

**MINUTES
DECATUR CITY COMMISSION**

Regular Meeting
September 27, 2021
City Hall: 7:30 p.m.

Mayor Garrett called the Regular Meeting of the Decatur City Commission to order at 7:30 p.m. on Monday, September 27, 2021.

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

MINUTES of the Regular Meeting of September 7, 2021 were approved on a motion by Mayor pro tem Powers; second by Commissioner Walsh; and, all voting “aye.”

Mayor Garrett welcomed Decatur High School student Jacob Bracy to the meeting.

Mr. Bracy thanked Mayor Garrett and the City Commission for their welcome and stated that he was in pursuit of his Eagle Scout rank through Boy Scouts of America.

PUBLIC COMMENT ON AGENDA ACTION ITEMS.

Kiril Staikov, 307 Adair Street, spoke in opposition to the concept plan for the Adair crossing related to the Atlanta Avenue railroad crossing improvement project due to concerns about pedestrian safety.

Hearing no further comments, the public comment portion of the meeting was closed.

FACE COVERING ORDINANCE

City Manager Arnold recommended that the face covering ordinance O-21-18 be extended through November 1, 2021 through the adoption of Ordinance O-21-20. She stated that on July 20, 2020, the City Commission adopted Ordinance O-20-09 requiring face coverings to be worn in public during the Covid-19 public health emergency. She also stated that the ordinance expired on June 21, 2021 and was replaced by a new face covering ordinance, O-21-18, on August 16, 2021 which remained in effect until 11:59 p.m. on September 27, 2021, or until it was extended, rescinded, or amended by ordinance of the City Commission.

She stated that according to the Georgia Department of Public Health Distribution Dashboard 47% of Georgians and 50% of DeKalb County residents were fully vaccinated as of September 24, 2021. She stated that these rates lagged behind the national average of 66% according to the CDC’s Vaccine Data Tracker. She added that hospitals continued to deal with the impacts of Covid-19 on their operations, with the large majority of Covid-19 patients being unvaccinated, resulting in emergency departments reporting being overcrowded and severely overcrowded and diverting incoming ambulance traffic intermittently. She stated that the CDC continued to recommend face coverings, including use by people who were fully vaccinated, to protect the public from Covid-19.

In response to a question from Commissioner Dusenbury, City Manager Arnold stated that business patrons should contact the City Manager's Office to register complaints regarding mask violations and that city staff will reach out to businesses on an individual basis to educate them about the ordinance. She noted that voluntary compliance was high and had been since the mask ordinance went into effect.

In response to a question from Mayor Garrett, City Manager Arnold stated that Downtown Program Manager Shirley Baylis had notified business owners of the return of the masking requirement via email and by going door-to-door with signage.

On a motion by Mayor pro tem Powers; second by Commissioner Mayer; and, all voting "aye," Ordinance O-21-20 was adopted.

FIRE PORTABLE RADIO SYSTEM.

Fire Captain Jeremy Storey, on behalf of Chief Toni Washington, recommended the purchase of a new Motorola 6000 XE AN portable radio system in the amount of \$123,833.10 from Motorola Solutions/Mobile Communications. He stated that it was an approved capital expenditure in the FY 2021-22 budget and would be financed over a 5-year period through the Georgia Municipal Association's lease pool program. He added that the purchase included 25 radios with chargers and accessories that would replace existing equipment that was eight years old and was now obsolete. He added that should communication equipment fail in an emergency incident, risk increased for the City's firefighters and stakeholders. He stated that the new radio system was more reliable and included additional features. He added that the purchase was being made through the State of Georgia's master agreement with Motorola. He stated that if approved and ordered by September 30, the purchase would receive a \$13,300.20 trade-in discount with a net cost of \$123,833.10.

Commissioner Walsh stated that it was compelling that the purchase would increase communication capabilities during emergencies in other jurisdictions that may need a response from the City.

On a motion by Commissioner Mayer; second by Mayor pro tem Powers; and, all voting "aye," the purchase of a new Motorola 6000 XE AN portable radio system in the amount of \$123,833.10 and authorization to finance purchase through the Georgia Municipal Association's local government equipment lease pool program was approved.

COVID-19 LEAVE POLICY.

