

**MINUTES
DECATUR CITY COMMISSION**

Regular Meeting
December 21, 2020
Via Video Teleconference: 7:30 p.m.

Mayor Garrett called the Regular Meeting of the Decatur City Commission to order at 7:30 p.m. on Monday, December 21, 2020.

PRESENT: Mayor pro tem Powers; and Commissioners Dusenbury, Mayer and Walsh; and, City Manager Arnold.

ABSENT: Mayor Garrett.

MINUTES of the Executive Session of December 7, 2020 were approved on a motion by Commissioner Walsh, second by Commissioner Mayer; and, Mayor pro tem Powers and Commissioners Walsh and Mayer voting “aye.”

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Commissioner Dusenbury was unable to vote due to technical difficulties.

PRESENTATION.

Mayor pro tem Powers presented the Decorate Decatur Contest award to the Woolley family at 228 Harold Byrd Drive South. He added that the runners-up were 268 Forkner Drive and 124 North Fourth Avenue.

PUBLIC HEARING-IMPACT FEES PROGRAM STUDY.

Design, Environment and Construction Division Director John Maximuk presented an overview for the City’s Impact Fee Study. He introduced consultant Bill Ross of Ross+Associates, Inc.

Mr. Ross stated that in order to obtain community input, state law required an initial public hearing regarding the potential creation of an impact fee program and that three more public hearings would be held in the future. He provided more information regarding the potential creation of an impact fee program and the process to be followed in its preparation.

Mayor pro tem Powers opened the public hearing.

In response to a request from Mayor pro tem Powers, Mr. Ross explained the need for and the importance of an impact fee program.

Mayor pro tem Powers explained that the impact fee would only be incurred by individuals or agencies that came forward with a residential or commercial project.

Hearing no comments, Mayor pro tem Powers closed the public hearing.

In response to a question from Commissioner Walsh, Mr. Ross explained the structure of the Impact Fee Program Study Advisory Committee.

Mayor pro tem Powers thanked Mr. Ross for his detailed responses.

PLANNING COMMISSION RECOMMENDATIONS.

Senior Planner Ryan Sellers presented the recommendation from the Planning Commission meeting held on December 8, 2020. He stated that Jay Silverman c/o Dwell Design Studio, LLC had requested certain special exceptions for a proposed project located at 114-134 New Street, 141 Sams Street, and 715-747 East College Avenue in the Avondale MARTA Station Area Mixed Use District which included: (1) exception from Section 4.6.5.E. of the Unified Development Ordinance (UDO), requiring buildings in excess of 50 feet in height to step back that portion of the building greater than 50 feet in height a minimum linear distance of 10 feet from the building façade located below the 50-foot height plane; (2) exception from Section 4.6.6 of the UDO and the approved regulating master site plan of the Mixed Use zoning district of the Avondale MARTA Station area to reduce locations of parallel on-street parking along Freeman Avenue to address Fire Apparatus access requirements; (3) exception from Section 7.1.1 of the UDO, to reduce the minimum, off-street parking space from 180 square feet (9 feet by 20 feet) to 153 square feet (8.5 feet by 18 feet); (4) exception from the woonerf street design requirements to address Fire Apparatus access requirements; and (5) exception from Section 4.6.3.B.2. of the UDO to allow residential use (leasing office and amenities) along a portion of the ground floor street frontage of East College Avenue.

Ben Yorker presented the application on behalf of Northwood Ravin. He stated that the proposed project consisted of 410 units on a 6.4 acre site, a structured parking deck, and a significant amount of ground floor retail including an outdoor retail plaza and a 6,000 square foot neighborhood co-work and café space. He added that the project would be the first community developed under the City's inclusionary zoning ordinance.

Mr. Silverman presented the plans on behalf of Dwell Design Studio, LLC. He explained some of the nuances of the site including the distinct shape and the significant topography. He also explained each exception in detail.

Mayor pro tem Powers opened the public hearing.

Decatur Downtown Development Authority (DDA) Executive Director Angela Threadgill spoke in support of the proposed project on behalf of the DDA. She stated that the development team had presented the updates to the DDA on August 14, 2020 and October 9, 2020 and the team had revised the plans to include the feedback that had been received. She added that the DDA had passed a resolution supporting the approval of the plans.

