



**NOTES OF THE WORK SESSION
MAYOR AND COUNCIL
CITY OF DULUTH, GA
NOVEMBER 27, 2023**

PRESENT: Mayor Harris, Council members Harkness, Thomas, Doss, Graeder, and Whitlock, City Manager, Department Directors, City Attorney

Mayor Harris called the meeting to order at 5:30 p.m.

I. PUBLIC COMMENTS

Billy Jones of 2794 Heath Lane came forward and spoke against a compensation increase for elected officials. He felt that a 50% increase was unjustified and that the requirement for meeting attendance should be kept.

Leslie Morgan of 3977 Bryn Mawr Court came forward to say she is a new resident but has already had her home flood. She was very concerned about stormwater issues and asked that the city keep the Howell Mill basin cleared of the very large debris.

II. DISCUSSION ITEMS

1. COMPENSATION - ELECTED OFFICIALS

{A}

SUMMARY:

Staff had been asked to research this topic several months ago. City Clerk/Asst. City Manager Teresa Lynn reported that staff had investigated the pay structure for elected officials in surrounding jurisdictions for comparison. Duluth was one of the very lowest paid in the sample group. Therefore, a recommendation was made to amend the current system of pay, base plus -per meeting to an annual salary of \$15,000 for the Mayor and \$9,000 for the Council. She explained that, in order to meet the requirements of state law for increase of compensation for elected officials, legal notice must be posted in the legal organ of the county for three consecutive weeks prior to adoption.

It was noted that there has been no increase in over 25 years. The current salary of the Mayor is \$6,000 + \$3,600 meeting pay = \$9,600. The Council base is \$2,400 + 3,600 meeting pay = \$6,000 . The City Attorney noted that no action can be taken during an "election cycle" but since that is past, action could be taken now but it would not take effect until January 2026.

IMPACT TO BUDGET: N/A until 2026

Several strategies were discussed. Staff was authorized to place this item on the January 8, 2024 Council agenda.

2. DULUTH CODE AMENDMENT – RETAINING WALLS

SUMMARY:

Community Development Director Margie Pozin explained that the current municipal code states that a permit shall not be required for the following:

Retaining walls which do not exceed three (3) feet in vertical height and provided that the slope of backfill materials does not exceed a one (1) foot rise in three (3) feet length. Retaining walls which exceed three (3) feet in vertical height shall require a permit and shall be constructed in compliance with the development regulations and shall be designed by a registered professional engineer.

The current International Building Code (IBC) indicates that walls not exceeding four (4) feet in vertical height are not required to be designed by a registered professional engineer. Staff would like to adjust this inconsistency and revise Chapter 5, Article II. Building Inspection Department, Section 5.29(1) and 5.29(5) to match the 4 foot maximum wall height.

IMPACT TO BUDGET: N/A

Staff was authorized to change the wording to include a reference to the height set by the IBC and place this item on the next Council agenda for approval.

3. RED CLAY THEATRE – HVAC & ICE MACHINE

SUMMARY:

City Manager James Riker reported that a needs assessment for Red Clay was completed several years ago. One of the areas identified for improvement was the HVAC. Asst. Public Works Director Jason Brock explained the scope of work required. Staff recently received three bids for replacement of five AC units and evaporator coils. Three companies provided bids with Lane Heating and Air Conditioning being the lowest bid at \$29,100. Staff is recommending the bid be awarded to Lane at the next meeting.

In addition, staff obtained bids to purchase a commercial ice machine. Staff is recommending the bid be awarded to ACity Discount in the amount of \$6,700.

IMPACT TO BUDGET: requires budget amendment

Staff was authorized to place the RFP award and budget amendment on the next Council agenda for authorization.

4. ORDINANCE TO AMEND DULUTH CODE-ALCOHOL

SUMMARY:

The City Attorney and City Clerk discussed the recommended changes and said that the Alcohol Board met with the City Attorney and Staff on Wednesday October 25th for the purpose of considering amendments to the City's Alcoholic Beverage Ordinance. The majority of the amendments brought before the Board for consideration were general housekeeping items for clarification and placing certain subsections into the correct sections of the code. In addition, language was added to assist Code Enforcement when issuing citations for presentation in court as well as updating language that aligns with state law.

IMPACT TO BUDGET: N/A

Staff was authorized to place this item on the next Council agenda for approval.

5. ARPA FUNDS TRANSFER TO GENERAL LEDGER

SUMMARY:

Asst. City Mgr/Finance Ken Sakmar explained that the City received \$11,057,077 in American Rescue Plan Act (ARPA) federal funds and elected to claim the \$10 million standard allowance for lost revenue. The City does not need to prove the loss of \$10 million in revenue but must report quarterly the expenditure of the funds to the federal government. Loss revenue funds are allowed to be used to support traditional government services. Eligible government services include road building and maintenance, and other infrastructure, health services, general government administration, administrative facilities, and the provisioning of police, fire, and other public safety services.

The federal government requires ARPA funds to be obligated by 12/31/24 and expended by 12/31/26. Project cost for the Pinecrest and Hill communities sanitary sewer projects are projected to exceed the available ARPA funds. However, should there be a delay in the sanitary sewer projects that could result in a loss of funding, for this reason staff felt it was best to report eligible police uniform salaries as part of lost revenue expenditures. Staff has reported 4 quarters of uniform salaries expenditures totaling \$2,663,240.27 covering the current and prior fiscal years.

To meet financial reporting requirements, staff is requesting approval of a current and prior year budget amendment to allow the recording of the expenditure of uniform salaries in the ARPA fund and associated transfer to the General Fund.

IMPACT TO BUDGET: requires budget amendment.

Staff was authorized to place this item on the next Council agenda for approval.

III. PRESENTATIONS/UPDATES

1. STORMWATER UPDATE

{B}

Stormwater issues have become more prevalent with the changes in weather severity, causing more discussion among citizens and staff alike. Community Dev/Eng. Director Margie Pozin came forward to give an update on the current program and focus on a few key elements in need of additional attention. A more in-depth discussion will follow in February, 2024.

Staff was directed to move forward with the two studies as recommended.

2. PROPOSED 2024 EVENT CALENDAR

{C}

The proposed event calendar is presented in November to allow staff the opportunity to begin offering contracts to vendors early enough to book for Spring and Summer activities. Event activities span budget years. Staff will present a proposed budget and then secure funding during the budget process in 2024.

3. TAD URA UPDATE

{D}

Staff provided an update on recent activities, potential projects and a future financial forecast relating to the Urban Redevelopment Agency (URA) Tax Allocation District, and is seeking Council feedback.

IV. MATTERS FROM COUNCIL

1. KNOX HOUSE UPDATE

Building has been purchased and plans are to open a deli.

V. ADJOURNMENT

Meeting adjourned at 8:30pm.

Approved this 11 day of December, 2023.


Mayor Nancy Harris

ATTEST:


Asst. City Mgr./City Clerk, Teresa Lynn