

**MINUTES
DECATUR CITY COMMISSION**

Regular Meeting
December 18, 2023
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 December 18, 2023.

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

ABSENT: Commissioner Mayer.

MINUTES of the Regular Meeting of the November 27, 2023 and December 4, 2023 were approved on a motion by Mayor pro tem Powers; second by Commissioner Walsh; and, all present voting “aye.”

PRESENTATIONS.

Special Events Coordinator Jackie Moore announced the winner of the 2023 Decorate Decatur Contest. She stated that the Aburime family, 647 Sycamore Drive, would receive the Commissioners’ Cup. Ms. Moore noted that 201 Westchester Drive and 241 Forkner Drive had received this year’s outstanding mentions.

Mayor Garrett presented the Commissioners’ Cup the Aburime family.

Police Chief Scott Richards introduced Ivan Figuereo as the Police Department’s new co-responder. Mr. Figuereo explained his role with the DeKalb Community Service Board and how he was working with the Decatur Police Department. He engaged in a brief question and answer session with the City Commissioners.

Mayor pro tem Powers welcomed four members of the Decatur Youth Council to the meeting. Members in attendance included Co-chair Flora Burdette, Henry Cayce, Theo Jackson and Greta Tell.

PROCLAMATION.

Mayor Garrett read a proclamation recognizing December 18, 2023 as Linda Harris Day in honor of her upcoming retirement after serving the City for 35 years.

ALCOHOLIC BEVERAGE LICENSE.

City Manager Arnold recommended approval of an alcoholic beverage license for retail sale for consumption on premises of beer, wine and spirituous liquors to Ho Hean Rhee for Oishi Asian Fusion Restaurant, Inc. dba Green Ginger, 265 Ponce de Leon Place, Suite N-P. She stated that Mr. Rhee was the new owner and that a change in ownership resulted in the need for City Commission approval. She added the Police Department had approved the application and all applicable fees had been paid.

On a motion by Mayor pro tem Powers; second by Commissioner Walsh; and, all present voting “aye,” the license was approved as recommended.

PUBLIC COMMENT ON AGENDA ACTION ITEMS.

Mayor Garrett opened the meeting for public comment.

Ken Rose, 710 South McDonough Street, spoke in support of the Georgia Safe Sidewalks agreement and requested staff confirm that the work performed by the contractor corrected any trip hazards.

Sandro Gisler, 211 Missionary Drive, requested that the data collected during the pavement and sidewalk assessment be made available to the public.

James Rodatus, 308 Driftwood Terrace, spoke in support of the action actions related to sidewalk improvements and requested that communication be made to the community at the end of repair cycles.

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

APPROVALS FOR SOUTH HOUSING VILLAGE PHASE I.

City Manager Arnold recommended certain approvals for items needed prior to the closing of the Decatur Housing Authority's (DHA) financing transaction for Phase I of the South Housing Village (SHV) development at Decatur Legacy Park including 1) Memorandum of Agreement (MOA) with the State Historic Preservation Officer (SHPO); and, 2) Ratification of the dollar amount in Section 5.1.C.(2)b.(ii)(b) of the Second Amendment to the Intergovernmental Agreement between the City and DHA.

City Manager Arnold stated the financing of the South Housing Village, using low-income housing tax credits (LIHTC), subjected the project to a Section 106 review under the National Historic Preservation Act (NHPA) of 1966. She explained Section 106 required federal agencies (and their applicants) to take into account the effects of their undertakings on historic properties (both structural and archaeological). She stated as a result of that review, the SHPO, with the Historic Preservation Division (HPD) of the Georgia Department of Community Affairs, and DHA, along with DeKalb County, had entered into a MOA that identified the measures that would be taken to minimize the impact of the project on the surrounding historic resources. She shared for example, the DHA would create a photographic archival record (PAR) of the Decatur Legacy Park campus in accordance with the guidelines in the MOA. City Manager Arnold stated 36 CFR 800.6(c)(3) allowed other parties to be invited to concur in the MOA. She noted a concurring party signature was not required to execute the agreement as a concurring signature was essentially an endorsement of the agreement and was a way to support the actions being evidenced in the agreement. She recommended that the City Commission authorize the City Manager to sign the proposed MOA on behalf of the City as a concurring party.