Lynn Gathercole, 1003 Katie Kerr Drive, voiced her concerns about the need for a traffic study to review the impact of the proposed project. She also raised concerns over the impact of the project on the City Schools of Decatur (CSD).

Hearing no further comments, Mayor pro tem Powers closed the public hearing.

In response to a question from Commissioner Walsh, Mr. Silverman stated that the exception to address fire apparatus access requirements was added to comply with the Fire codes.

In response to a question from Commissioner Walsh, Mr. Silverman explained the woonerf concept in detail.

In response to a question from Commissioner Walsh, Mr. Silverman clarified that the woonerf would be designed as a one-way drive from New Street to Freeman Street.

In response to a question from Commissioner Walsh, Mr. Silverman explained the access to Sams Street.

In response to a question from Commissioner Walsh, Mr. Yorker stated that his team had worked on projects where inclusionary zoning components had been applied, but as the concept was relatively new, the requirements could not be applied in an identical manner.

Commissioner Walsh thanked the consultants for the responses. She added that the City could be a model for implementing the inclusionary zoning ordinance through the proposed project.

In response to a question from Commissioner Dusenbury, Ms. Threadgill stated that the developer would be required to submit a multi modal transportation impact study for the land disturbance permit. She explained that any impacts to intersections would need to be mitigated as a requirement of the study. She added that New Street would be connected to Talley Street in order to create better connectivity. She stated that greenspace was a component of the master plan.

Ms. Threadgill responded to the concerns raised by Ms. Gathercole. She stated that details of the plan had been shared with the administrative staff of CSD. She explained that the projected increase in school enrollment due to the proposed project had been discussed and gave further insights.

In response to a question from Commissioner Dusenbury, Ms. Threadgill explained that the greenspace would be privately owned and publicly accessible.

In response to a question from Commissioner Dusenbury, Ms. Threadgill stated that the district was spread over an area of around 70 acres without including the greenspace.

In response to a question from Commissioner Dusenbury, Ms. Threadgill stated that the step-back allowed for a pedestrian relationship within the built environment.

In response to a question from Commissioner Dusenbury, Ms. Threadgill stated that the UDO was adopted in 2014 and implemented in 2015. She stated that most of the parking decks were precast concrete structures designed with smaller parking spaces. She explained an

amendment to the UDO to revisit the parking deck sizes could be expected, so that similar exceptions did not have to be brought up to the City Commission by a developer in the future.

In response to a question from Commissioner Dusenbury, Mr. Silverman explained the streetscape requirements on Freeman Street.

In response to a question from Commissioner Dusenbury, Ms. Threadgill confirmed that the land disturbance permit application could only be submitted on a future date contingent upon receiving approval to the special exceptions that were requested.

In response to a question from Commissioner Dusenbury, Ms. Threadgill stated that unless there were additional special exceptions, the project would not need to be brought forward to the City Commission as it progressed.

In response to a question from Commissioner Mayer, Ms. Threadgill explained the typical application process that a developer would follow for a project of similar scope.

Commissioner Mayer thanked Ms. Threadgill for the response. She added that understanding the process was important for community members to understand so that they would know when and how they could be involved in the decision making process.

Ms. Threadgill concurred with Commissioner Mayer and stated that community input was instrumental to the strategic preparation and adoption of long-term master plans.

Commissioner Mayer thanked Mr. Silverman and Mr. Yorker for being willing to engage with the community.

Mayor pro tem Powers stated that the master plan for the area had been in the making for 15 or more years and that often times discussions around projects were held years prior to the actual building stage. He expressed that it was important that the City have systems in place such as the strategic plan and other master plans that included multiple rounds of public input so that the community could be involved in the process.

In response to a question from Mayor pro tem Powers, City Manager Arnold stated that the anticipated tax revenue would be around \$1,000,000 for the school system and around \$400,000 for the City on an annual basis.

Commissioner Walsh shared her appreciation for allowing discussions that demonstrated efforts towards creating sustainable, environmentally friendly growth near public transit hubs.

Commissioner Dusenbury shared his appreciation for developing thoughtful projects that aligned with the master plans and allowed the community to engage with the developers and staff.

