



**MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
MARCH 13, 2023**

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

ABSENT: Council members Harkness and Thomas

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 Harris called the meeting to order at 5:37 p.m.

I. EXECUTIVE SESSION

It was necessary to adjourn into an Executive Session for the purpose to discuss Real Estate, Pending/Potential Litigation, or Personnel, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

A motion was made by Councilmember Whitlock, seconded by Councilmember Graeder, to adjourn into executive session at 5:37 p.m.

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

After the discussion, a motion was made by Councilmember Whitlock, seconded by Councilmember Graeder, to return to regular session at 6:00 p.m.

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. ANNOUNCEMENTS

1. AGENDA CHANGES (none)
2. UPCOMING EVENTS – www.duluthga.net/events

Duluth Farmers & Artisan Market, March 12, March 26, and April 9 from 2-5pm
Shop local vendors at the Duluth Farmers Market in Downtown Duluth!

Duluth Rotary Car Show, Saturday, April 8 from 10am-2pm
This event is sure to keep your wheels spinning as Exotic Cars, Antique Classics, Foreign Sports, Hot Rods, Muscles and more take over City Hall. This event is free to attend and is hosted by the Rotary Club of Duluth.

Annual Easter Egg Hunt, March 25^{at} Bunten Road Park. Rain date April 1.

II. MATTERS FROM CITIZENS

Mr. Glen Boylan of 3465 Duluth Highway came forward requesting an update on the Marlow Duluth Project.

Planning Director Forrest Huffman explained that the developer is still acquiring property and staff has had pre-application meetings with them.

III. CONSENT AGENDA

1. APPROVAL OF FEBRUARY 10th/13th/27th MINUTES
2. ORDINANCE TO APPOINT ALCOHOL BOARD {A}

Approval of this item approves ordinance O2023-05 appointing Robert Edwards to the Alcohol Review Board to fill the unexpired term of Michael Ashley, term ending March 31, 2026.

3. ORDINANCE TO APPOINT MUNICIPAL JUDGES {B}

The Duluth City Charter provides for the appointment of the municipal court judges, by ordinance. State law OCGA 36-32-2 mandates that appointed municipal court judges be appointed for a term of not less than one year. Accordingly, approval of this item approves ordinance O2023-06 reappointing municipal court judges Charles L. Barrett, III, Margaret Gettle Washburn, Claude Mason, and Chung Hun Lee.

4. ORDINANCE TO APPOINT PLANNING COMMISSION {C}

Approval of this item approves ordinance O2023-07 reappointing Shenee Holloway to the Planning Commission for another four- year term, ending March 31, 2027.

5. ORDINANCE TO APPOINT PUBLIC ART COMMISSION {D}

Approval of this item approves ordinance O2023-08 appointing members of the Duluth Public Art Commission as follows: Ken Sebastian to fill the seat vacated by Marty Dorfman, expiring 3/31/26 and Heather Blanchard to fill the unexpired term of Kristina Jackson, term ending 3/31/24.

6. ORDINANCE TO APPOINT URBAN REDEVELOPMENT {E}

Approval of this item approves ordinance O2023-09 reappointing Mayor Harris to the Urban Redevelopment Agency, term ending March 31, 2027.

7. ORDINANCE TO APPOINT ZONING BOARD OF APPEALS {F}

Approval of this item approves ordinance O2023-10 reappointing Verdi Avila and William Latta to the Zoning Board of Appeals for four-year terms, ending March 31, 2027.

8. ORDINANCE TO AMEND THE DULUTH CODE – CHAPTER 3 {G}

As presented at the February 27 work session, approval of this item approves ordinance O2023-11 amending Chapter 3 of the Duluth Code for various “housekeeping” alcohol amendments.

9. AUTHORIZATION FOR PLANNING FEE SCHEDULE {H}

The Planning Department finds it necessary from time to time to review the City's Permit Fee Schedule to provide a fair and competitive rate to permit construction within the City limits. Approval of this item approves ordinance O2023-12 setting permit fees as presented.