Assistant City Manager Teresa de Castro recommended adoption of a Covid-19 leave policy to provide leave benefits outside of the City's Personnel Rules and Regulations. She stated that the goal of the policy was to protect the health of City employees and to maximize the Covid-19 vaccination rates among City personnel. She added that the policy provided paid leave for fully vaccinated employees that were affected by the Covid-19 pandemic. She stated that the policy allowed two weeks of paid leave for fully vaccinated full-time and part-time employees who became ill, were required to quarantine or needed to care for a family member. She stated that the policy allowed part-time employees, who did not normally earn leave benefits, to receive paid leave equivalent to the average hours of their regularly scheduled work period. She stated

that the policy would be effective from September 28, 2021 through June 30, 2022 and that if changes were needed, further amendments would be brought to the City Commission for approval. She stated that the policy had been reviewed by the City's labor attorney.

On a motion by Mayor pro tem Powers; second by Commissioner Walsh; and, all voting "aye," the Covid-19 Leave Policy was adopted.

REAR LOADER PURCHASE.

Assistant City Manager David Junger recommended purchase of a new 2022 27-yard rear loader refuse truck from SANSOM Equipment Company of Stonecrest, Georgia in an amount not to exceed \$261,240.63. He stated that the FY 2021-22 Solid Waste budget included funding for the replacement of a 2003 rear loading refuse truck. He also stated that the City continued to experience increased unreliability and maintenance expenses from the use of the current vehicle. He stated that three (3) firms responded to an advertisement for bids placed in The Champion newspaper on July 29, 2021 and added that the two lowest bids at the time of bid opening had been removed from consideration for not meeting the critical low entry cab specification. He stated that a low entry cab was required to provide the most efficient service where all truck operators actively participated in the solid waste collection process. He added that operators continuously entered and exited their refuse vehicles on collection routes and that the low entry cab also helped maintain operator health and safety by reducing knee injuries and physical wear and tear while climbing in and out of the truck.

Mr. Junger stated that the lowest bid meeting all specifications was a 2022 Crane Carrier LET2-46 Standard Cab Chassis, mounted with a 27-yard Cobra HC high compaction rear loader, to be delivered to the Public Works Department within 90-120 days of the order. He added that a lease-purchase payment of \$40,000 per year for five years (\$200,000) was included in the approved FY 2021-22 Solid Waste Enterprise Fund budget to cover the estimated cost of the new truck. He stated that the original budget was based on a quote from a company that was no longer in business. He also stated that the additional funds required for the recommended purchase were available in the Solid Waste Enterprise Fund to cover the annual estimated cost of \$46,000 per year for six years, including financing costs. Mr. Junger recommended that the City Commission authorize the City Manager to execute the documents necessary to provide lease purchase financing through the Georgia Municipal Association.

In response to a question from Mayor pro tem Powers, Mr. Junger stated that the capacity of the recommended purchase was slightly greater than that of the current rear loading refuse truck.

In response to a question from Mayor Garrett, Mr. Junger stated that there were three refuse trucks in daily use.

In response to a question from Commissioner Dusenbury, Mr. Junger explained the differences between the financing options offered by the Georgia Municipal Association including the local government equipment lease pool and the more traditional direct lease purchase program.

In response to a question from City Manager Arnold, Mr. Junger stated that the fourth bid listed was for a crew cab truck similar to one that had been purchased in 2019 and allowed for 4 workers to travel in the vehicle. He also stated that it was determined that the lowest cost, standard low entry cab that met specifications was the most responsible recommendation to the City Commission.

On a motion by Mayor pro tem Powers; second by Commissioner Mayer; and, all voting “aye,” the rear loader purchase was approved.

MILLING AND REPAIR OF LOCAL STREETS.

Mr. Junger recommended establishing a project budget of \$1,500,000 and award of a contract in the amount of \$1,312,189 for milling and repairing of local streets to the low bidder, Magnum Paving, LLC of Villa Rica. He stated that the budget included a 14% contingency. He also stated that the Georgia Department of Transportation (GDOT) had provided funding in the amount of \$191,773 as part of its Local Maintenance and Improvement Grant (LMIG) program. He added that the City was required to provide a minimum local match of thirty percent. He stated that streets in this year’s repair and repaving program covered approximately 1.02 miles and included: Sycamore Drive from E. Ponce de Leon Avenue to the City Limits and Merrill Avenue from Scott Boulevard to Coventry Road. He stated that in addition to the original list of streets approved by the City Commission as part of the 2021 paving program, the project included sidewalk repairs on the streets listed, asphalt patches on North Parkwood Road, South McDonough Street, and Kirk Crossing Drive and speed tables on Avery Street.

