTS

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

Duluth Live, April – October: Music Every Friday & Saturday. Parsons Alley, 6-9pm.

Parsons Thursday Nights Out, July 16 - August 27: Parsons Alley, 6-9pm.

Rock The Block: Live & Loud Fridays Fridays, July 17 - August 28: Town Green 6-9pm.

Summer Stage Concert: Blank Space (unofficial Taylor Swift Tribute), August 8: Town Green, 7-10pm.

Multicultural Week, August 26-30: Downtown

Korean Foundation K-Pop Competition, August 29. Downtown

Flicks on the Bricks featuring Captain America: The First Avenger, September 11
Town Green. Movie starts at 7:15pm

The Big 150: Off the Rails. September 12. Celebrate Duluth's 150th Birthday with us!
Headliner Grand Funk Railroad/The Smithereens. Downtown, 2 - 10pm

Duluth Fall Festival

September 26 & 27, Downtown. Saturday 9am - 7pm, Sunday 9am - 5pm

Red Clay Theatre events – www.eddieowenpresents.com

07/17- Rubber Revolver- A Tribute to The Beatles, 07/18- Dalby, Ellakate & Whitney Bjerken,
07/24- Tattoo You- Rolling Stones Tribute, 07/25- The Foreign Landers, 07/31 – The Krickets
and Bo Springs Band.

2. RECOGNITION – COUNCILMEMBER GRAEDER

Mayor Whitlock announced that Councilmember Graeder had received the Robert E. Knox Jr. recognition award for his extensive training from the Georgia Municipal Association.

IV. MATTERS FROM CITIZENS

Lexi White of 2541 High Brow Street came forward with complaints regarding parking fees at District at Duluth apartments.

Destiny Thompson of 3969 Gladwyn Court came forward with concerns regarding the Hudgens property development.

V. CONSENT AGENDA

1. ORDINANCE TO AMEND BUDGET - \$63,192.25–PD VEHICLES

{A}

25The Police Department recently sold two vehicles and two drones at auction. After commission and fees, the City received \$19,048. In addition, the Police Department received two insurance settlements totaling \$44,144.25 for police vehicles involved in accidents that our insurance carrier determined to be total losses. Approval of this item approves budget amendment BA-FY27-01 to add \$63,192.25 in General Funds to Police Vehicles - Consolidated Vehicle Maintenance - Vehicles line item, including associated transfers.

2. ORDINANCE TO AMEND DULUTH CODE – SECOND-HAND DEALERS {B}

Approval of this item approves ordinance O2026-25 to amend the Duluth Code of Ordinances by merging Article IX Pawnshop and Article XXIII Precious Metal Dealers. The new ordinance will also include the required FBI/GBI language to authorize fingerprinting/background checks as required by state law.

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

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

VI. PUBLIC HEARINGS

1. ORDINANCE OF REZONING – CASE Z2026-004 – 3276 DELMA CT {C}

Mayor Whitlock opened the public hearing to consider a rezoning request Oladeji to allow for the addition of a second duplex on a portion for 3276 Delma Court (Parcel ID R7264 170) from R-75 (single family residential district) to RM (residential multifamily district) for the property that does not yet contain a structure, and make the existing duplex legal and conforming.

Deputy Director of Planning and Engineering Aron Hall came forward to present. He outlined the surrounding property uses and existing conditions.

The subject property is in the Established Neighborhood District. FORWARDuluth envisions this Character Area to continue to be the backbone of Duluth's residential community. The Future Land Use Map (FLUM) envisions the uses to be low density residential (1-6 units an acre).

The current property was platted in 1979, and the plat contemplated two duplexes when it was recorded. The current duplex was built in 1980; however, staff cannot locate when the duplex was rezoned to R-75 (Single-Family Residential District) from RM (Residential Multi-family). The property only became legal non-conforming in June of 2024 when duplexes were disallowed in RA-200, R-100 and R-75.

The current owner purchased the property in August of 2015. There have been two code cases opened and subsequently closed on the property since the purchase:

1. parking violation/outdoor storage and sanitary conditions (opened January 3, 2022, and closed January 22, 2022)
2. Ground cover, outdoor storage, protective treatment, roof and drainage, unsafe structures and equipment, and vegetation (opened March 11, 2026, and closed April 14, 2026).

The Comprehensive Plan envisions low density residential (1-6 units an acre). Adding a duplex to this property would yield 10 units an acre, which is not in line with the Comprehensive Plan. It does, however, make the current duplex legal and conforming.

Mr. Hall described the General Conditions and concluded by reporting that the Planning Commission and staff recommended approval of this item

Mayor Whitlock called for discussion from Council.

Councilmember Thomas asked if it was on sewer, and owner-occupied or rented.

Staff confirmed it was a rental.

Councilmember Graeder noted that this request was only for the rezoning but not for the duplex approval itself.

Mayor Whitlock called the applicant forward.

Mr. Midia Jai of 810 Windrose Drive of Hoschton, Georgia came forward representing Bamji Oladeji. He showed similar duplex properties that they have developed in Lawrenceville as examples of what is intended for this property.

Councilmember Park asked how many parking spaces were anticipated, and Mr. Jai said 2-3 per unit.

The Mayor called for questions/comments from the public. Being none, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Cummings, seconded by Councilmember Thomas, to approve ordinance O2026-30 for the rezoning of 3276 Delma Court (Parcel ID R7264 170) from R-75 to RM with conditions as presented.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

2. REZONING REQUEST – CASE Z2026-006 -2407 MAIN ST

The Mayor and Council considered a request from staff to rezone 2407 Main Street, (formerly 2407 Chattahoochee Drive), parcel ID R7205 001, from M-1 (light industrial district in unincorporated Gwinnett Co) to M-1 (light industrial district in the City of Duluth). Previously used as a pump house for the Gwinnett County Department of Water Resources, the County recently sold the property to the City. As the County is no longer vested in the property, it will need to be rezoned upon annexation accordingly.

Deputy Director Aron Hall came forward to present. This is an annexation and rezoning of 0.54 acres which was purchased by the City on March 12, 2026. The subject property is in the Sugarloaf Activity District. The comprehensive plan envisions this character area to be a connected yet self-sufficient activity center consisting of retail, office, and a variety of residential types serving as the northern gateway into the city. Since this was not annexed into the city yet, the future land use map has not considered the use of this property. But when we do, it would be the M1 Light Industrial.

The city acquired this property to expand the public works space across Main Street. This also gives the neighboring properties peace of mind in that this M1 property will not be used like many M1 industrial properties in terms of noise and outdoor storage since the city would control this property.

There are five methods for annexation in the state of Georgia. It's the 100% method, 60% resolution of referendum method, annexation by the General Assembly through local annexation, and then annexation of unincorporated islands totally surrounded by a city. We're doing a mix of both because the city owns 100% of it and it's an island surrounded by the city.

Mayor Whitlock called for discussion from Council. Being none, the Mayor called for questions/comments from the public.

There being no questions, the Mayor closed the public hearing. No vote was required.

3. ORDINANCE OF ANNEXATION CASE A2026-001 -2407 MAIN ST {D}

Mayor and Council considered the annexation of 2407 Main Street, formerly 2407 Chattahoochee Drive (Parcel ID R7205 001). The City owns 100% of the land being annexed, therefore a hearing was not required.

A motion was made by Councilmember Thomas, seconded by Councilmember Doss, to approve ordinance O2026-31 for case A2026-001 to annex 2407 Main Street (Parcel ID R7205 001) into the City of Duluth and amend the City's map accordingly.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

4. ORDINANCE OF REZONING CASE Z2026-006 - 2407 MAIN ST {E}

Mayor and Council to considered rezoning 2407 Main Street as successfully annexed in a vote prior to this action. Per zoning procedures law O.C.G.A. § 36-66-4, the property rezoning hearing already took place, with no vote taken by Mayor and Council.

A motion was made by Councilmember Park, seconded by Councilmember Cummings, to approve Ordinance O2026-32 for case Z2026-006 to rezone 2407 Main Street (Parcel ID R7205 001) as presented by staff.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

5. ORDINANCE OF SPECIAL USE – SU2026-002 – YHALE {F}

Mayor Whitlock opened the public hearing to consider a request from owner FWR Partners Owner, LLC and Applicant, Yi Hwang Academy, Inc., to approve a special use permit for 4400 River Green Parkway (Parcel ID R6325 026) to allow for the operation of a public charter/language school in M-1 (Light Industrial District) zoning.

Deputy Director of Planning and Engineering Aron Hall came forward to present. He outlined the surrounding property uses and existing conditions. The subject property for this one is 5.29 acres and currently zoned M-1.

This is in the River Green Employment District. The Fort of Duluth envisions this character to be an economic engine for the city, serving as a major regional distribution and office hub. The future land use map envisions the uses to be commercial, retail, office. There are currently 10 conditional or special use permits within River Green, including two charter schools, a private Catholic school, a private pre-K through 12 school, and a behavioral center for pre-K children. The 10 are Notre Dame, Y-Hill, New Life. Notre Dame has two properties. New Life Academy has two properties. There's an event hall, and a pre- and after-school program. Elevation Autism Center, Scott Hutchins Park, and Ismaili Center are all the conditional or special uses within River Green Business Park.

Mr. Hall reported that the building that they would like to occupy, half of it is leased. The other half, they would be occupying with grades six, seven, and eight. He showed their flow chart for stacking. He then described required conditions for approval and reported that the Planning Commission heard this case at the June 1, 2026 meeting and recommended approval. Staff also recommends approval of this item.

Mayor Whitlock called for discussion from Council.

Questions were raised regarding parking, stacking and traffic patterns, and increase in number of students due to expansion.

The Mayor called the applicant forward to address Council's questions.

Ms. Melody Glauton of Anderson Tate & Carr, 1960 Satellite Boulevard, Duluth came forward on behalf of the applicant. She explained that the school is a dual language immersion charter school commissioned in July 2018. The purpose is to allow for the continuation of the school that currently serves grades K through seven, and the desire is to provide classes for the 17 seventh grade students to roll up to eighth grade.

Ms. Glauton noted all the other schools operating in the area and noted that traffic circulation is a factor that they were very willing to work on with the city to ensure safety and minimal impact on the area, but that current zoning of M-1 as light industrial could lead to truck and freight traffic. She described hours of operation, aftercare activities, and the projected growth pattern of enrollment increasing at the kindergarten/first grade levels.

Questions were raised regarding future plans to expand to the high school level, feedback from the existing parent drivers, and the distance from Peachtree Industrial Blvd to ensure traffic would be minimized.

Councilmember Thomas requested a condition be added preventing any students from driving, in case the desire to expand to HS was going to be entertained. Ms. Glouton agreed that would be acceptable.

Mayor Whitlock called for questions/comments from the public. Being none, the Mayor closed public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Cummings, to approve Ordinance O2026-29 for case SU2026-002 to allow a special use permit for 4400 River Green Parkway (Parcel ID R6325 026) with conditions as presented and adding the condition that no student parking is permitted.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

6. ORDINANCE TO AMEND UDC – TA2026-004 – STREET LIGHTS {G}

Mayor Whitlock opened the public hearing to consider an ordinance adjusting the City's Unified Development Code Article 9, Project Design and Construction Standards, Section 907.06. The goal of the revision is to provide clarification and detail regarding lighting requirements that must be met by developers and contractors.

Deputy Director Aron Hall presented the proposed changes, which require use of ANSI/IES RP-822 as well as Georgia Power guidelines, submission of a photometric plan, and requirements for roadway clearance for overhead roadway lighting. Planning Commission and staff are recommending approval of this item.

Mayor Whitlock called for discussion from Council.

Councilmember Graeder asked that if it would require LED lighting.

Mr. Hall said he was unsure what the regulations require currently but he would assume most modern technology if that is what GA Power was following as well.

Mayor Whitlock said he would hesitate describing technology that we think is modern, and then all of a sudden, it's outdated; it would be better to rely on staff.