10. APPROVAL OF INTERGOVERNMENTAL AGREEMENT– 2023 ELECTION {I}

Approval of this item authorizes Mayor Harris to execute the Intergovernmental Agreement (IGA) with Gwinnett County for the use of their voting equipment for the 2023 General Municipal Election.

11. ORDINANCE TO AMEND THE BUDGET - \$359,164 – WORKERS' COMP {J}

Over the past 12 months, the City's Workers Compensation Fund has experienced some large claims expenditures as a result of a significant claim involving a police officer. The City's excess workers compensation policy with Midwest Employers Casualty requires the City to pay the first \$650,000 in expenditures for this claim before any reimbursement will occur. As of the last reimbursement request, the City has paid claim expenditures of \$1,627,306.29 and has received reimbursement of \$977,306.29. In the most recent reimbursement, the City received \$359,164.56. Staff is requesting approval of a budget amendment to add revenue and expenditures of \$359,164 to the Workers Compensation Fund to support current and anticipated claims through year end. Approval of this item approves ordinance BA-FY23-22 to add \$359,164 to Workers Compensation - Insurance Claims Reimbursements line item and \$359,164 to Workers Compensation - Risk Management - Claims Police Uniform line item.

12. ORDINANCE TO AMEND THE BUDGET – POLICE VEHICLES {K}

The Police Department recently sold a vehicle at auction and after commission and fees they received \$14,700. To continue maintaining a vehicle fleet that is low maintenance and dependable, the Police Department has requested the \$14,700 be added to the Police - Consolidated Vehicle Maintenance Division - Vehicles line item. Approval of this item approves ordinance BA-FY23-23 as presented.

13. DESIGNATION OF OPEN RECORDS OFFICERS – AMENDED {L}

Approval of this item amends and approves resolution R2023-06 amending R2023-04, previously approved on January 9, 2023, by adding John Gracia as the new Administrative Asst./Records Officer.

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

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

IV. NEW BUSINESS

1. 2040 COMPREHENSIVE PLAN UPDATE KICK-OFF {M}

Planning Director Forrest Huffman presented. City of Duluth Planning and Development staff will begin a major update to our 2040 Comprehensive Plan, FORWARDuluth. Mr. Huffman explained for the audience what the components of a Comp Plan are, and outlined a tentative schedule of events and meetings pertaining to this five-year update.

The Department of Community Affairs (DCA) requires that elements of a plan include:

- Vision & Goals
- Needs & Opportunities
- Community Work Program
- Broadband
- CIE
- Land Use
- Economic Development
- Transportation
- Housing

Not all elements of the plan require updating every five years, but the ones that do are:

- Needs & Opportunities
- Community Work Program
- Report of Accomplishments
- Broadband
- Land Use

Mr. Huffman noted that Staff areas of interest are:

- Core Neighborhood Area
- River green Employment District
- Housing
- Natural Resources
- Short-term Work Program & Report of Accomplishments

The two main components of the Comp Plan are “Character areas” and “Future Land Use” maps; each have different sets of goals. He encouraged the public to attend the meetings for more information and to provide feedback prior to anticipated final approval in February 2024.

Councilmember Graeder requested that a link to the 2040 Comprehensive Plan be sent to the members of the LEAD class and encouraged everyone to provide feedback.

V. MATTERS FROM COUNCIL

Councilmember Graeder expressed appreciation for the first Farmers Market of 2023 and commended the events staff.

Mayor Harris noted that Board appointments were made under the consent agenda and thanked those in the audience for their service.

VI. MATTERS FROM CITY MANAGER

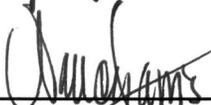
City Manager James Riker reported that brick repairs are continuing on Town Green. Staff is aware of the sod condition and that repair is scheduled as well.

VII. ADJOURNMENT

A motion was made by Councilmember Graeder, seconded by Councilmember Whitlock, to adjourn at 6:36 pm.

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

Approved this 10 day of April, 2023.



Mayor Nancy Harris

ATTEST:



Asst. City Mgr./City Clerk, Teresa Lynn