Mr. Junger stated that funds were available in the FY21-22 budget from the Storm Water Utility Fund and the Capital Improvements Fund. He also stated that four contractors responded to a request for bids on September 8, 2021 and that Magnum Paving, LLC, who had successfully performed similar paving work for the City of South Fulton, provided the most competitive bid.

In response to a question from Mayor pro tem Powers, Mr. Junger stated that he did not anticipate the City being able to address projects outside of the scope of this project due to budget limitations. He added that additional projects could be considered at the conclusion of this project based on any project savings.

In response to a question from Mayor pro tem Powers, Mr. Junger confirmed that the paving costs had increased in the past year.

In response to a question from Mayor Garrett, Mr. Junger stated that the recommended contract included sidewalk panel replacement and that Georgia Safe Sidewalks worked on repairs where there was a smaller deflection. He added that work at other locations with Georgia Safe Sidewalks was scheduled to begin on October 27, 2021.

In response to a question from Mayor Garrett, Mr. Junger confirmed that the work covered by the contract would include striping and speed table markings.

On a motion by Commissioner Walsh; second by Mayor pro tem Powers; and, all voting “aye,” the project budget and contract were approved for the milling and repair of local streets.

FRONT YARD TREE PROGRAM.

Deputy City Manager Hugh Saxon recommended approval of a budget of \$11,250 and authorization of an agreement with Trees Atlanta to continue the front yard tree program started in 2020. He stated that funding for the program was available in the Tree Bank Fund. He stated that if approved, Trees Atlanta would provide 50 trees to be planted in the City of Decatur this planting season, which was an increase from the 40 trees planted through the program last season. He stated that an agreement at the time the tree was requested by the property owner would require: the applicant to be a Decatur resident and property owner, the resident to pay a \$25 application fee that would go towards the purchase of the tree and agreement from the resident to water and refrain from removing the tree without City Arborist approval. He added that the City would be responsible for providing \$225 per tree and that Trees Atlanta would provide each property with a 15-gallon shade tree, initial watering in addition to mulching, pest treatment and fertilization if necessary and a 2-year tree replacement guarantee.

In response to a question from Commissioner Dusenbury, Mr. Saxon stated that the City planted 40 trees during the initial project year.

In response to a question from Mayor pro tem Powers, Mr. Saxon stated that unless the City could identify that a tree was not healthy to begin with, a tree would not be replaced outside of the 2-year tree replacement guarantee. He added that this was only the second year of the program and that all of the trees planted last year were still under warranty.

Mayor Garrett stated that Sonali Saindane, 340 Winnona Drive, sent a message of support for the program via email.

On a motion by Mayor pro tem Powers; second by Commissioner Dusenbury; and, all voting “aye,” the budget and agreement were approved for the Front Yard Tree Program.

Mayor Garrett stated that the program would help the City meet its goal of planting 200 trees by the City’s 200th anniversary in 2023.

CHANGE ORDER FOR RAILROAD CROSSING IMPROVEMENTS AT ATLANTA AVENUE.

Mr. Saxon recommended an increase in the project budget and approval of a change order with Landis Evans & Partners for master planning and design of the Atlanta Avenue Railroad Crossing Improvements project. He stated that the original project budget was \$400,000 and that the proposed project budget of \$850,000 marked an increase of \$450,000. He added that the recommended change order would increase the contract amount from \$360,000 to \$815,000, an increase of \$455,000. He stated that funding for the project was being provided by the special purpose local option sales tax approved in 2017; and, that the change was a result of several unanticipated factors including: the expansion of the project scope to include permanent traffic calming, bicycle/pedestrian safety and landscape improvements to replace planters on West Howard Avenue, a complete relocation of the existing crossing and restoration of the old crossing location, expanded civic engagement activities and months of project delays due to the COVID-19 pandemic.

Mr. Saxon stated that the plan was recently approved by CSX as the basis for design and that an earlier version of the plan was presented at a virtual workshop in December 2020. He stated that if approved, the change order would allow a limited additional civic engagement process for the permanent West Howard Avenue traffic calming improvements. He added that a community planning effort for traffic coming on Adair Street was included in this year's budget and stated that this would be a separate project. He also stated that since this was for a local street only, it was possible for traffic calming improvements to be scheduled prior to construction of the Atlanta Avenue/West Howard Avenue project. He stated that the recommendation was not for approval of the design itself and noted that he was willing to speak more with Mr. Staikov about his concerns brought forward during the public comment portion of the meeting.