In response to a question from Commissioner Dusenbury, City Manager Arnold stated the criteria for considering special exceptions under Section 4.6.8 of the UDO.

On a motion by Commissioner Walsh, second by Commissioner Dusenbury; and, all present voting “aye,” Ordinance O-20-Z-06 was adopted.

PUBLIC COMMENT ON AGENDA ACTION ITEMS.

Mayor pro tem Powers opened the meeting for public comment.

Lynn Gathercole, 1003 Katie Kerr Drive, requested annual school enrollment information be updated and correlated with the existing housing units while planning new developments.

John Winterhawk, Athens, Georgia, spoke in support of Resolution R-20-31 supporting the removal of the cannon from the Square. He shared his experience and stated that the cannons represented superiority of one sect of people over another as well as hatred against the indigenous people.

April Biagioni, 315 Mimosa Drive, thanked the City Commission and staff for working on the petition submitted by the Calm Candler group. She voiced her support of removal of the cannon and shared that she was proud of the Decatur High School students who had presented the resolution.

Mark Pifer, 450 Clairemont Avenue, shared his insights about the presence of the cannon on the Square. He stated that the cannon should not be viewed as a monument, but as a historical relic.

The following Decatur High School students spoke in support of the resolution: Genesis Reddicks, Renny Hyde, Sophia Norton, Alexis Siegler, Jack Kelly, Julian Fortuna, Madeline Canter, Ana Villavasso, Alonzo Labiosa, Carmen Hardwick, Jade Jones, Victoria Saintil, Morgan Myles, Fiona McElroy, Alex Dabney, Aiden Blanchard and Koan Roy-Meighoo.

Hearing no further comments, Mayor pro tem Powers closed the public comment portion of the meeting.

“INDIAN WAR” CANNON REMOVAL RESOLUTION.

City Manager Arnold stated that on December 7, 2020, a group of Decatur High School students presented a request to the City Commission to consider a resolution in support of the removal of the cannon that was a relic of the 1836 “Indian War” and was located on the grounds of the historic DeKalb County Courthouse.

Commissioner Mayer thanked all the residents who voiced their opinions about the removal of the cannon. She thanked Mr. Winterhawk for sharing his experience with everyone. She thanked Mr. Pifer for sharing the historical reflections and stated that she was fascinated and intrigued after hearing his remarks.

Commissioner Mayer stated that the presence of the cannon went against the values of the City as a Welcoming City.

Commissioner Dusenbury thanked the students for voicing their concerns and presenting the request to the City Commission.

Commissioner Dusenbury added that the cannon could be relocated to a museum to interpret the historical facts. He stated his support for the removal of the cannon. He expressed an interest in working with DeKalb County to identify the presence of similar relics within the County and address the issue.

Commissioner Walsh commended the Decatur High School students for voicing their concerns regarding the important matter. She spoke about the importance of identifying the next steps and addressing the issue as a whole.

Commissioner Walsh thanked Mr. Winterhawk for sharing his stories with the community. She also commended Mr. Pifer for sharing his insights. She stated that if asked to make a choice, she chose people over things and spoke in support of the removal.

Commissioner Walsh acknowledged members of the Beacon Hill Black Alliance for sharing their knowledge and being a resource to the community.

Mayor pro tem Powers stated that he stood in solidarity with the members of the Muscogee Nation, members of the Beacon Hill Black Alliance and the students of Decatur High School.

On a motion by Commissioner Mayer, second by Commissioner Dusenbury; and, all present voting “aye,” Resolution R-20-31 was adopted.

FACE COVERING ORDINANCE.

City Manager Arnold stated that on July 20, 2020, the City Commission adopted Ordinance O-20-09, as amended, requiring face coverings to be worn in public during the COVID-19 public health emergency. She stated that the ordinance was extended on November 16, 2020 and would remain in effect until 11:59 p.m. on December 21, 2020, or until it was extended, rescinded, or amended by ordinance of the City Commission. She stated that since the public health emergency described in the ordinance continued, it was recommended that the face covering ordinance be extended through January 19, 2021 through the adoption of Ordinance O-20-19. City Manager Arnold emphasized that compliance with the face covering ordinance had remained high throughout the city.