City Manager Arnold stated on November 6, 2023, the City Commission approved several documents related to the South Housing Village including the Second Amendment to the Intergovernmental Agreement between the City and DHA. She stated at that time, the document was missing the specific maximum dollar amount in Section 5.1.C.(2)b.(ii)(b) that the City would pay DHA for capital expenditures made by DHA in the event DHA terminated the Ground Lease per Section 5.1.C. She noted the parties had agreed upon the maximum amount for Phase I of \$1,360,539, or roughly, \$20,600 per unit. She added the figure was developed by using 20-year capital cost data from a Physical Needs Assessment for Allen Wilson I and Allen Wilson III

conducted by a third party in 2018, and adjusted for the market. City Manager Arnold recommended that the City Commission ratify Section 5.1.C.(2)b.(ii)(b) to reflect the maximum amount of \$1,360,539.

City Manager Arnold shared that closing for the financing on Phase I of the South Housing Village is anticipated in mid-January 2024.

In response to a question from Commissioner Dusenbury, City Manager Arnold stated that DHA had invited the City to participate as a concurring party as well as to draft some of the language included in the MOA.

In response to a question from Commissioner Dusenbury, City Manager Arnold stated that participating as a concurring party would not hinder the City from taking actions on other parts of the Decatur Legacy Park property.

Mayor Garrett noted that the requests were triggered by the LIHTC process and that DeKalb County was involved because it was acting as an agent for the US Department of Housing and Urban Development (HUD).

City Manager Arnold recognized Planning & Economic Development Director Angela Threadgill for her assistance in drafting portions of the MOA.

Mayor Garrett added the action was to authorize a memorandum of agreement rather than a memorandum of understanding because that was the preferred term of the Department of Community Affairs.

In response to a question from Commissioner Walsh, Ms. Threadgill stated that the United Methodist Children's Home campus, now known as Decatur Legacy Park, was eligible to be listed on the National Register of Historic Places but that it had not participated in that process yet.

On a motion by Mayor pro tem Powers; second by Commissioner Dusenbury; and, all present voting "aye," the City Manager was authorized to sign a memorandum of agreement between the Decatur Housing Authority, DeKalb County and the Georgia State Historic Preservation Officer as a concurring party.

In response to a question from Mayor Garrett, City Manager Arnold stated to the best of her knowledge these were the final documents needed by the DHA for the closing on the financing.

On a motion by Commissioner Dusenbury; second by Mayor pro tem Powers; and, all present voting "aye," ratification of the not-to-exceed amount of \$1,360,539 in Section 5.1.C.(2)b.(ii)(b) of the Second Amendment to the Intergovernmental Agreement between the City and the Decatur Housing Authority related to payment for capital expenditures was approved.

FISCAL YEAR 2022-2023 AMENDED BUDGET.

Chief of Staff Meredith Roark recommended adoption of Resolution R-23-27 amending the General Fund for FY 2022-2023 to reflect changes in expenditures since the revised budget was adopted on June 20, 2023. She stated the changes were based on the current version of the draft audit report. She noted this process formalized the cleanup of fiscal year-end budgets in a manner consistent with State law.

In response to a question from Mayor Garrett, Ms. Roark stated the proposed changes included adding \$45,000 to the Administrative Services Department and reducing the amounts expended by the General Government, Community & Economic Development, Police and Fire departments to cover an overage identified by the auditors.

On a motion by Commissioner Walsh; second by Mayor pro tem Powers; and, all present voting “aye,” Resolution R-23-27 was adopted as recommended.

ATHLETIC FIELD LIGHTING AT EBSTER FIELD.

Capital Projects Manager Hugh Saxon recommended approval a budget of \$280,000 for athletic field lighting improvements at Ebster Field; approval of an agreement with Musco Sports Lighting in the amount of \$215,000 for athletic field lighting at Ebster Field; and, approval of an agreement with the Georgia Power Company in the amount of \$40,000 for installation of electrical service to support athletic field lighting and other improvements at Ebster Park. He stated this project included conversion of Ebster Field from a natural to synthetic turf surface and installation of new LED athletic field lighting. He noted a project budget of \$1.75 million was approved in the FY 2023-2024 Capital Improvement Fund budget and an agreement was approved in November with Precision Turf and Breedlove Land Planning for design-build and other pre-construction services for the project.

Mr. Saxon stated the athletic field lighting was being purchased separately from the field construction to save contractor fees. He added installation of the lighting should precede construction of the athletic field improvements and, currently, there was an 8-12 week lead time for the lighting equipment.

In response to a question from Commissioner Walsh; Mr. Saxon stated that the lights could be programmed and managed remotely through use of a mobile app or computer.

In response to a question from Commissioner Dusenbury, Mr. Saxon stated that he would be meeting with the Allen Wilson Terrace HOA in early 2024 to review the project and solicit feedback on the lighting cutoff times.