The Mayor called for questions/comments from the public. Being none, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Graeder, seconded by Councilmember Doss, to approve ordinance O2026-26 to amend the City's Unified Development Code, Article 9, as presented.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

7. ORDINANCE TO AMEND UDC – TA2026-005 – ACCESSORY STRUCTURES
{Removed from agenda}

8. ORDINANCE TO AMEND UDC – TA2026-006 – FINAL PLAT TEXT BOX {H}

Mayor Whitlock opened the public hearing to consider an ordinance amending the City's Unified Development Code Article 11, Procedures and Permits, Section 1115.03.

Deputy Director Aron Hall presented.

Final Plat Specifications should include the option of a text box/signature box for plats that do not require dedication of infrastructure to the City. The UDC currently specifies only one text box, which includes dedication of infrastructure to the City. There are cases when this is not required or desired. Planning Commission and staff recommend approval of this item.

Mayor Whitlock called for discussion from Council.

Hearing none, the Mayor called for questions/comments from the public.

No questions brought forward. Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Graeder, seconded by Councilmember Cummings, to approve ordinance O2026-28 for case TA2026-006 to amend the Unified Development Code, Article 11, as presented.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

VII. NEW BUSINESS

1. AWARD OF BID – 2026 WOODEHAVEN DRIVEWAY REPLACEMENT {I,J}

The Mayor and Council considered awarding the bid for 2026 Woodehaven Driveway Replacement and Paving Project.

Public Works Director Audrey Turner came forward to explain the request. The project was bid as base bid with three alternates. Base streets are: Woodehaven Driveways: Folkstone Drive, Fernsberry Court, Oakwood Way. Asphalt streets: River Mill Drive (section from Peachtree Industrial to cul de sac only), Mill Run Court, Mill Falls Court, Kingsbrooke Court and River Summit Court. Alternates one through three were priced separately and are as follows: Woodehaven Driveways: Crape Myrtle Lane. Asphalt Streets: Toccoa Falls Drive and Hiawasse Drive.

The City received nine bids for this project. Following an analysis of each bid, plus reference checks by Keck and Wood engineering, staff recommended awarding the 2026 Woodehaven Driveway Replacement and Paving Project bid (with contingency) to A&S Paving, in an amount not to exceed \$618,574.37. Funds will come from 2026 Supplemental LMIG/LRA funds provided by Georgia DOT and SPLOST.

Previously, Council approved a budget amendment to accept the 2026 LRA funds and place them in budget to be used for this project. Therefore, staff is only requesting the 2023 SPLOST Transportation funds needed for the project with approval of a budget amendment BA-FY27-03 to add \$53,465 in unallocated 2023 SPLOST Transportation funds to the Transportation/Infrastructure Improvements - Paved Streets - Professional Services line item and \$293,065.78 in unallocated 2023 SPLOST Transportation funds to the Transportation/Infrastructure Improvements - Paved Streets - Repairs & Maintenance - Streets/Sidewalks line item, including associated transfers.

A motion was made by Councilmember Doss, seconded by Councilmember Graeder, to approve awarding the 2026 Woodehaven Driveway Replacement and Paving Project to A&S Paving, in an amount not to exceed \$618,574.37 as presented and authorize the Mayor or City Manager to execute the contract as approved by the City Attorney and further move to approve ordinance BA-FY27-03 as presented.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

2. CITY HALL ROOF REPLACEMENT – CONTRACT REPLACEMENT {K,L}

City Manager James Riker explained that, in May of this year, Council awarded Cotton Commercial, Inc. a contract to replace the City Hall with a low slope roof. During a mandatory preconstruction meeting representatives from Cotton Commercial realized they had failed to include pricing for the complete scope of the project and disputed the contents of the project details. Accordingly, Cotton Commercial and staff mutually agree it is in both parties' best interests to cancel the contract.

Once the contract with Cotton Commercial is terminated staff is recommending that a contract award be made to Dusty Greer Roofing for replacement of the City Hall roof. Dusty Greer Roofing scored the second highest points for the RFP scoring. The contract with Dusty Greer Roofing is slightly higher than the previously awarded contract with Cotton Commercial. Accordingly a budget amendment is required to add an additional \$27,928 in 2023 SPLOST funds to the project.

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder, to the Cancellation/Release Agreement with Cotton Commercial and to award a contract to Dusty Greer Roofing in the amount of \$123,000 for replacement of the City Hall Roof. Further I move to authorize a budget amendment BA-FY27-02 to add \$27,928 in unallocated 2023 SPLOST Administrative Facilities funds be added to City Hall Design\Build - General Government Buildings - Buildings line item, including associated transfers.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

VIII. MATTERS FROM DEPT HEADS/CITY ATTORNEY

1. ORDINANCE REAPPOINTING TADAC MEMBERS {M}

City Manager James Riker explained that re-appointments were necessary to change the County representatives to the job titles required to serve rather than individuals, as well as renew the City's appointments. Therefore, Mayor and Council were asked to consider approval of ordinance 02026-33, re-appointing Greg Whitlock and Manfred Graeder to the Tax Allocation District Advisory Committee, terms ending July 10, 2030 and specifying titles of other required members.

Appointed Members:

Greg Whitlock Expires 7/10/30. Term begin date: 2014 (Term limit ends 2028.)
Manfred Graeder Expires 7/10/30. Term begin date: 2024

Permanent Members:

Duluth City Manager
Chair, Gwinnett County Commission
Director, Gwinnett County Planning Dept

A motion was made by Councilmember Doss, seconded by Councilmember Park, to approve ordinance O2026-33 as presented.

Voted For: Council members Park, Thomas, Doss, Graeder, and Cummings
Motion carried.

IX. MATTERS FROM MAYOR & COUNCIL

1. APPRECIATION FOR EVENTS AND PROGRAMMING & SOCIAL MEDIA

Council was complimentary of the types of recent city events that have been provided as well as the Duluth 150th social media posts.

2. BUNTEN PARK IMPROVEMENTS

Parks Director Kathy Marelle gave quick updates on the walking trail reconstruction. There is a QR code on the construction sign that points to the most recent information regarding the project. It is anticipated to be complete by spring break, 2027.

3. JULY 3 LASER SHOW EVENT

Staff and Council to revisit what type of July 4 commemoration would be appropriate and feasible for next year.

X. MATTERS FROM CITY MANAGER

City Manager James Riker noted that a previous noise complaint was investigated and found to have merit. He recommended a future amendment to the noise ordinance; council supported.

XI. ADJOURNMENT

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

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

*The next scheduled meeting of the Mayor and Council is a work session
for July 27, 2026 at 5:30 p.m.*

KM 8/4



**WORK SESSION NOTES
MAYOR AND COUNCIL
CITY OF DULUTH, GA
JULY 27, 2026**

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

5:30PM - CALL TO ORDER

I. PUBLIC COMMENTS

None.

II. DISCUSSION ITEMS/PRESENTATIONS/UPDATES

1. AI STRATEGY & DATA EFFICIENCY UPDATE

{A}

City Manager James Riker introduced recently hired Data Analyst, Dylan Schneiderman, to provide the Council with an update on the City's efforts to improve data efficiency and utilization of AI in city operations. He summarized efforts to date, including evaluation of existing workflows to determine what type of tool would assist staff with accuracy, time savings and overall efficiency.

Mr. Schneiderman outlined the policy, the process and what areas have been improved thus far. He gave specific examples and statistics of what departments have been affected. A citywide AI policy has been established for safe internal use, with clear data input guidelines, and Staff training is ongoing. The Police Department leads AI adoption and has been using it already, to assist with report writing, facial recognition, transcription, and crime mapping. He emphasized that there is human oversight, no autonomous AI decisions are being made. In the Business Office, Mr. Schneiderman has worked with property taxes and HR. For taxes, he wrote a small program to improve workflow redesigns and monthly property owner changes reduced from three days of manual entry to three hours monthly. The HR Wellness Program administration workflows were shortened from three days to four hours, quarterly. He also discussed financial data consolidation projects, and the need for linking departmental data for holistic city insights to give bigger picture trends and solutions for inconsistencies.

Questions were raised about security, evaluation of available tools, and cost projections for use of AI. Staff reported that some departments are using free versions and are satisfied with those.

No action was taken.

2. ACCESSORY STRUCTURES – PROHIBITIONS

This item was removed from the July 13th Council agenda for further discussion. Community Development/Engineering Deputy Director Aron Hall came forward to present.

Mr. Hall explained that the proposed ordinance adds language to Article 2. Use of Land and Structures Section 203.05. Accessory Buildings and Structures to prohibit the use of certain structures in residentially zoned areas, and Article 14. Interpretation and Definitions.

Councilmember Graeder questioned the need for the change. Mr. Hall responded that the purpose of this amendment relates to property maintenance aesthetics, and would allow code enforcement to address unsightly storage areas and have less subjective authority for determining what looks “nice” or is in “good” condition. Planning staff felt that clarifying some definitions would prevent residents from reusing an item for storage that was not the intended to be used in that manner.

Additionally, Mr. Hall felt that the definition of “household” required amending as the Article 2 definition is not exactly the same as the one in Article 14.

Staff was authorized to place this item on the September Council agenda.

3. AMENDMENT TO DULUTH CODE ARTICLE III – NOISE

City Manager James Riker reported that Council had recently directed staff to investigate a modification to Article III Noise relating to domestic power tools, lawn mowers and agricultural equipment. He referenced surrounding communities and their day and time restrictions, and said it was truly Council’s preference on how to ensure the most courteous guidelines were established. Some people use landscape crews who typically like to start the day at 7am to beat the heat and are done by 5pm, others who do it themselves would need time after the workday ends on weekdays. Most agreed that weekend work should have fewer hours to ensure residents could be enjoying their outdoor spaces with minimal disturbance.

Mr. Riker suggested presented proposed modifications to the Municipal Code - Article III Noise to change allowable weekday hours from 7am to 8pm, Saturdays from 8am-5pm, and Sundays/holidays 10am-5pm and including 85 decibel limits.

Staff and the City Attorney directed to make changes as discussed and to place this item on the next Council consent agenda for authorization.

4. INFILL ORDINANCE

At Mayor and Council's request, staff has been finalizing the details of a proposed infill strategy ordinance. Deputy Director Aron Hall came forward to present. Part of this strategy included the R-50 zoning category, which is now in use, primarily in Hall Circle, the Hill community, and some of Davenport Road.

Mr. Hall showed the various housing types that would qualify, and described the purpose and intent as ensuring neighborhood compatibility, maintaining harmony and character of existing residential areas, and ensuring that residential infill development occurs in an orderly and desirable manner. He referenced allowable density by type, setbacks between housing, and parking. Each housing type has a case study and examples associated with it so developers can get ideas of what would be approved.

Mr. Hall outlined the appearance, associated dimensions and parking for each of the housing types, defined as Small lot single family, Duplex, Triplex, Quadplex, Sidecourt, Mansion Apartments, Townhomes, Courtyard Buildings, Cottage Courts, Mixed Use, and Accessory Dwelling Units. He also discussed allowed materials and fenestration requirements.

Mayor and Council asked that guest parking be addressed on the final ordinance. Staff will circulate the ordinance to Council for their markup/questions, and will present again at the August work session.

5. CAMERA SERVER REPLACEMENT

Chief Carruth explained that the camera servers in need of replacement are archive servers that store and replay videos from centralized locations at Public Works, WP Jones, the Festival Center and City Hall. These servers have a projected lifespan of 5-7 years. Three of the servers are at their end-of-life now (Public Works, WP Jones and Bunten Road Park) and one will be at the end-of-life in January of 2027 (City Hall). The cost of replacing the three at end-of-life now is \$16,471.00. The cost of replacing the City Hall server is \$30,018.86. We would like to replace Public Works, WP Jones and Bunten servers as soon as possible, and the City Hall server prior to January 2027. A budget amendment would be required.

Council recommended performing a benefit analysis on moving to the cloud vs. having physical servers. Staff to place this item on the next Council agenda for discussion.

III. MATTERS FROM MAYOR & COUNCIL

1. DOWNTOWN UPDATE

Chris McGahee gave a report on the status of new leases for downtown restaurants and retail spaces which have been vacant.

2. RETREAT DISCUSSION NOTES

City Manager James Riker reported that a summary of the notes from the Strategic session in June will be presented at the next work session.