Commissioner Dusenbury spoke in support of the extension and encouraged the residents and visitors to continue wearing face coverings in public.

Mayor pro tem Powers stated that measures such as wearing a face covering would help the community and economy move towards normalcy with higher efficiency.

On a motion by Commissioner Walsh, second by Commissioner Mayer; and, all present voting “aye,” Ordinance O-20-19 was adopted.

SELF-CONTAINED BREATHING APPARATUS BID AWARD.

Fire Chief Toni Washington recommended award of a contract for the purchase of 24 self-contained breathing apparatus (SCBA) and accessory equipment to the low bidder, Municipal Emergency Services (MES) of Charlotte, in the amount of \$179,020. She stated that the current SCBA equipment was purchased in 2010 and had reached at end-of-life. She also recommended a change order in the amount of \$32,335 to allow the purchase of 3 additional SCBA units, with accessories, and 21 regulators. She stated that the adjusted total purchase amount was \$211,355 and would be within the FY 2020-21 Capital Improvements budget amount of \$246,210 for this equipment.

In response to a question from Commissioner Dusenbury, Chief Washington explained the need and usage for the SCBA equipment.

In response to a question from Commissioner Dusenbury, Chief Washington stated that the change order would allow each firefighter to have his/her own regulator.

On a motion by Commissioner Dusenbury, second by Commissioner Mayer; and, all present voting “aye,” the bid award and change order were approved as recommended.

PEDESTRIAN IMPROVEMENTS ON SOUTH CANDLER STREET.

Assistant City Manager David Junger recommended establishment of a project budget in the amount of \$63,000 and award of a contract to GTG Traffic Signals, LLC, the low bidder, in the amount of \$57,165 for the construction of a new flashing pedestrian beacon at 184 South Candler Street (State Route 155) adjacent to the Agnes Scott College campus and installation of a median island at the intersection of South Candler Street and Midway Road. He stated that Agnes Scott College would be a partner in the pedestrian beacon project and had committed funds to cover half of the project implementation cost in an amount not to exceed \$26,500. He stated that staff had been working with Agnes Scott College, the Georgia Department of Transportation and the community to provide safe pedestrian crossings along the corridor for residents, Agnes Scott College students and faculty and the City Schools of Decatur Safe Routes to School program. He added that the project would support the Decatur Community Transportation Plan’s goal to establish a safe, integrated transportation system that would promote a healthier community through promoting bicycling and walking as viable alternatives to automobile travel, increase connectivity between neighborhoods and destinations, and provide equity for users of all ages and abilities. Two other RRFBs originally installed in 2011 as a joint effort with Agnes Scott College were upgraded in 2018. He stated that funds were available in the 2020-21 Capital Improvement Fund fund balance for the project.

Commissioner Walsh thanked staff for working on the project, partnering with the external stakeholders and making critical developments.

Commissioners Mayer and Dusenbury commended staff.

In response to a question from Mayor pro tem Powers, Mr. Junger stated that GTG Traffic Signals, LLC had worked for local government agencies in the region and received glowing references.

On a motion by Commissioner Walsh, second by Commissioner Mayer; and, all present voting “aye,” the project budget and contract were approved as recommended.

DOWNTOWN TREE MAINTENANCE PROGRAM.

Deputy City Manager Hugh Saxon recommended approval of an agreement with Arboguard Tree Specialists to provide maintenance services for street trees planted in downtown Decatur. He stated that the services would include selective pruning, fertilization and pest control. He recommended an increase in the contract amount from \$20,500 in FY 2019-20 to \$28,500 to provide care for an additional 160 trees, which would bring the total number of street trees in the maintenance program to 450 trees. He stated that funds were available in the FY 2020-21 budget for this work. He added that Arboguard had maintained the downtown trees since the initial streetscape program was implemented in 1996 and continued to provide excellent service at a reasonable cost.

In response to a question from Commissioner Dusenbury, Mr. Saxon stated that the services provided by Arboguard would be classified as a professional service. He added that bidding it out could be considered in the future.

Commissioner Dusenbury stated that having competitive quotes would be helpful while considering similar requests in the future.

On a motion by Commissioner Dusenbury, second by Commissioner Walsh; and, all present voting “aye,” the agreement with Arboguard Tree Specialists was approved.