In response to a question from Commissioner Dusenbury, Mr. Saxon stated that the lighting components were qualified as dark sky lights but would require certification in order to be officially considered dark sky.

On a motion by Commissioner Walsh; second by Mayor pro tem Powers; and, all present voting “aye,” the project budget and agreements were authorized as presented.

DOWNTOWN TREE MAINTENANCE PROGRAM.

Mr. Saxon recommended approval of an agreement with Arboguard Tree Specialists, the low bidder, to provide maintenance services for street trees planted in downtown Decatur. He stated the services included selective pruning, fertilization and pest control for 420 trees at a cost of \$33,120 and funds were available in the FY 2023-2024 budget for this work. Mr. Saxon added Arboguard was a local tree service which specialized in tree maintenance and preservation; and, the company had maintained the City’s downtown street trees since the initial streetscape program was implemented in 1996 and continued to provide excellent service at a reasonable cost.

On a motion by Mayor pro tem Powers; second by Commissioner Dusenbury; and, all present voting “aye,” the agreement was authorized as recommended.

GEORGIA SAFE SIDEWALKS AGREEMENT.

Assistant City Manager Cara Scharer recommended approval of an agreement with Georgia Safe Sidewalks in an amount not to exceed \$53,000 for repairs to sidewalks. Ms. Scharer stated the City had previously employed Georgia Safe Sidewalks to repair vertical separations between sidewalk panels utilizing a patented process and equipment to repair sidewalks and was the sole source provider in Georgia for this technology. She added staff had identified the next phase of sidewalk repairs and sidewalk improvements in these corridors supported the Mobility Goal MB.18 of the 2020 Strategic Plan and recommendations in the 2018 Community Transportation Plan Update.

Ms. Scharer stated if approved, Georgia Safe Sidewalks would need approximately 8 days to complete the work, weather permitting. She noted the work was tentatively scheduled to begin in March 2024. She stated funds were budgeted for the work in the FY 2023-2024 Capital Improvements Fund budget.

Mayor pro tem Powers expressed a desire to see additional funds go towards sidewalk improvements whenever possible.

Ms. Scharer stated the pavement and sidewalk assessment proposal would provide data which could result in larger projects of this nature.

In response to a question from Commissioner Dusenbury, Ms. Scharer stated that private property owners were responsible for maintaining vegetation around sidewalks and that the assessment would identify areas in need of work and staff would address accordingly.

In response to a question from Commissioner Walsh, Ms. Scharer stated the Safe Streets for All Action Plan would be key to drafting the priority list for sidewalks in need of repairs, especially those that were designated Safe Routes to School.

Mayor Garrett concurred with Commissioner Dusenbury about the need to educate residents about proper management of vegetation near sidewalks.

On a motion by Commissioner Dusenbury; second by Mayor pro tem Powers; and, all present voting “aye,” the agreement was authorized as recommended.

PAVEMENT AND SIDEWALK ASSESSMENT CONTRACT.

Ms. Scharer recommended establishment of a project budget of \$60,000 and award of a contract to IMS Infrastructure Management Services, LP in the amount of \$50,475 for conducting a comprehensive assessment of approximately 60 centerline miles of residential streets in a single pass and 82 miles of sidewalks. She stated deliverables included a Pavement Condition Index (PCI) scoring for all road pavement segments and Sidewalk Condition Index (SWCI) for all collected sidewalk segments and ramps. She noted in addition to the segment-level observations, the location coordinates of the sidewalk distress data would be collected and provided as a GIS feature class.

She stated proposals were requested from several contractors and two proposals were received from ESP Associate, Inc. and IMS Infrastructure Management Services, LP. She noted

while costs were comparable, IMS' capabilities relative to sidewalk inventory were superior. She stated upon execution of the contract the City and contractor would work together regarding the road and sidewalk centerline information. She added the assessment would take place no earlier than mid-February to minimize data discrepancies due to the current leaf coverage on the ground. She stated prior to the assessment, schedule information would be shared with residents to discourage on-street parking in order to increase accuracy.

Ms. Scharer stated funds were available in the FY 2023-2024 Capital Improvement Fund budget to cover the cost of the project.

In response to a question from Commissioner Walsh, Ms. Scharer stated data would be reviewed by an engineer before inclusion in the report to account for any discrepancies created by vehicles that were still parked on the roadways during the assessment period.

On a motion by Commissioner Walsh; second by Mayor pro tem Powers; and, all present voting "aye," the project budget and agreement were approved as recommended.

ON-CALL PROFESSIONAL DESIGN AND ENGINEERING SERVICES AGREEMENTS.