Commissioner Dusenbury commended the City for its extensive plans and demonstrated creativity along the corridor. He thanked Mr. Saxon for taking concerns about planter removal shared by himself and Commissioner Mayer during a meeting into consideration. He also stated that he was concerned about pedestrian safety on the right turn. He added that the concept plan demonstrated the City's policy for prioritizing space for trees to grow and he advocated for the removal of excess asphalt.

Mayor pro tem Powers thanked Mr. Saxon for clarifying that the City Commission was not voting on the project plans at the meeting.

Mayor Garrett stated that the planters, which were a temporary solution, had served their purpose in slowing down traffic before permanent changes were made. She also thanked Mr. Saxon for pointing out that the approval requested was for the community engagement budget for the expanded project.

In response to a question from Commissioner Mayer, Mr. Saxon stated that the community engagement process for this portion of the project would not be as robust as the process for the intersection improvements. He stated that the process would build upon the Re-Imagine West Howard planning process that saw significant community engagement. He also stated, in reference to Commissioner's Dusenbury's comments about space for tree growth, that the overhead utilities in the area would pose some limitations to the planting of large trees. He added that the ultimate goals were to simplify the railroad crossing for all and to modernize the traffic signal system with added protections for pedestrians.

In response to a question from Mayor pro tem Powers, Mr. Saxon stated that the system would include new traffic signal lights, pedestrian counters and more and would be as modern as could be implemented.

Commissioner Walsh thanked Mr. Saxon for his confirmation of more site planning and stated that she met with community members who had ideas for bike and pedestrian safety.

Mr. Saxon stated that there was no one solution that would satisfy all stakeholders.

In response to a question from Commissioner Walsh, Mr. Saxon stated that part of the budget paid for the recent enhanced community engagement workshops.

In response to a question from Commissioner Walsh, Mr. Saxon stated that the adopted budget included funds for an Adair Street traffic calming plan similar to one from the Parkwood neighborhood. He stated that depending on the schedule, the Atlanta Avenue project would probably take longer than the plans for Adair Street due to the complexity of the stakeholders involved.

On a motion by Mayor pro tem Powers; second by Commissioner Walsh; and, all voting “aye,” the change order and budget increase for master planning and design of the Atlanta Avenue Railroad Crossing Improvements were approved.

REQUESTS AND PETITIONS.

Sonali Saindane, 340 Winona Drive, spoke in support of a stronger tree ordinance and stressed the importance of the City Commission adopting an ordinance with a higher tree canopy goal. She also requested information on the City Commission feedback collection timeline.

John Leake, 255 West Parkwood Road, spoke about sidewalk repairs and recommended the use of steel plates and slabs to prevent defacing of wet sidewalks.

Tomas Valenti, 708 West College Avenue, expressed multiple concerns with the design of the Adair Street extension and impacts on traffic, safety and properties on West College Avenue.

Katie Bell, 1010 Scott Boulevard, spoke in support of a tree canopy goal of at least 70%.

Allison Ericson, 149 Adair Street, commented on the Adair Street calming measures and the lack of indication of a crosswalk. She asked that the safety of student pedestrians be prioritized in the plans.

REPORTS AND OTHER BUSINESS.

Mayor Garrett read the agenda for the October 11, 2021 Zoning Board of Appeals Meeting.

Mayor Garrett read the agenda for the October 12, 2021 Planning Commission Meeting.

Affordable Housing Fellow Kristin Allin stated that the Affordable Housing Task Force Education Committee was continuing to plan community outreach efforts. She stated that a new affordable housing webpage would be made available on October 1, 2021 and would provide information on the history of affordable housing in Decatur and the importance of current efforts through videos and a story map. She also stated that focused conversations around affordable housing were being scheduled and she announced a new hotline would provide current and prospective community members with affordable housing information.