3. OVERNIGHT PARKING ORDINANCE

A potential amendment to the hours for the overnight parking restriction is forthcoming.

4. DPAC ART PROJECT

The Mayor announced that four artists have been short-listed for the anticipated project at Red Clay.

5. ADULT LEAD PROGRAM REBRANDING

Duluth LEAD is being rebranded as “ENGAGE Duluth.”

IV. ADJOURNMENT

Meeting adjourned at 7:40pm.

KM 8/3

The next scheduled meeting of the Mayor and Council is a special called meeting for Monday, August 10th at 10:00am in the Council Chambers, and the regular meeting on August 10th at 6pm

**CITY OF DULUTH
STATE OF GEORGIA**

**ORDINANCE
TO AMEND CHAPTER 8 OF THE DULUTH CODE
ARTICLE III. STOPPING, STANDING AND PARKING**

In accordance with O.C.G.A. § 40-6-371(a)(1), the Council of the City of Duluth hereby ordains that the Duluth Code of Ordinances is hereby amended by deleting Sec 8-68, subsection (14) in its entirety, and replacing with the following:

Article III. STOPPING, STANDING AND PARKING

Sec. 8-68. Citywide regulations.

- (14) Overnight (12:00 a.m.—7:00 a.m.) parking shall be prohibited in all public rights-of-way. Nothing shall prohibit parking in designated parking spaces.

IT IS SO ORDAINED this _____ day of _____ 2026.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson-Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

**CITY OF DULUTH
STATE OF GEORGIA**

**ORDINANCE
TO AMEND CHAPTER 9 OF THE DULUTH CODE
ARTICLE III. NOISE**

WHEREAS, the City of Duluth desires to impose limitations on Exemptions from the sound level limits of Chapter 9 – Nuisances, Sec. 9-66 relating to domestic power tools, lawn mowers, leaf blowers and other agricultural equipment.

NOW THEREFORE, the Council of the City of Duluth hereby ordains that the Duluth Code of Ordinances is hereby amended by deleting in its entirety Section 9.64. – Exemptions and replacing with a new Section 9.64. – Exemptions to read as follows:

Article III. NOISE

Sec. 9-64. - Exemptions.

The following are exempt from the sound level limits of [section 9-66](#):

- (1) Domestic power tools, lawn mowers, leaf blowers, chain saws and other agricultural equipment when operated with a muffler, on weekdays between the hours of 7:00am and 8:00pm, on Saturdays between 8:00am and 5:00pm, and on Sundays and Federal holidays between 10:00am and 5:00pm, provided the use of the above referenced tools and equipment generates **less than 85 dB(A)** at or within any real property line of a residential property
- (2) Noises resulting from any authorized emergency vehicles when responding to an emergency.
- (3) Any noise resulting from activities of a temporary duration, for which a special permit has been granted pursuant to this article, and which conforms to the conditions and limits stated thereon.
- (4) Noises from religious places of worship and chimes.
- (5) Noises from construction activity are exempt from [section 9-66](#), except that the industrial sound level limit shall apply in all land use categories.

IT IS SO ORDAINED this _____ day of _____ 2026.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson-Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

**ORDINANCE
TO AMEND THE CITY OF DULUTH
2027 FISCAL YEAR BUDGET**

AN ORDINANCE TO AMEND THE 2027 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2027 fiscal year as follows:

Total Revenues:	<u>67,327,143</u>
Operations Expenditures:	<u>43,220,399</u>
Capital Improvement Expenditures:	<u>24,106,744</u>
Total Expenditures:	<u>67,327,143</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth Police Chief informed council three camera servers are at end of life and a fourth will be at end of life in January 2027 and need to be replaced; and

WHEREAS the total cost to replace the four camera servers would be \$46,500 with the funds coming from 2023 SPLOST Public Safety funds; and

WHEREAS it is requested \$46,500 in 2023 SPLOST Public Safety funds be added to Police Capital Projects – Police – Computers line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2027 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>67,373,643</u>
Operations Expenditures:	<u>43,220,399</u>
Capital Improvement Expenditures:	<u>24,153,244</u>
Total Expenditures:	<u>67,373,643</u>

IT IS SO ORDAINED this _____ day of _____, 2026.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

**ORDINANCE
TO AMEND THE CITY OF DULUTH
2027 FISCAL YEAR BUDGET**

AN ORDINANCE TO AMEND THE 2027 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2027 fiscal year as follows:

Total Revenues:	<u>67,373,643</u>
Operations Expenditures:	<u>43,220,399</u>
Capital Improvement Expenditures:	<u>24,153,244</u>
Total Expenditures:	<u>67,373,643</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth is in the process of renovation the lobby, bar, bathrooms, façade and marketing signage for the Red Clay Theater; and

WHEREAS staff is requesting additional funding of \$200,000 in General Funds for additional carpet, security cameras/access control, electrical improvements and other items identified as needing to be upgraded; and

WHEREAS it is requested \$200,000 in General Funds be added to Red Clay Theater – Special Recreational Facilities – Site Improvement line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2027 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>67,573,643</u>
Operations Expenditures:	<u>43,220,399</u>
Capital Improvement Expenditures:	<u>24,353,244</u>
Total Expenditures:	<u>67,573,643</u>

IT IS SO ORDAINED this _____ day of _____, **2026.**

Mayor Greg Whitlock

Those councilmembers voting in favor:

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

**CITY OF DULUTH
STATE OF GEORGIA**

**ORDINANCE
TO AMEND CHAPTER 15 OF THE DULUTH CODE
ESTABLISHING ANNUAL INCREASES IN STORMWATER FEES**

WHEREAS, uncontrolled storm water drainage/discharge may have a significant, adverse impact on the health, safety and welfare of the City of Duluth and the quality of life of its citizens. More specifically, surface water runoff can carry pollutants and nutrients into receiving waters; and

WHEREAS, uncontrolled storm water drainage can increase the incidence of flooding and the levels of floods which occur, endangering roads, other public and private property and human life; and

WHEREAS, altered land surfaces can change the rate and volume of runoff; and

WHEREAS, adverse water quality consequences can result in substantial economic losses. Potential losses include, but are not limited to, increased water treatment costs, as well as State and Federal fines associated with water quality violations; and

WHEREAS, every parcel of real property, both public and private, either impacts or derives benefit from the maintenance of the City separate storm sewer system; and

WHEREAS, The City of Duluth is authorized by the Georgia Constitution of 1983, including, without limitation, Article IX, Section II, Paragraphs I and III thereof and O.C.G.A. § 36-82-62 to provide stormwater management services, systems and facilities throughout the corporate boundaries of the City of Duluth; and

WHEREAS, required stormwater infrastructure repairs and costs related to such projects are increasing at levels which are not supported by current fee structure; and

WHEREAS, the City of Duluth desires to impose gradual increases in Stormwater Utility Fees to address the increases in required repairs and costs.

NOW THEREFORE, The Council of the City of Duluth hereby ordains that the Duluth Code of Ordinances is hereby amended by deleting Subsection 15-20(c) of Article II in its entirety and replacing same with a new Subsection 15-20(c) of Article II, Chapter 15 to read as follows:

Article II. STORMWATER FEES

Sec. 15-20 Stormwater user fee billing, delinquencies, collections and rates.

(c) Rates.

(1) All parcels in the city shall be segregated into one (1) of four (4) customer classes: detached single-family residential (DSFR), attached single-family residential (ASFR), non-single-family residential (NSFR) and undeveloped.

(2) The stormwater utility shall establish that one (1) equivalent residential unit (ERU) equals two thousand nine hundred ninety-seven (2,997) square feet of impervious surface area. The ERU of two thousand nine hundred ninety-seven (2,997) square feet is the mean impervious surface footprint for a typical DSFR parcel within the city. The stormwater user fee for one (1) ERU shall be ninety dollars (\$90.00) per year, **and beginning with the 2026 tax year and each year subsequent, said rate shall increase annually by 3%.**

(3) All developed parcels with more than five hundred (500) square feet of impervious surface area shall be billed for stormwater management program (SWMP) services and undeveloped parcels shall not be billed.

(4) DSFR and ASFR parcels shall be billed a flat rate charge for SWMP services. All DSFR parcels will be charged one (1) ERU or ninety dollars (\$90.00) per year and all ASFR parcels will be charged one half (0.5) ERU or forty-five dollars (\$45.00) per year, per dwelling unit, except as otherwise provided in this section **beginning with the 2026 tax year and each year subsequent, said rate shall increase annually by 3%.**

(5) DSFR parcels with more than eight thousand nine hundred ninety-one (8,991) square feet of impervious surface area (or three (3) ERUs) shall be charged using the NSFR rate calculation method as outlined herein **provided however that, beginning with the 2026 tax year and each year subsequent, said rate shall increase annually by 3%.**

(6) NSFR parcels shall be billed on a parcel specific basis based on the actual amount of impervious surface area. NSFR parcels shall be ninety dollars (\$90.00) per year for each increment of two thousand nine hundred ninety-seven (2,997) square feet impervious surface area, or fraction thereof **and beginning with the 2026 tax year and each year subsequent, said rate shall increase annually by 3%.**

IT IS SO ORDAINED this _____ day of _____ 2026.

Mayor Greg Whitlock

Those councilmembers voting in favor:

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson-Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk



Residential Traffic Calming Program

Policy and Procedure

City of Duluth

Adopted: August 10, 2026

Residential Traffic Calming Program

1. Application and Intent

The residential traffic calming program specifically applies to local city-owned roads in residential neighborhoods. This program does not apply to private roads, County or State-owned roads, or roads within non-residential areas.

2. Definitions and Acronyms

For the purposes of this policy, the following terms and phrases are defined. Unless the context clearly indicates otherwise, each term shall have the meaning assigned to it in this section.

85th Percentile Speed: An index of traffic speeds for a road segment used by transportation professionals for traffic analysis purposes. The 85th percentile speed is the speed at which 85 percent of the total collected traffic volume are driving at or below in a typical 24-hour period.

AASHTO: the American Association of State Highway and Transportation Officials. This non-profit, non-partisan organization represents state departments of transportation in the U.S. and Puerto Rico, and set national guidelines for highway design, construction, and safety materials.

ADT / Average Daily Traffic: Unit of measure used by transportation professionals for traffic volume analysis, in units of vehicles per day (vpd). ADT for the purpose of this policy refers to the traffic in both directions on a particular stretch of roadway within a typical 24-hour period.

Affected Area / Service Area: The geographic portion of a neighborhood consisting of all property owners whose quality of life as a resident in the neighborhood, and not necessarily as a traveler through the neighborhood, is being directly impacted by the cut-through or speeding traffic problem being addressed. The affected area will include all lots from which residents must traverse all or a portion of the traffic calming measure. The affected area will also include all lots from which residents may have an alternate route without traffic

calming measures, but whose lots have driveways that access the residential street for which traffic calming measures are sought. Non-fronting lots who have an alternate travel path may be considered part of the affected area based on proximity.

Applicant: A real property owner who has initiated a request for traffic calming measures and/or has assumed a primary role in circulating the subsequent traffic-calming petition and undertakes to serve as the City's sole contact with respect to the progress of any subsequent traffic study and traffic-calming petition.

City: City of Duluth, GA

Department: The city's Department of Community Development & Engineering.

Director: Director of the Community Development & Engineering Department of the City of Duluth, unless otherwise noted.

Eligible Petitioner: The person whose name is recorded as a property owner in the tax records maintained by the Gwinnett County tax commissioner and board of tax assessors for the address listed on the petition that falls within the affected area.

GDOT: Georgia Department of Transportation

HOA: Homeowners Association

ITE: The Institute of Transportation Engineers. This member-driven educational association includes engineers and planners who work to improve mobility and safety for all road users.

MUTCD: The Manual on Uniform Traffic Control Devices, latest edition. This manual is published by the Federal Highway Administration, and is the national standard for all traffic signs, signals, and pavement markings in the U.S.

Real Property Owners: Owners as indicated in the tax records maintained by the Gwinnett County tax commissioner and board of tax assessors.

Residential Street: A street listed as “local” in the records of the City of Duluth Community Development and Engineering Department serving homes rather than businesses. This classification is based on land use and is not considered a functional classification.