REQUESTS AND PETITIONS.

Koan Roy-Meighoo, 149 Feld Avenue, shared his intent to work with the Beacon Hill Black Alliance to raise awareness and educate others about historical facts regarding the cannons and atrocities committed against indigenous peoples.

Mark Pifer, 450 Clairemont Avenue, volunteered to work with the DeKalb County and other community members to communicate historical facts.

Sophia Norton, 4 Woodland Court, shared her thoughts about the next steps that could be taken to educate people about the history of the indigenous peoples.

REPORTS AND OTHER BUSINESS.

On a motion by Commissioner Mayer, second by Commissioner Dusenbury; and, all present voting “aye,” Resolution R-20-32 confirming the Executive Session of December 7, 2020 was adopted.

On a motion by Commissioner Dusenbury, second by Commissioner Walsh; and, all present voting “aye,” the 2021 meeting schedule was approved.

Mayor pro tem Powers read the Zoning Board of Appeals Agenda for January 11, 2020.

City Manager Arnold presented an update to the estimated spending plan to utilize the Coronavirus Relief Fund funds that the City had received from DeKalb County. She stated that the community-related expenses would be disbursed prior to December 20, 2020 as included in the intergovernmental agreement with the County. She added that the remaining balance had been used to reimburse the City's General Fund for public safety payroll expenses and other eligible expenses under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. She stated that the expenses related to the funds would continue to be reported to the City Commission.

Ms. Threadgill presented updates to the emergency small business loan repayment program and emergency small business grant program. She thanked the members of the oversight committee for working on the administration of the programs.

City Manager Arnold thanked the City Commission for its leadership during a particularly challenging year. She commended it for prioritizing the health of the community with its decisions.

City Manager Arnold thanked staff for responding to the COVID-19 pandemic in a resilient manner and for continuing to provide stellar service to the community.

City Manager Arnold wished everyone Happy Holidays.

Commissioner Mayer noted her concern that the level of involvement of the City Commission in the decision making process varied when it came to different projects such as the Decatur Legacy Park Master Plan and the East Decatur Master plan and that if one was not a resident during the planning process, one may not be able to influence the decision making process. Commissioner Mayer requested clarification about the City Commission's involvement in certain master plan development decisions.

In response to a question from Commissioner Mayer, City Manager Arnold explained that Decatur Legacy Park was owned by the City and thus had a different level of control over what could happen on the property compared to private property.

Commissioner Mayer stated that she appreciated the work that was done on Resolution R-20-31.

Commissioner Mayer thanked Mr. Winterhawk for his comments. She stated that it was important to embrace the needs of everyone as we were a Welcoming City.

Commissioner Mayer voiced her support for the employees at Universal Joint who had recently encountered hardships.

Commissioner Mayer encouraged everyone to review the trash pickup schedule on the city website.

Commissioner Dusenbury concurred with City Manager Arnold and thanked staff for its work in 2020.

Commissioner Dusenbury shared that he was optimistic about the new year.

Commissioner Walsh thanked Mayor pro tem Powers for chairing an excellent meeting.

Commissioner Walsh complimented Commissioners Mayer and Dusenbury for their work on the City Commission.

Commissioner Walsh commended City Manager Arnold and her staff for staying resilient and continuing to provide excellent service to the community.

Commissioner Walsh stated that the community had continued to demonstrate a culture of listening and deep empathy but there was a lot of work to be done in the new year.

Commissioner Walsh reminded everyone to vote.

Mayor pro tem Powers congratulated Commissioners Mayer and Dusenbury for the successful completion of their first year on the City Commission.

Mayor pro tem Powers thanked Mayor Garrett for leading the City Commission and always representing the City brilliantly.

Mayor pro tem Powers stated that the first City Commission meeting of 2021 would be held on January 4, 2021.

Mayor pro tem Powers stated that the City Commission Retreat would be held virtually from January 6th to 8th.

Mayor pro tem Powers reminded residents who were traveling to consider requesting the Police Department to check on their property during the holiday season.

Mayor pro tem Powers thanked the City Commission and staff for all the work done in 2020.

The City Commission wished the community Happy and Safe Holidays.

There being no other business, the meeting was adjourned.

Meredith Roark
City Clerk