City Manager Arnold notified the public of a new Covid-19 vaccine mandate policy for City employees effective immediately. She stated that the policy was put into place in an effort to protect the health of employees and the community. She also stated that all full-time and part-time employees of the City would be required to be fully vaccinated by November 30, 2021 or undergo regular testing. She added that the decision was not taken lightly and that it was made after consultation with the Emergency Management Team, the City Attorney and other City employees. She stated that public servants had a duty to do everything possible to remain healthy and refrain from harming the communities they serve. She also stated that she believed the vaccine policy was the most effective way to assure employee and community safety during the pandemic.

Commissioner Mayer stated that she was excited about the affordable housing community outreach updates.

Commissioner Mayer thanked City Manager Arnold for the strong, measured steps to protect employees and cautioned the City to remain mindful of the possible disproportionate harm of policy implementation on certain demographics.

Commissioner Dusenbury stated that he was appreciative of Commissioner Mayer's comments on the vaccine mandate and that he appreciated the efforts the City has taken to mitigate the pandemic.

Commissioner Dusenbury stated that he appreciated the affordable housing educational efforts.

Commissioner Dusenbury referenced his past statements about his aspirations for a 70-75% tree canopy goal. He stated that he understood that it was an aggressive and long-term goal and that planning would be imperative. He also stated that in reference to Ms. Saindane's comments during Requests and Petitions that although he supported a higher tree canopy target, he did not believe that the current draft of the tree ordinance was weaker.

In response to a question from Commissioner Dusenbury, City Manager Arnold stated that details about tree ordinance public engagement meetings would be released within the next two weeks with the goals of high engagement and safety of community members.

Commissioner Dusenbury stated that the City's tree canopy would have an impact on heat and air pollution. He added that communities across the world were already seeing the impacts of climate change through deadly heat.

Commissioner Walsh thanked community members for their comments during the meeting.

Commissioner Walsh thanked Ms. Allin for the information on the affordable housing educational efforts and stated that she was grateful to have her on staff as a realization of the task force's recommendations. She encouraged community members who had moved to the City since

2018 when the study process began to use the resources to learn more about the affordable housing landscape and efforts in Decatur.

Commissioner Walsh stated that she received email comments from Ken Rose about bike and pedestrian safety related to the Adair Street extension and would share those with staff.

Commissioner Walsh stated that West Ponce Music Stroll was a safe and successful event.

Commissioner Walsh acknowledged the Decatur High School Bulldog Booster Club for its recent fundraising event at the cross country course at Decatur Legacy Park.

Commissioner Walsh stated that she would share the news of the mask ordinance at the upcoming Decatur Business Association meeting.

Commissioner Walsh invited community members interested in volunteering for Amplify Decatur to contact Volunteer Coordinator Sherry Jackman.

Commissioner Walsh reminded the community that the deadline to register to vote in the November 2, 2021 election was October 4, 2021.

Mayor pro tem Powers stated that he had received emails requesting information on affordable housing updates. He reminded the community that affordable housing remained a priority for the City Commission and that the City was constantly balancing needs and availability of resources to fund affordable housing units. He thanked Ms. Allin for her work.

Mayor pro tem Powers thanked residents for their comments on the tree ordinance.

Mayor pro tem Powers encouraged the community to continue to do what they could to fight the Covid-19 pandemic and thanked City Manager Arnold for her efforts on the mask ordinance and the employee vaccine mandate.

Mayor Garrett acknowledged the Decatur Land Trust board members for their passion, engagement and willingness to work.

Mayor Garrett congratulated Oakhurst Elementary School for its designation as a National Blue-Ribbon School.

Mayor Garrett announced that the September 28, 2021 Decatur Business Association meeting would take place at 8:30 a.m. at Lush in Oakhurst.

Mayor Garrett stated that the Arts Festival, Book Festival and Amplify were all requiring proof of Covid-19 vaccinations or negative test results.

Mayor Garrett stated that she, DeKalb County Commissioner Larry Johnson and Acting Police Chief Scott Richards were participating in a program on Saturday, October 2, 2021 at 2:00 p.m. at Israel Baptist Church to foster positive community-police relations.

Mayor Garrett encouraged the community to attend the upcoming Placita Latina events.

Mayor Garrett thanked community members for their comments on the tree ordinance. She encouraged the community to continue reviewing the information and submitting comments. She highlighted specific documents that she found helpful including a comparison of the current and proposed tree ordinances as well as graphics showing the application of the ordinances to real-life development scenarios.

There being no further business, the meeting was adjourned.

Meredith Roark
City Clerk