Traffic-Calming Measures: Those self-enforcing methods and processes, prescribed by "AASHTO" or other nationally recognized organizations, that the City may use in combination to reduce aggressive driving behavior that impair the quality of life of its citizens in any neighborhood in which the posted speed limit is no greater than thirty (30) miles per hour. A list of such potential measures is located later in this document.

Traffic Study: The process by which data pertinent to the flow, rate of speed and density of traffic, collected over a defined period of time, is measured and analyzed to determine its impact on the safety of citizens within a neighborhood or affected area.

3. Program Goals

The City of Duluth supports traffic calming measures that are proven in the transportation industry to enhance public safety without delaying emergency response vehicles and personnel. The goals of the program include:

- Reducing speeds such that 85% of vehicles travel within 5 mph of the posted speed limit.
- Discouraging through traffic from using local residential streets while encouraging them to remain on arterials and collectors where possible.
- Deterring heavy vehicles from using local roads where possible.
- Maintaining emergency vehicle access and response time.
- Maintaining or improving access (or future access) for bicycles and pedestrians.
- Educating the neighborhood on traffic calming as projects move forward.

4. Minimum Requirements

- Only city-owned, local residential streets with a posted speed limit of 30mph or less are eligible for the program.
- Speed study (conducted by the City) must indicate the 85th percentile speed is greater than 10mph over the posted speed limit. Speed study to

include a review of whether traffic calming techniques would be expected to cause a significant impact on other local residential streets in or near the study area.

- Length of the roadway segment is at least 500 feet.
- Average daily traffic (ADT) exceeds the number of expected trips (based on ITE trip generation models) by 25% or more. For lower volume roads, average daily traffic must also exceed 400 vehicles per day.
- Speeding issues must be officially reported to the City's Department of Public Safety prior to requesting any traffic calming studies.

5. Process

1. An applicant or HOA must first document the speeding issues by reporting them directly to the City of Duluth Public Safety Department. This will allow for enforcement opportunity and will allow engineers to understand whether the problem is ongoing or isolated.
2. If a speeding problem exists, and if the City's Public Safety Department confirms it is an ongoing issue that should be further investigated for traffic calming measures, an applicant may request a traffic calming study.
3. Traffic calming studies can be requested through the Department of Community Development and Engineering.
4. Once the formal request has been received and confirmed to be complete, staff will review the request, talk with Public Safety staff to confirm speeding history, and visit the site for initial data collection. This would include confirmation of road ownership, road length, adjacent land use, driveway locations, posted speed, geometry of exiting road, service area for future traffic calming enhancements, and logical location(s) for traffic counts.
5. If criteria are met, staff will arrange for a speed study to determine 85th percentile speed within the service area. Traffic study will also determine whether traffic calming measures within the service area are expected to create a problem for adjacent services areas nearby. If criteria are not met, a denial letter will be sent to the applicant explaining the reason for denial.
6. Based on the facts and the extent of the problem, the City may engage the neighborhood with an educational campaign related to speeding.
7. If speed study criteria are met, the applicant will be required to circulate a petition within the service area. Staff will provide the form along with a map of the service area, and it will be the responsibility of the applicant to get the signatures. A minimum of 70% of the property owners within the

service area must approve of adding traffic calming measures. Signatures must be from legal property owners of record, and only one signature per property is permitted. Applicant will have 90 days to return the petition to staff. A one-time 30-day extension may be requested and granted at the discretion of the Director. If speed study criteria are not met, a denial letter will be sent to the applicant and that service area will not be eligible to reapply for five years from the denial date.

8. If the petition is received within the allotted time, staff will review it to ensure level of support and ensure the signatures match the owners of record within the County's database. If the petition is not received within the allotted time, a denial letter will be sent to the applicant and that service area will not be eligible to reapply for five years from the denial date. If timely petition is accurate and establishes the minimum level of support, staff will arrange for a concept plan and a concept cost estimate to be developed for traffic calming measures within the service area, as funding allows. If funding is not available, the project will go on a priority list awaiting funding. If timely petition is not accurate, resulting in a level of support less than 70%, a denial letter will be sent to the applicant and that service area will not be eligible to reapply for five years from the denial date.
9. Once the concept level plan is completed, staff will engage with the applicant to set up a meeting with the affected property owners to discuss the proposed enhancements. The goal of the meeting is to explain the concept, respond to questions, and ensure continued support for the project.
10. After the property owner meeting and as funds are available, the concept will be developed into construction plans, and will include to the extent feasible, feedback from the property owner meeting. An updated construction cost will also be developed.
11. Once funds are available for construction, the project will be completed.
12. Within 12 months of completion, a post construction traffic study will be completed to determine the success of the project. If additional traffic calming is required, staff will investigate options.
13. The City will cover the cost of preliminary engineering, studies, right of way acquisition, construction, and maintenance.

Residential Traffic Calming Process

City of Duluth, Georgia

INTAKE & REQUEST

Document Speeding Issues to PD

PD Confirms Speeding Issue?

No

Denial Letter

Yes

Applicant to Submit Traffic Calming Study Request

TECHNICAL EVALUATION

Staff Conducts Site Visit and Initial Data Collection

Request Complete?

No

Staff to Work with Applicant on Incomplete Items

Eligibility Confirmed?

No

Denial Letter with 5-Year Waiting Period

Yes

Traffic and Speed Studies to Be Completed

Criteria Met?

No

Yes

Applicant to Circulate Petition (See Guidelines)

PETITION & INITIAL FUNDING

Check for Funding

Petition Criteria Met?

No

Denial Letter with 5-Year Waiting Period

Funding for Next Step Available?

No

Project Added to Prioritization List Awaiting Funding

Yes

Develop Concept and Initial Cost Estimate

Funding becomes available

DESIGN & CONSTRUCTION

Meet with Affected Property Owners to Discuss Plan

Funding for Next Step Available?

No

Project Added to Prioritization List Awaiting Funding

Yes

Develop Construction Plans, Acquire Right of Way, Coordinate Utilities, Construct Project

Funding becomes available

12-Month Post-Construction Study to Be Completed

6. Removal of Traffic Calming Measures

An applicant may petition the City for removal of traffic calming measures. No such petitions will be accepted within five years of initial project completion, barring compelling evidence related to safety and welfare of the residents within the service area or adjacent service areas as determined by the City Engineer. The petition must indicate 90% of the property owners within the service area are in favor of the removal and the City Engineer must concur that removal is in the best interest of public safety. Removal is based on availability of funding and is at the discretion of the Mayor and Council.

APPENDIX

Examples of Traffic Calming Measures

Traffic calming measures will be designed as a system of improvements based on the type of conditions they can best mitigate within each unique circumstance. Traffic calming measures are most effective when applied in a programmatic fashion throughout the service area and in conjunction with complimentary elements such as signing and pavement marking.

All traffic calming measures will be based on industry standards and all signing and pavement marking will conform to GDOT and MUTCD standards. The following list includes potential options for consideration. This list is not exhaustive and other measures (not listed) may be considered if appropriate.

Chicane: A series of alternating curves or lane shifts that are shaped by mid-block curb extensions or bulb-outs, positioning a motorist to steer back and forth out of a straight travel path.

Curb & Landscaping (in combination): The addition of a physical barrier/curb line, combined with narrowed travel lanes and a beauty strip separating a sidewalk from the travel lane. Ground cover and/or landscaping can be added to the beauty strip depending on the width.

Curb Extensions: Frequently known as “chokers” or “bulb outs”, these measures reduce the number of lanes or the lane width at certain locations to compliment cross walks or parallel parking, and to subconsciously slow drivers who pass through the pinch point area.

Diverter: A raised median island built at or in an intersection, often used to restrict left turn movements.

Dynamic Speed Display Sign (DSDS): A combination of a static speed limit sign and dynamic electronic speed display sign that flashes actual vehicle speeds as vehicles approach.

Lateral Shift: A horizontal deflection shaped by a combination of curb extensions and median islands designed to move the street alignment and cause travel lanes to shift in one direction.

Median Island: A raised island located along the street centerline that reduces the width of the street.

Mini Roundabout: A raised, and often traversable, center island placed within an existing unsignalized intersection, around which traffic circulates.

On Street Parking: Legal parking typically in the form of marked parallel spaces that allow for a vehicle to be lawfully parked along the street during any hour of the day or night.

Pavement Treatments: Using texture and/or color to modify the roadway surface and bring attention to a crosswalk, intersection, or lane. This may include stamped asphalt, stamped concrete, or synthetic street coatings. The additional texture and/or contrasting color can offer speed-reducing effects by increasing driver awareness.

Raised Crosswalk: A variation of a flat-topped speed table that is marked and signed as a pedestrian crossing, typically elevated three to five inches above the roadway.

Raised Intersection: A variation of a flat-topped speed table that covers an entire intersection, including the crosswalks, typically elevated three to five inches above the roadway.

Roundabout: An intersection configuration in a circular shape with counterclockwise traffic flow and yield-at-entry approaches often separated by splitter islands.

Speed Cushion: Two or more raised areas placed laterally across a roadway with gaps that provide space to fit the wheel path of large or emergency vehicles.

Speed Hump: A vertical asphalt constructed type of traffic calming device designed to reduce motorist speeds along low-volume local roadways.

Speed Table: Extended or elongated speed humps with flat tops that allow for slightly higher speeds than speed humps or cushions.

Streetlights: Raised, typically pole mounted, fixtures located along roads, sidewalks, or public areas to provide illumination at night.

**ORDINANCE
TO AMEND THE CITY OF DULUTH
2027 FISCAL YEAR BUDGET**

AN ORDINANCE TO AMEND THE 2027 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2027 fiscal year as follows:

Total Revenues:	<u>67,277,143</u>
Operations Expenditures:	<u>43,220,399</u>
Capital Improvement Expenditures:	<u>24,056,744</u>
Total Expenditures:	<u>67,277,143</u>

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth has had ongoing and recent discussions by Mayor and Council, and decision at the retreat in June 2026 to develop and adopt a formal traffic calming policy; and

WHEREAS the adoption of the policy creates a formal path forward for residents to request services, and staff to investigate service requests with an initial funding of \$50,000 in 2017 SPLOST Transportation funds; and

WHEREAS it is requested \$50,000 in 2017 SPLOST Transportation funds be added to Residential Traffic Calming – Paved Streets – Professional Services line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2027 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	<u>67,327,143</u>
Operations Expenditures:	<u>43,220,399</u>
Capital Improvement Expenditures:	<u>24,106,744</u>
Total Expenditures:	<u>67,327,143</u>

IT IS SO ORDAINED this _____ day of _____, **2026.**

Mayor Greg Whitlock

Those councilmembers voting in favor:

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____
Teresa S. Lynn, City Clerk

**RESOLUTION
REGARDING CHECK SIGNING/INVESTMENT AUTHORITY**

BE IT RESOLVED that Embassy National Bank, First Citizens, United Bank (formerly known as The Piedmont Bank), The Renasant Bank, HomeTrust National Bank, East West Bank, Touchmark National Bank, and Truist Bank are hereby designated as depositories of the City, existing under the laws of the State of Georgia; and

BE IT RESOLVED that on all checking accounts, savings accounts, deposit or collection of accounts, reserve accounts, certificates of deposit, money markets, and that all drafts, checks, etc., drawn against any such accounts shall be signed by the following:

EITHER, Mayor Greg Whitlock or Mayor Pro Tempore, AND either Assistant City Manager/City Clerk Teresa S. Lynn or City Manager James Riker, being the intent hereof to require the signature of both one appointed and one elected City official.

BE IT FURTHER RESOLVED THAT the renewal of any certificates of deposit or other deposit instruments must be accomplished by the same persons as identified herein above.

No person, either elected or appointed, shall have any authority to borrow in the name of the City of Duluth without an express written resolution authorizing such a loan transaction and granting specific authority to specific named elected and appointed officials to sign such notes on behalf of the City of Duluth.

DULY ADOPTED on this 10th day of August 2026.

Those council members voting in favor:

Mayor, Greg Whitlock

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Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

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Those councilmembers voting in opposition: _____

ATTEST: _____
Teresa S. Lynn, Asst. City Manager/City Clerk

**PRESS RELEASE ANNOUNCING PROPOSED PROPERTY TAX INCREASE
THE CITY OF DULUTH TODAY ANNOUNCES ITS INTENTION TO
INCREASE THE 2026 PROPERTY TAXES IT WILL LEVY THIS YEAR BY
2.91% OVER THE ROLLBACK MILLAGE RATE**

The City of Duluth, Georgia in accordance with Georgia State Law (48-5-32-1) is providing the following information regarding property taxes and the millage rate. The City of Duluth intends to increase the property taxes it will levy this year by 2.91% over the rollback millage rate set forth by SB 177, Act 431, of the 1999 Legislative Session.

Each year, the Gwinnett County Tax Assessor is required to review the assessed value of taxable property in the county for property tax purposes. When the trend prices of properties that have recently sold in the county indicate there has been an increase in the fair market value of any specific property, the board of tax assessors is required by law to re-determine the value of such property and increase the assessment. This is called a reassessment process.

When the total digest of taxable property is prepared, Georgia Law requires that a rollback millage rate must be computed that will produce the same total revenue on the current year's new digest that last year's millage rate would have produced had no reassessments occurred.

The Fiscal Year 2027 budget adopted by the Duluth City Council on June 8, 2026, requires a millage rate higher than the rollback millage rate. The current millage rate is 6.551 mills, and the proposed millage rate is 6.551 mills. Therefore, before the Duluth City Council may set a millage rate to support the budget, Georgia Law requires that three public hearings be held to allow the public an opportunity to express their opinions on the increase. The City is also required to distribute this press release.

All concerned citizens are invited to attend the public hearings on this proposed tax increase to be held at Duluth City Hall, 3167 Main Street, Duluth, Georgia 30096 as follows:

Monday	August 10, 2026	10:00 a.m.	Council Chambers
Monday	August 10, 2026	6:00 p.m.	Council Chambers
Monday	August 24, 2026	5:30 p.m.	Community Room

Should you have any questions regarding this notice please call Teresa S. Lynn City Clerk at (770) 476-3434 or email tlynn@duluthga.net.

A copy of this notice is also posted on the City of Duluth's web site at www.duluthga.net

Thank you
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SALES PERSON: GPR414	NEXT RUN DATE: 08/02/26
SIZE: 3X5.5	PROOF DUE: 07/30/26 12:00:00
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Norcross Police get \$450K federal grant to help build Real Time Crime Center

From staff reports

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tiative aimed at strengthening crime prevention and improving coordination among law enforcement agencies in Gwinnett County.

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nology and enhanced coordination to combat crime.

The planned Real Time Crime Center will serve as a central operations center where law enforcement agencies can share information, monitor incidents as they unfold and coordinate responses more efficiently.

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“Coordination between law enforcement is necessary to better prevent crime,” Ossoff said. “That’s why Senator Reverend Warnock and I brought Republicans and Democrats together to help build a new central law en-



Photo: City of Norcross

Norcross Public Safety Building can be seen in this rendering. The facility, which will house the Norcross Police Department and Municipal Court, will also be home to the Real Time Crime Center.

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From left, U.S. Sens. Raphael Warnock and Jon Ossoff

Senator Ossoff to secure nearly half a million dollars for

the city of Norcross’s crime prevention center.”

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Blair, Scott head to runoff in 13th Congressional District special election

By Curt Yeomans
curt.yeomans@
gwinnettdaily.com

The nation will have to wait another month to find out who will replace the late Congressman David Scott in Washington D.C. for the remainder of this year, but Democrats can let out of a sigh of relief because it is now guaranteed to stay in their hands.

Nobody running to fill what’s left of Scott’s unexpired term got more than 50% of the votes in Tuesday’s 13th Congressional District special election, so a runoff will take place on Aug. 25 between the congress-

man’s daughter, Marcy Scott, and former Gwinnett County school board chairman Everton Blair.

Scott and Blair are both Democrats, ensuring the seat remains blue through at least the end of this year.

The winner will serve in Congress for four months before the term expires at the end of December.

Scott received 46.76% of the 19,857 votes cast in the special election while Blair got 36.72%. Nobody else in the field even close to them in the election results.

Republican Caesar Gonzalez finished in third place

with 8.66% of the vote, followed by fellow Republican Fayth Park, who got 4.72% and Democrat Carlos Moore

came in last place with 3.14%. Scott led Blair by a margin of 1,993 votes. She received 9,285 votes while he received 7,292 votes.

The results are unofficial until they have been certified.

The special election is separate from the election for a full two-year term in this seat that will begin in January 2027. Rep. Jasmine Clark cruised to a victory in the Democratic Party primary for that term in May and will face Republican Jonathan Chavez in November.

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If you need further information, please call Teresa S. Lynn, City Clerk at (770) 476-3434, or e-mail: tlynn@duluthga.net

CURRENT 2026 TAX DIGEST AND 5 YEAR HISTORY OF LEVY						
CITY WIDE	2021	2022	2023	2024	2025	2026
Real & Personal	1,753,087,040	2,169,216,640	2,478,750,740	2,635,221,070	2,859,909,888	3,006,679,090
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Mobile Homes	24,040	22,760	22,760	22,760	26,320	27,720
Timber - 100%	0	0	0	0	0	0
Heavy Duty Equipment	39,810	4,180	42,540	68,340	37,940	11,920
Gross Digest	1,761,074,650	2,175,901,640	2,484,959,320	2,640,666,100	2,864,390,978	3,010,201,500
Less M& O Exemptions	63,737,634	74,188,858	85,342,396	79,895,974	192,226,150	173,380,622
Net M & O Digest	1,697,337,016	2,101,712,782	2,399,616,924	2,560,770,126	2,672,164,828	2,836,820,878
Gross M&O Millage	6.551	6.551	6.551	6.551	6.551	6.551
Less Rollbacks						
Net M&O Millage	6.551	6.551	6.551	6.551	6.551	6.551
Total City Taxes Levied	\$11,119,255	\$13,768,320	\$15,719,890	\$16,775,605	\$17,505,352	\$18,584,014
Net Taxes \$ Increase		\$2,649,066	\$1,951,570	\$1,055,715	\$729,747	\$1,078,662
Net Taxes % Increase		23.82%	14.17%	6.72%	4.35%	6.16%

SOME DISTORTIONS IN FIGURES MAY OCCUR SINCE DATA WAS OBTAINED FROM CITY AND COUNTY RECORDS. THESE FIGURES DO NOT REFLECT BILLING ADJUSTMENTS TO THE DIGEST.

What was that? USGS now says it wasn’t an earthquake in Lilburn

From staff reports

When her house started shaking at 11 a.m. on Wednesday, Lisa Stiller thought it might be due to blasting at nearby Vulcan Materials. She was right despite early reports that the area had experienced a minor earthquake.

On Wednesday the United States Geological Survey reported it as a 2.3 magnitude earthquake. The coordinates, according to the USGS, centered the earthquake in a subdivision off Steve Reynolds Blvd. near Freeman Lake in the Lilburn area.

But on Thursday morning, the USGS released an update attributing the shaking to “a quarry blast equivalent to the force of a M2.3 earthquake.”

The blast came from the quarry at Vulcan Materials and it was forceful enough to feel like a 2.3 earthquake.

Stiller, who has lived on Dickens Terrace NW in Lilburn for 31 years, said the quarry blast got her family’s attention.

“We heard a boom and felt the entire brick house shake a few seconds,” she said. “Nothing fell off the walls; (the) refrigerator did not move. “We did a quick walk-around the house after we determined everything was OK.”

On Thursday, Stiller’s initial thoughts about the shaking were confirmed.

“It would be great if that quarry would stop the blasting; it has been ongoing for over 30 years,” she said. “Hopefully this will make someone do something.”



SEPTEMBER 12
9:30 A.M. - 3:30 P.M.
DOWNTOWN NORCROSS



aplacetoimagine.com

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Heavy Duty Equipment	39,810	4,180	42,540	68,340	37,940	11,920
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Scott received 46.76% of the 19,857 votes cast in the special election while Blair got 36.72%. Nobody else in the field even close to them in the election results.

Republican Caesar Gonzalez finished in third place

with 8.66% of the vote, followed by fellow Republican Fayth Park, who got 4.72% and Democrat Carlos Moore

came in last place with 3.14%. Scott led Blair by a margin of 1,993 votes. She received 9,285 votes while he received 7,292 votes.

The results are unofficial until they have been certified.

The special election is separate from the election for a full two-year term in this seat that will begin in January 2027. Rep. Jasmine Clark cruised to a victory in the Democratic Party primary for that term in May and will face Republican Jonathan Chavez in November.

PRESS RELEASE ANNOUNCING PROPOSED PROPERTY TAX INCREASE
THE CITY OF DULUTH TODAY ANNOUNCES ITS INTENTION TO INCREASE THE 2026 PROPERTY TAXES IT WILL LEVY THIS YEAR BY 2.91% OVER THE ROLLBACK MILLAGE RATE

The City of Duluth, Georgia in accordance with Georgia State Law (48-5-32-1) is providing the following information regarding property taxes and the millage rate. The City of Duluth intends to increase the property taxes it will levy this year by 2.91% over the rollback millage rate set forth by SB 177, Act 431, of the 1999 Legislative Session.

Each year, the Gwinnett County Tax Assessor is required to review the assessed value of taxable property in the county for property tax purposes. When the trend prices of properties that have recently sold in the county indicate there has been an increase in the fair market value of any specific property, the board of tax assessors is required by law to re-determine the value of such property and increase the assessment. This is called a reassessment process.

When the total digest of taxable property is prepared, Georgia Law requires that a rollback millage rate must be computed that will produce the same total revenue on the current year's new digest that last year's millage rate would have produced had no reassessments occurred.

The Fiscal Year 2027 budget adopted by the Duluth City Council on June 8, 2026, requires a millage rate higher than the rollback millage rate. The current millage rate is 6.551 mills, and the proposed millage rate is 6.551 mills. Therefore, before the Duluth City Council may set a millage rate to support the budget, Georgia Law requires that three public hearings be held to allow the public an opportunity to express their opinions on the increase. The City is also required to distribute this press release.

All concerned citizens are invited to attend the public hearings on this proposed tax increase to be held at Duluth City Hall, 3167 Main Street, Duluth, Georgia 30096 as follows:

Monday	August 10, 2026	10:00 a.m.	Council Chambers
Monday	August 10, 2026	6:00 p.m.	Council Chambers
Monday	August 24, 2026	5:30 p.m.	Community Room

Should you have any questions regarding this notice please call Teresa S. Lynn City Clerk at (770) 476-3434 or email tlynn@duluthga.net.

A copy of this notice is also posted on the City of Duluth's web site at www.duluthga.net

Thank you
Teresa S. Lynn, City Clerk

PUBLIC NOTICE

The City of Duluth has tentatively adopted a millage rate which will require an increase in property taxes by 2.91 percent. All concerned citizens are invited to the public hearing on this tax increase to be held at Duluth City Hall, 3167 Main Street, Duluth, Georgia 30096 on August 10, 2026 at 10:00 a.m. in the Council Chambers.

Times and places of additional public hearings on this tax increase are at Duluth City Hall, 3167 Main Street, Duluth, Georgia 30096 on August 10, 2026 at 6:00 p.m. in the Council Chambers and on August 24, 2026 at 5:30 p.m. in the Community Room. This tentative increase will result in a millage rate of 6.551 mills, an increase of 0.185 mills. Without this tentative tax increase, the millage rate will be no more than 6.366 mills. The proposed tax increase for a home with a fair market value of \$475,000 is approximately \$35.15 and the proposed tax increase for nonhomestead property with a fair market value of \$850,000 is approximately \$62.90.

If you need further information, please call Teresa S. Lynn, City Clerk at (770) 476-3434, or e-mail: tlynn@duluthga.net

CURRENT 2026 TAX DIGEST AND 5 YEAR HISTORY OF LEVY						
CITY WIDE	2021	2022	2023	2024	2025	2026
Real & Personal	1,753,087,040	2,169,216,640	2,478,750,740	2,635,221,070	2,859,909,888	3,006,679,090
Motor Vehicles	7,923,760	6,658,060	6,143,280	5,353,930	4,416,830	3,482,770
Mobile Homes	24,040	22,760	22,760	22,760	26,320	27,720
Timber - 100%	0	0	0	0	0	0
Heavy Duty Equipment	39,810	4,180	42,540	68,340	37,940	11,920
Gross Digest	1,761,074,650	2,175,901,640	2,484,959,320	2,640,666,100	2,864,390,978	3,010,201,500
Less M& O Exemptions	63,737,634	74,188,858	85,342,396	79,895,974	192,226,150	173,380,622
Net M & O Digest	1,697,337,016	2,101,712,782	2,399,616,924	2,560,770,126	2,672,164,828	2,836,820,878
Gross M&O Millage	6.551	6.551	6.551	6.551	6.551	6.551
Less Rollbacks						
Net M&O Millage	6.551	6.551	6.551	6.551	6.551	6.551
Total City Taxes Levied	\$11,119,255	\$13,768,320	\$15,719,890	\$16,775,605	\$17,505,352	\$18,584,014
Net Taxes \$ Increase		\$2,649,066	\$1,951,570	\$1,055,715	\$729,747	\$1,078,662
Net Taxes % Increase		23.82%	14.17%	6.72%	4.35%	6.16%

SOME DISTORTIONS IN FIGURES MAY OCCUR SINCE DATA WAS OBTAINED FROM CITY AND COUNTY RECORDS. THESE FIGURES DO NOT REFLECT BILLING ADJUSTMENTS TO THE DIGEST.

What was that? USGS now says it wasn't an earthquake in Lilburn

From staff reports

When her house started shaking at 11 a.m. on Wednesday, Lisa Stiller thought it might be due to blasting at nearby Vulcan Materials. She was right despite early reports that the area had experienced a minor earthquake.

On Wednesday the United States Geological Survey reported it as a 2.3 magnitude earthquake. The coordinates, according to the USGS, centered the earthquake in a subdivision off Steve Reynolds Blvd. near Freeman Lake in the Lilburn area.

But on Thursday morning, the USGS released an update attributing the shaking to “a quarry blast equivalent to the force of a M2.3 earthquake.”

The blast came from the quarry at Vulcan Materials and it was forceful enough to feel like a 2.3 earthquake.

Stiller, who has lived on Dickens Terrace NW in Lilburn for 31 years, said the quarry blast got her family’s attention.

“We heard a boom and felt the entire brick house shake a few seconds,” she said. “Nothing fell off the walls; (the) refrigerator did not move. We did a quick walk-around the house after we determined everything was OK.”

On Thursday, Stiller’s initial thoughts about the shaking were confirmed.

“It would be great if that quarry would stop the blasting; it has been ongoing for over 30 years,” she said. “Hopefully this will make someone do something.”



Atlanta
**BRITISH
CAR FAYRE**
And Motorcycles Too

SEPTEMBER 12
9:30 A.M. - 3:30 P.M.
DOWNTOWN NORCROSS



aplacetoimagine.com

**AN ORDINANCE OF THE CITY OF [TBD] TO ESTABLISH A NON-
EXCLUSIVE FRANCHISE AGREEMENT
BETWEEN THE [TBD], GEORGIA, AND GOOGLE FIBER
GEORGIA, LLC
FOR THE INSTALLATION OF NETWORK FACILITIES IN
THE CITY PUBLIC RIGHT-OF-WAY**

This Franchise Agreement ("**Agreement**") is by and between the City of [TBD], Georgia, a municipal corporation of the State of Georgia ("**City**"), and Google Fiber Georgia, LLC, a Georgia limited liability company and its subsidiaries, successors, or assigns ("**Franchisee**").

RECITALS

- A. City has jurisdiction and control over the use of certain public rights-of-way in City, which includes any public street, road, highway, alley, lane, court, boulevard, or other similar public right-of-way, including related facilities such as medians, parkways, sidewalks, public way, public place or rights-of-way, now laid out or dedicated, and the space on, above or below it, and all extensions thereof, and additions thereto, under the jurisdiction of City dedicated to public vehicular or pedestrian transportation or utility uses ("**Public ROW**").
- B. Franchisee desires, and City desires to permit Franchisee, to install, maintain, operate, and control a fiber optic infrastructure network in Public ROW ("**Network**") for the purpose of offering communications services ("**Services**"), including broadband Internet access service as defined in 47 C.F.R. § 8.1(b) ("**Broadband Internet Services**") and Voice over Internet Protocol services, but excluding multichannel video programming services that would be subject to a video services franchise and telecommunications services as defined in 47 C.F.R. § 153(53), to residents and businesses in City ("**Customers**").
- C. The Network may consist of equipment and facilities that may include aerial or underground fiber optic cables, lines, wires, or strands; underground conduits, vaults, access manholes and handholes; electronic equipment; power generators; batteries; pedestals; boxes; cabinets; vaults; and other similar facilities ("**Network Facilities**").

AGREEMENT

In consideration of the mutual promises made below, City and Franchisee agree as follows:

1. Permission to Encroach and Occupy.

- 1.1. Permission to Encroach on and Occupy Public ROW. Upon the occurrence of the events set forth herein and subject to the conditions set forth in this Agreement, City grants Franchisee permission to encroach on and occupy the Public ROW (the "**Franchise**") for the purpose of constructing, installing, repairing, maintaining, operating, and if necessary, removing the FTTP Network and the related Network Facilities (the "**Work**") in order to offer Services to residents and businesses in City. This Agreement and the Franchise do not authorize Franchisee to use any City or other public property other than the Public ROW as defined herein. Franchisee's use of any other City or other public property, including without limitation poles and conduits, buildings, parks, grounds, lots, and parcels, will be governed under one or more separate agreements regarding those properties.

- 1.2. Subject to State and Local Law. This Agreement and the Franchise are subject to

City's valid authority under State and local laws as they exist now or may be amended from time-to-time, and subject to the conditions set forth in this Agreement. Franchisee shall at all times comply with the city's code of ordinances ("City Code"), as may be amended from time-to-time.

- 1.3. Subject to City's Right to Use Public ROW. This Agreement and the Franchise are subject and subordinate to City's prior and continuing right to use the Public ROW, including, but not limited to, constructing, installing, operating, maintaining, repairing, or removing sewers, water pipes, storm drains, gas pipes, utility poles, overhead and underground electric lines and related facilities, and other public utility and municipal uses.
- 1.4. Subject to Pre-Existing Property Interests. City's grant of the Franchise is subject to all valid pre-existing easements, restrictions, conditions, covenants, encumbrances, claims of title or other property interests that may affect the Public ROW. Franchisee will obtain at its own cost and expense any permission or rights as may be necessary to accommodate such pre-existing property interests.
- 1.5. No Grant of Property Interest. The Franchise does not grant or convey any property interest.
- 1.6. Non-Exclusive. This Franchise is not exclusive. City expressly reserves the right to grant franchises, permits, privileges or other rights, if necessary under applicable law, to any other individual, corporation, partnership, limited liability company, trust, joint stock company, business trust, unincorporated association, joint venture, governmental authority or other entity of any nature whatsoever ("**Person**"), as well as the right in its own name as a municipality to use Public ROW for purposes similar to or different from those allowed Franchisee under this Agreement.
- 1.7. No Waiver of Police Power. Neither this Agreement nor the Franchise shall be construed to waive or otherwise restrict the City's lawful exercise of its police power.

2. Franchisee's Obligations.

- 2.1. Individual Permits Required. Franchisee will obtain City's prior approval of required individual encroachment, construction, and other necessary permits as may be required by state law or City Code before placing, replacing, repairing, or altering its Network Facilities in the Public ROW. Franchisee will provide to City any information lawfully required by City. Franchisee will pay all lawful processing, field marking, engineering, and inspection fees before City issues individual permits.
- 2.2. Franchisee's Sole Cost and Expense. Franchisee will perform the Work at its sole cost and expense.
- 2.3. Compliance with Laws. Franchisee will comply with all applicable laws and regulations, including the City Code, when performing the Work.
- 2.4. Undergrounding. Franchisee will install or relocate its FTTP Network underground in those areas and portions of City where all transmission and distribution facilities of the public utilities providing electric and communications services are required by City Code, ordinance, or regulation to be placed underground. In those areas where any third-party electricity or communications transmission or distribution facilities

remain above ground, Franchisee may install or keep and retain its Network Facilities above ground until such third-party facilities are required to be moved underground.

- 2.5. Reasonable Care. Franchisee will exercise reasonable care when performing the Work and will use commonly accepted practices and equipment to minimize the risks of personal injury, property damage, soil erosion, and pollution of surface or groundwater. Franchisee shall comply with all applicable building, electric and other safety codes.
- 2.6. Non-Interference. Franchisee will place its Network Facilities in conformance with the permits, plans, and drawings approved by City. Franchisee will not place its Network Facilities where they will interfere with gas, electric, communications, water, sewer or other utility facilities or with vehicular or pedestrian traffic or sight lines.
- 2.7. No Nuisance. Franchisee will maintain its Network Facilities in good and safe condition so that its Network Facilities do not cause a public nuisance.
- 2.8. Repair. Franchisee will promptly, and within any times frames required by City Code or permitting requirements, repair any damage to the Public ROW, City property, or private property if such damage is caused by Franchisee's Work unless another Person is primarily responsible for the damage (e.g., where a Person other than Franchisee fails to accurately or timely locate its underground facilities as required by State law). Franchisee will repair the damaged property to a condition equal to or better than that which existed prior to the damage, or as otherwise required by the City Code.
- 2.9. Identification of Network Facilities. Franchisee will identify its Network Facilities using an identification method mutually agreed upon by the parties, or as established by standard industry practices and reasonably directed by City if the parties cannot mutually agree on an identification method. For underground facilities, the identification will be detectable without opening the street or sidewalk.
- 2.10. Cooperation in Joint Trench Opportunities. Franchisee will cooperate with City in identifying ways to minimize the amount of construction in the Public ROW through joint trenching, sharing duct banks, and cost sharing with City and third parties undertaking similar construction projects involving the installation of underground communications facilities. Franchisee's cooperation obligation is subject to any such proposed joint trenching, duct sharing, and cost sharing opportunities being sufficiently compatible with Franchisee's plans, as reasonably determined by the Franchisee. Without limiting the foregoing, (i) the cooperation opportunity would not be deemed sufficiently compatible with Franchisee's plan where the opportunity involves different areas of the Public ROW than Franchisee has permission to occupy under this Agreement, or would unreasonably delay or otherwise hinder Franchisee's construction plans, and (ii) Franchisee is not obligated to cooperate if Franchisee enters into a commercial cooperation agreement reasonably satisfactory to the Franchisee with respect to such joint trenching or other cooperation with City or the third-party, as applicable. Franchisee will make good faith efforts to enter into any such commercial cooperation agreement in connection with fulfilling the foregoing cooperation obligation.
- 2.11. As-Built Drawings and Maps. Franchisee will maintain accurate as-built drawings and maps of its Network Facilities located in City and will provide them to City upon

request and on a mutually-agreed timetable (e.g., piecemeal following the closure of each permit, or all at once after all the Work is complete).

3. City's Obligations.

- 3.1. Emergency Removal or Relocation by City. In the event of a public emergency that creates an imminent threat to the health, safety, or property of City or its residents, City may remove or relocate the applicable portions of the Network Facilities without prior notice to Franchisee. City will, however, make best efforts to provide prior notice to Franchisee before making an emergency removal or relocation. In any event, City will promptly provide to Franchisee a written description of any emergency removals or relocations of Franchisee's Network Facilities. Franchisee will reimburse City for its actual, reasonable, and documented costs or expenses incurred for any such work performed by City, the cause of which was Franchisee's construction, installation, operation, maintenance, repair, or removal of its Network Facilities.
- 3.2. Removal of Abandoned Network Facilities. If Franchisee abandons any portions of its Network Facilities ("**Abandoned Network Facilities**"), Franchisee will notify City and will either remove the facilities at its own expense within a commercially reasonable period of time or may abandon some or all of the Abandoned Network Facilities in place if such facilities are underground or otherwise authorized to be abandoned in place by City Code or permit. Abandoned Network Facilities do not include Network Facilities intended for emergency use, redundant Network Facilities, or Network Facilities intended to meet future demand or capacity needs.
- 3.3. Relocation to Accommodate Governmental or Public Purposes. If Franchisee's then-existing Network Facilities would interfere with City's planned use of the Public ROW or other City property for a lawful governmental or other public purpose, such as, by way of example but not limitation, the construction of a new water or sewer line or the widening, straightening, or relocation of a public road or the construction of any public or civic improvement project, Franchisee will, upon written notice from City, relocate its Network Facilities at Franchisee's own expense to such other location or locations in the Public ROW as may be mutually agreed by the parties. Franchisee will relocate its Network Facilities within a commercially reasonable period of time agreed to by the parties, taking into account the urgency of the need for relocation, the difficulty of the relocation, and other relevant facts and circumstances, except that City may not require Franchisee to relocate or remove its Network Facilities with less than 180 days' notice, unless otherwise mutually agreed upon by the parties or necessitated by public safety or similarly exigent circumstances.
- 3.4. Relocation to Accommodate Third Parties. If Franchisee's then-existing Network Facilities would interfere with a third-party's planned commercial use of the Public ROW, the third party will be required to bear the cost of relocating Franchisee's existing Network Facilities. Unless otherwise required by law, Franchisee shall not be required to permanently relocate its facilities to accommodate a third party if doing so would materially and adversely affect Franchisee's ability to provide Services.
- 3.5. Non-Discrimination. To the extent permitted by and consistent with applicable law, the City will not unreasonably discriminate between Franchisee and other similarly situated non-incumbent facilities-based broadband internet access service providers with respect to its management of their use of the Public ROW.

- 3.6. Post-Removal Restoration of Public ROW. When removal or relocation is required under this Agreement, Franchisee will, after the removal or relocation of the Network Facilities, at its own cost (except to the extent subject to reimbursement pursuant to Section 3.4 hereof), repair and return the Public ROW in which the facilities were located to a safe and satisfactory condition in accordance with the construction-related conditions and specifications as established by the City Code or permitting requirements. Before proceeding with removal or relocation work, Franchisee will apply for and obtain a street encroachment permit from the City.

4. Contractors and Subcontractors.

- 4.1. Use of Contractors and Subcontractors. Franchisee may retain contractors and subcontractors to perform the Work on Franchisee's behalf. Such contractors and subcontractors shall, at all times, comply with the terms of this Agreement and the City Code, and Franchisee shall at all times be responsible for the work of its contractors or subcontractors relating to the construction, maintenance or operation of the FTTP Network or the Network Facilities and for its contractors' or subcontractors' compliance or failure to comply with this Agreement or the City Code.
- 4.2. Contractors to be Licensed. Franchisee's contractors and subcontractors used for the Work will be properly licensed under applicable law.
- 4.3. Authorized Individuals. Franchisee's contractors and subcontractors may submit individual permit applications to City on Franchisee's behalf, so long as the permit applications are signed by individuals that Franchisee has authorized to act on its behalf via a letter of authorization provided to City in the form attached as **Exhibit A ("Authorized Individuals")**. City will accept permit applications under this Agreement submitted and signed by Authorized Individuals, and will treat those applications as if they had been submitted by Franchisee under this Agreement.

5. Franchise Fee. Franchisee will pay City a fee ("**Franchise Fee**") which will compensate City for Franchisee's use and occupancy of Public ROW pursuant to the Franchise. Franchisee and City acknowledge and agree that the Franchise Fee provides fair and reasonable compensation for Franchisee's use and occupancy of Public ROW as authorized. The Franchise Fee will begin accruing on the Effective Date and be calculated as follows:

- 5.1. Franchise Fee. Franchisee will pay City a Franchise Fee equal to two percent (2%) of Gross Revenues for a calendar quarter, remitted within 45 days of the end of each calendar quarter, commencing on the Effective Date. The payment will be accompanied by a report showing the basis for the computation and such other relevant facts as may be required by the City to determine the accuracy of the payment.

- 5.1.1. As used herein, "**Gross Revenues**" means all consideration of any kind or nature, including without limitation, cash, credits, property, and in-kind contributions (services or goods) derived by Franchisee from the provision of Broadband Services using the **FTTP** Network. Gross Revenues will include all consideration paid to Franchisee or its direct parent's subsidiaries, solely to the extent any such entity offers Broadband Services that are provided through Network Facilities located at least in part in Public ROW. Gross Revenues include but are not limited to:

- (i) all fees charged to end-user customers for Broadband Services provided through Network Facilities located at least in part in Public ROW; and
- (ii) any fee or cost imposed on Franchisee by this Agreement, whether or not Franchisee chooses to separately itemize the fee or cost on its bills to end-user customers (including without limitation the Franchise Fee set forth in this Agreement).

5.1.2. For the purposes of this section, Gross Revenues does not include:

- (i) any revenue not actually received, even if billed, such as bad debt;
- (ii) refunds, rebates, or discounts made to end-user customers, or City;
- (iii) revenue derived from the sale of Services for resale in which the purchaser is required to collect and remit similar fees to the City;
- (iv) revenue derived from the provision of Services to end-user customers where none of the Network Facilities, or any other facilities of Franchisee or any affiliate, that are used to provide such Services are located in Public ROW;
- (v) any forgone revenue from Franchisee's provision of Services to customers at no charge if required by state law;
- (vi) any revenue derived from advertising;
- (vii) any revenue derived from rental of modems, or other equipment used to provide or facilitate the provision of the Services;
- (viii) any revenue derived from referral or marketing agreements with third party providers of online services which Franchisee may make available to its customers;
- (ix) any tax of general applicability imposed upon Franchisee's end-user customers (but not on Franchisee) by City or by any state, federal, or any other governmental entity, and required to be collected by Franchisee and remitted to the taxing entity (such as sales and use taxes and utility users taxes); the license fee imposed by Section 5.1.1 (ii) is not excluded from the calculation of Gross revenues;
- (x) any forgone revenue from Franchisee's provision, in Franchisee's discretion, of free or reduced cost Services to any Person, including without limitation employees of Franchisee; provided, however, that any forgone revenue which Franchisee chooses not to receive in exchange for trades, barter, services, or other items of value will be included in Gross Revenues; and
- (xi) sales of capital assets or sales of surplus equipment that is not used by the purchaser to receive Services from Franchisee.

- 5.2. Fee Itemization. Provided it does so in an accurate and non-misleading manner, Franchisee may itemize, as a separate line item on the regular bill of any subscriber whose Broadband Services are provided by Network Facilities located at least in part in Public ROW, the portion of the price of the Services that is attributable to Franchisee's recovery of revenues sufficient to pay the Franchise Fee.
- 5.3. Audit. City may examine the business records of Franchisee in accordance with applicable law to monitor and ensure Franchisee's compliance with this Section 5, during reasonable times and following no less than thirty (30) days' prior written notice. Franchisee will keep all business records reflecting its gross revenues for at least three (3) years. City may, in the event of a dispute concerning compensation under this Section 5, bring an action in any court of competent jurisdiction.
- 5.4. Interest on Late Payments. Any payments that are due and payable under this Agreement that are not received within 30 days from the specified due date will be assessed interest at a rate of one (1) percent per month.
- 5.5. Change in Law. Notwithstanding anything to the contrary herein, in the event of a change in local, state, or federal law applicable to the City and this Agreement that (i) prohibits collection by any right-of-way franchising authority of any franchise fee from all providers of Services, or (ii) reduces the percentage of revenue on which the franchise fee paid by all providers of Services is based to a percentage that is lower than the revenue percentage set forth in Section 5.1 hereof, then Franchisee will have no obligation to pay the Franchise Fee, or to pay the Franchisee Fee based on such reduced revenue percentage, as the case may be. In the case of a reduction in the percentage of revenue on which a franchisee fee may be based, the revenue percentage will be commensurately reduced.
- 5.6. Fee Excludes Costs and Taxes. The Franchise Fee required by this Section shall be exclusive of, and in addition to, (a) any costs incurred by, or any cost reimbursement requirement imposed on, Franchisee to comply with this Agreement, and (b) any other tax, fee, or assessment lawfully imposed on Franchisee by the City or any other governmental entity.

6. Indemnification.

- 6.1. Obligations. Franchisee will defend and indemnify City, its officers, elected representatives, employees and agents from any claims and liabilities (including reasonable attorneys' fees and court costs) related to any third-party claim for property damage, personal injury, or death caused by negligence, recklessness, or intentional wrongful conduct of Franchisee or its contractors or subcontractors arising from the construction, operation, maintenance or repair of the FTTP Network or Network Facilities, or Franchisee's exercise or enjoyment of the rights granted by this Agreement or the Franchise ("Claims"); provided, however, that indemnification relating to personal injury of employees will not apply to any Claims made by City's employees that are covered under applicable workers' compensation laws.
- 6.2. Notice of Claims. City will give prompt written notice to Franchisee of any Claim or threatened Claim no later than thirty (30) calendar days after City receives written notice of the action, suit, or proceeding. City's failure to give the required notice will not relieve Franchisee from its obligation to indemnify City unless, and only to the extent, that Franchisee is materially prejudiced by such failure.

6.3. **Defense.** Franchisee will have the right at any time, by notice to City, to participate in or assume control of, the defense of the Claim with counsel of its choice, which counsel must be reasonably acceptable to City. City agrees to cooperate fully with Franchisee and City will have the right to participate in the defense at its own expense. If Franchisee does not assume control or otherwise participate in the defense of any Claim, Franchisee will be bound by the results obtained by City with respect to the Claim. If Franchisee assumes the defense of a Claim, then in no event will Franchisee cause the City to admit to any liability with respect to, or settle, compromise or discharge, any Claim against the City without the City's prior written consent.

7. **Limitation of Liability.** EXCEPT FOR FRANCHISEE'S INDEMNITY OBLIGATIONS SET FORTH IN SECTION 6 HEREOF, NEITHER PARTY WILL BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES IN CONNECTION WITH THIS AGREEMENT. THE PARTIES ACKNOWLEDGE THAT THIS LIMITATION WILL BE SUBJECT TO AND MAY BE LIMITED BY APPLICABLE STATE LAW.

8. **Performance Bond.** If Franchisee has not previously provided City with a performance bond under any prior agreement, Franchisee will, promptly after the Effective Date, provide City with a performance bond in the amount of Ten Thousand dollars (\$10,000), naming City as obligee and guaranteeing Franchisee's faithful performance of its obligations under this Agreement. The performance bond will remain in full force during the Term of this Agreement. At Franchisee's election, any performance bond previously provided by Franchisee to City and associated with its state or local video service franchise may be applied to its obligations, in whole or in part, under this paragraph.

Commented [1]: Should be determined on a case by case basis for each City based on what city requires of other users of the ROW, past history and scope of work to be performed.

9. **Insurance.**

9.1. **Required Coverage.** Franchisee will carry and maintain the following insurance:

9.1.1. Commercial General Liability (CGL), with policy limits not less than \$2,000,000 in aggregate and \$2,000,000 for each occurrence covering bodily injury and property damage, and \$5,000,000 umbrella coverage with the following features: (a) CGL primary insurance endorsement; and (b) CGL policy will include an endorsement which names City, its employees, and officers as additional insureds.

9.1.2. Workers' Compensation with policy limits not less than the City's requirements.

9.2. **Proof of Insurance.** All insurance certificates, endorsements, coverage verifications and other items required pursuant to this Agreement will be mailed directly to City's insurance compliance representative at the following address:

[TBD]

Attn:

With a copy to:

[TBD]

10. **Effective Date and Term.** This Agreement is effective on the later of (a) the date the last party to sign executes this Agreement and (b) the date on which any implementing ordinance becomes effective in accordance with its terms and state law ("Effective Date"). The Franchise will expire automatically on the fifteenth (15th) anniversary of the Effective Date, unless earlier terminated in accordance with the provisions herein. Thereafter, the Franchise will automatically renew for successive 5-year terms (each a "**Renewal Term**") unless a party provides at least six (6) months' prior written notice to the other party of its intent not to renew.
11. **Termination.**
- 11.1. **Termination by City.**
- 11.1.1. City may terminate this Agreement if Franchisee is in material breach of the Agreement, provided that City must first provide Franchisee written notice of the breach and an opportunity to cure. No termination under this paragraph will be effective until one hundred and twenty (120) days after Franchisee's receipt of notice from City of any material breach.
- 11.2. **Termination by Franchisee.** Franchisee may terminate this Agreement for convenience upon one hundred eighty (180) days' written notice to City.
12. **Assignment.** Except as set forth below, neither party may assign or transfer its rights or obligations under this Agreement, in whole or part, or directly or indirectly through equity sale or merger, to a third party, without the written consent of the other party. Any agreed upon assignee will take the place of the assigning party, and the assignee shall assume all obligations or liabilities of the assigning party under the Agreement, whether arising before or after the effective date of the transfer or assignment. If the assignee agrees in writing to this assumption, then the assigning party will be released from all of its rights and obligations upon such assignment.
- 12.1. Notwithstanding the foregoing, and subject to the conditions set forth in Section 12.2 below, Franchisee may at any time, on written notice to City, assign this Agreement and/or any or all of its rights and obligations under this Agreement:
- 12.1.1. to any Affiliate (as defined below) of Franchisee;
- 12.1.2. to any successor in interest of Franchisee's business operations in City connection with any merger, acquisition, or similar transaction if Franchisee reasonably determines after appropriate investigation that the successor in interest has the resources and ability to fulfill the obligations of this Agreement; or
- 12.1.3. to any purchaser of all or substantially all of Franchisee's Network Facilities in City if Franchisee reasonably determines after appropriate investigation that the purchaser has the resources and ability to fulfill the obligations of this Agreement.
- 12.2. In the case of any assignment under Section 12.1, the Affiliate, successor or purchaser shall submit to the City within 45 days of consummation of the transaction (a) its address, principal place of business and contact information, and (b) an affirmative declaration that it accepts the terms of this Agreement and **will** assume

all obligations or liabilities of the Franchisee under the Agreement, whether arising before or after the effective date of the transfer, assignment or purchase, and that it will comply with all applicable federal, state and City laws and regulations regarding the placement and maintenance of facilities in the Public ROW.

Following any assignment of this Agreement to an Affiliate, Franchisee will remain responsible for such Affiliate's performance under the terms of this Agreement. For purposes of this section, (i) "Affiliate" means any Person that now or in the future, directly or indirectly controls, is controlled with or by, or is under common control with Franchisee; and (ii) "control" will mean, with respect to: (a) a U.S. corporation, the ownership, directly or indirectly, of fifty percent (50%) or more of the voting power to elect directors thereof, or (b) a non-U.S. corporation, if the voting power to elect directors thereof is less than fifty percent (50%), the maximum amount allowed by applicable law; and (c) any other Person, fifty percent (50%) or more ownership interest in said Person, or the power to direct the management of such Person.

13. **Notice.** All notices related to this Agreement will be in writing and sent, if to Franchisee to the email addresses set forth below, and if to City to the address set forth in City's signature block to this Agreement. Notices are effective (a) when delivered in person, (b) upon confirmation of a receipt when transmitted by facsimile transmission or by electronic mail, (c) on the next business day if transmitted by registered or certified mail, postage prepaid (with confirmation of delivery), (d) on the next business day if transmitted by overnight courier (with confirmation of delivery), or (e) three (3) days after the date of mailing, whichever is earlier.

Franchisee's e-mail address for notice is googlefibernotices@google.com, with a copy to legal-notices@google.com.

14. **General Provisions.** This Agreement is governed by the laws of the State of Georgia. Neither party will be liable for failure or delay in performance to the extent caused by circumstances beyond its reasonable control. This Agreement sets out all terms agreed between the parties and supersedes all previous or contemporaneous agreements between the parties relating to its subject matter. This Agreement, including any exhibits, constitutes the entire agreement between the parties related to this subject matter, and any change to its terms must be in writing and signed by the parties. The parties may execute this Agreement in counterparts, including facsimile, PDF, and other electronic copies, which taken together will constitute one instrument. Each party to this Agreement agrees that Franchisee may use electronic signatures.

[Signature page follows]

Google Fiber Contract No. _____

Signed by authorized representatives of the parties on the dates written below.

FRANCHISEE:
GOOGLE FIBER GEORGIA, LLC

CITY:
[TBD], GEORGIA

(Authorized Signature)

(Authorized Signature)

(Name)

(Name)

(Title)

Mayor

Address:
1600 Amphitheatre Parkway
Mountain View, CA 94043

Address:
[TBD]

Date: _____

Date: _____

Google Fiber Contract No. _____

**EXHIBIT A
FORM OF LETTER OF AUTHORIZATION**

[FRANCHISEE LETTERHEAD]

[Date]

Via Email ([Email Address])

City of [Placeholder]

[Addressee]

[Address]

Re: [Amended] Letter of Authorization

Dear [Name],

In accordance with Section ___ of the Franchise Agreement dated _____ between the [TBD] GA and Google Fiber Georgia, LLC ("Google Fiber"), Google Fiber hereby designates the following Authorized Individuals (as that term is defined in the Agreement), who may submit and sign permit applications and other submissions to the City on behalf of Google Fiber. [If *applicable*: This letter amends and supersedes the Letter of Authorization dated _____.]

{Insert name and title for each Authorized Individual, including any Authorized Individual previously named and whose authority continues. Strike through the names of any individuals who are no longer authorized, if any.}

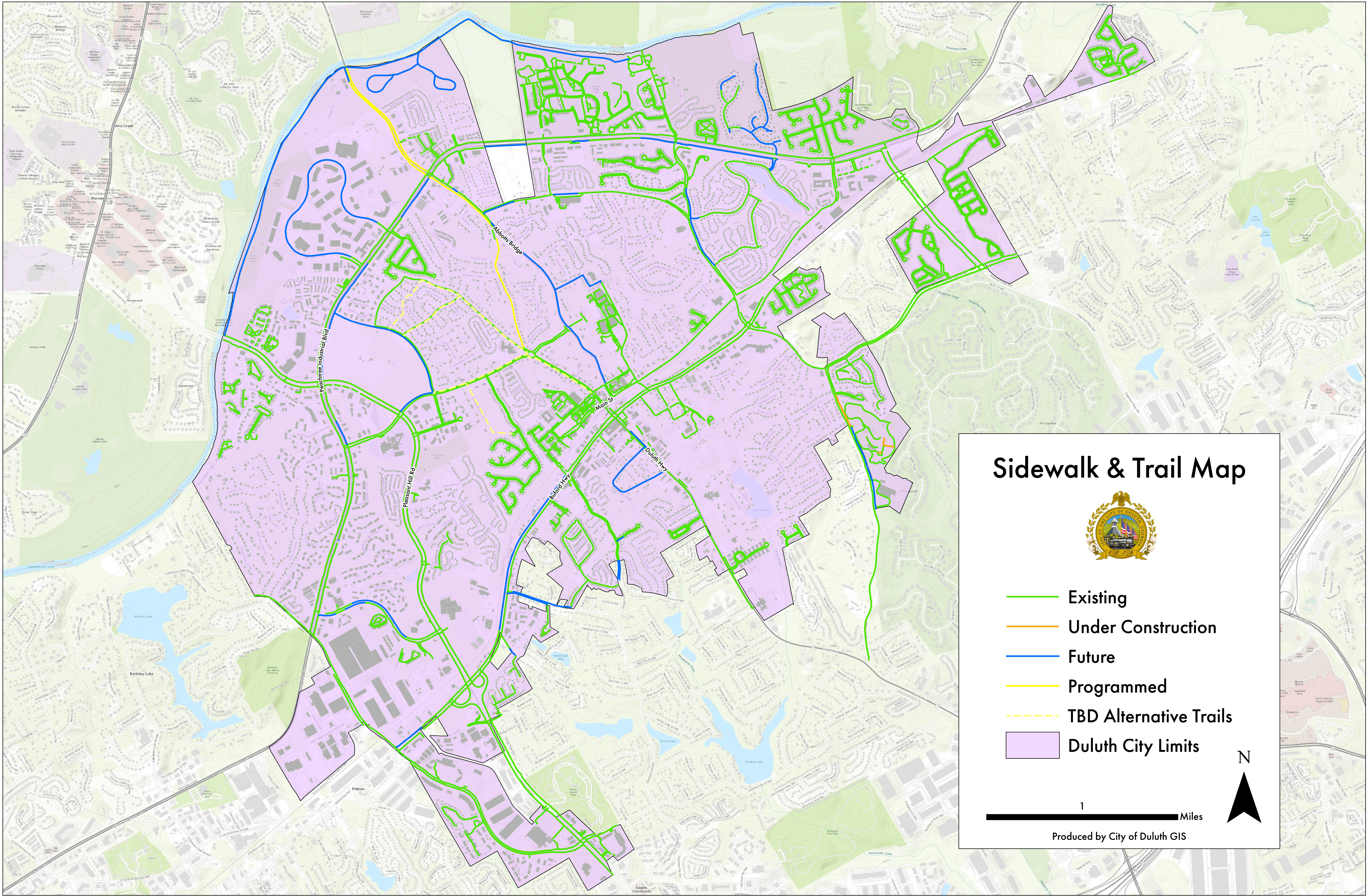
1. Name, Title
2. Name, Title
3. Name, Title (previously authorized, authorization continues)
4. Name, Title (authorization withdrawn)

This authorization may be withdrawn or amended and superseded by a written amendment to this Letter of Authorization, which will be effective 24 hours after receipt by the City.

Kind regards,

[Name]

Manager, Google Fiber Georgia, LLC



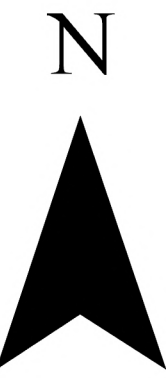
Sidewalk & Trail Map



- Existing
- Under Construction
- Future
- Programmed
- TBD Alternative Trails
- Duluth City Limits

1 Miles

Produced by City of Duluth GIS



RESOLUTION
McCLURE BRIDGE ROAD PEDESTRIAN CONNECTOR GRANT MATCH

WHEREAS, the Mayor and Council of the City of Duluth, Georgia did approve moving forward with development and construction of the McClure Bridge Road Pedestrian Connector/Trail (herein referred to as “Project”); and

WHEREAS, grant funds are being sought to help facilitate the project development and construction; and

WHEREAS, the Project proposes a non-motorized transportation alternative route connecting the approximately 111-acre tract bounded by Peachtree Industrial Boulevard and Pleasant Hill, McClure Bridge, and Howell Springs Roads to downtown Duluth; and

WHEREAS, the Project is part of the City of Duluth’s overall sidewalk and trail plan; and

WHEREAS, the Project will connect existing pedestrian facilities with other existing or planned regional bicycle and pedestrian facilities; and

WHEREAS, the City of Duluth has the capacity to successfully administer any grant funds awarded by GTIB for this Project; and

WHEREAS, the City of Duluth is committed to accepting state and/or federal grant monies awarded from GTIB for this Project and will enter into an agreement of acceptance with GTIB; and

WHEREAS, the City of Duluth is committed to matching the state and/or federal grant funds awarded with a minimum of 20% of the Project budget, using local funds or other eligible grant monies, as allowable.

NOW THEREFORE, be it resolved by the Mayor and Council City of Duluth, Georgia to apply for, accept, and match grant funds as noted above, should they be awarded by the Georgia Transportation Infrastructure Bank for this Project.

IT IS SO RESOLVED this _____ day of _____ 2026.

Signatures and Seal on Next Page.

Those council members voting in favor:

Mayor, Greg Whitlock

Sarah Y. Park, Post 1

Marline Thomas, Post 2

Kenneth Lamar Doss, Post 3

Manfred Graeder, Post 4

Shenée Johnson-Cummings, Post 5

Those councilmembers voting in opposition:

ATTEST: _____

Teresa S. Lynn, Asst. City Manager/City Clerk

SEAL