Ms. Scharer recommended the award of agreements for on-call professional design and engineering services to six firms: A&S Engineering, LLC; AECOM Technical Services, Inc.; AtkinsRealis USA, Inc.; HDR Engineering, Inc.; Jacobs Engineering Group, Inc.; and, Toole Design Group, LLC. She explained that "on-call" services provided as-needed support for specific projects and no fees were paid except for the services delivered. She added the recommended firms included teams with subject matter experts for a variety of design and engineering services.

Ms. Scharer stated the agreements would be for a one-year period and renewed annually. She added non-renewal could occur if the City or firm provided 60-day notice ahead of the renewal. She stated the recommended firms had demonstrated through a competitive selection process that they possessed the staff and experience to provide the following services: Grant Applications; City Wide Master Planning; Project Feasibility Assessments; Pedestrian and Cycle Facility Designs; Transportation Facility Designs; Traffic Calming and Tactical Urbanism Facility Designs; Drainage Facility Designs including Green Infrastructure; and, Compliance Reporting Services.

Ms. Scharer stated staff had used two firms for on-call design and engineering services related to sidewalks, traffic calming, traffic studies, pedestrian crossings, storm water infrastructure and similar improvements since 2018. She stated increasing the number of firms would enhance the City's design capacity and provide access to firms with a more diverse range of backgrounds and specialties. She reiterated fees for necessary design and engineering services would be included in the budget for each project.

On a motion by Mayor pro tem Powers; second by Commissioner Dusenbury; and all present voting "aye," agreements for on-call services with A&S Engineering, AECOM Technical Services, AtkinsRealis USA, HDR Engineering, Jacobs Engineering Group, and Toole Design Group were awarded as recommended.

REQUESTS AND PETITIONS.

There were no requests or petitions.

REPORTS AND OTHER BUSINESS.

Mayor Garrett read the January 8, 2024 Zoning Board of Appeals agenda.

Mayor Garrett read the January 9, 2024 Planning Commission agenda.

Mayor Garrett thanked outgoing Chair Harold Buckley and former Co-chair Mike Travis for their service on the Planning Commission as each had served for a number of years and would be rolling off at the end of December.

City Manager Arnold shared a list of accomplishments for 2023 including being named a two-time All-America City winner, creation of the Parks & Recreation Department, becoming a UNICEF Child Friendly Cities Initiative candidate city, construction of the inclusive playground at Decatur Legacy Park, completion of several community-wide master planning processes, expanded homestead tax exemptions, launch of the 2020 Strategic Plan reporting dashboard, adoption of the missing middle housing ordinance and celebrating the City's Bicentennial.

Mayor Garrett thanked City Manager Arnold for sharing the list and exclaimed that we were getting lots of important work done.

Commissioner Dusenbury thanked Ms. Harris upon her retirement for serving the City for 35 years.

Commissioner Dusenbury welcomed Mr. Figueroa to the team.

Commissioner Dusenbury stated that there was work still to be done but he was excited to hear a recap of much was what had been accomplished in 2023.

Commissioner Walsh stated the information shared during the work session about grant funding received and in process was impressive.

Commissioner Walsh thanked the City Manager for sharing some of the highlights from 2023 and stated that she hoped everyone recognized that the City Commission and staff valued hard work and were bringing patience & professionalism to the jobs at hand.

Commissioner Walsh stated she enjoyed celebrating the City's Bicentennial and felt that was a wonderful way to build community. She noted that during the opening reception on Friday evening, the panelists were asked a question about the place in the City most special to them and it led her to ponder her response. She stated for her it was the City Commission Meeting Room.

Commissioner Walsh stated that Ms. Harris helped her find her civic pride after participating in the 2012 class of Decatur 101. She thanked Ms. Harris for the impact she had had on the City during her tenure.

Mayor pro tem Powers wished Commissioner Mayer a speedy recovery.

Mayor pro tem Powers stated that City Manager Arnold had left a few key items off of her accomplishments list including that three sitting City Commissioners had run unopposed in the recent election, the near completion of the Clairemont-Church-Commerce cycle track and the work done to expand affordable housing in the City.

Mayor pro tem Powers expressed gratitude to the spouses, partners and children of the City Commissioners and staff.

Mayor pro tem Powers stated that Ms. Harris had transformed the City during her time and that she was irreplaceable.

Mayor Garrett thanked the staff working to clear out the older requests in the SeeClickFix citizen request management system.

Mayor Garrett reminded the community that the first meeting in 2024 would be held on Tuesday, January 2 at 7:30 p.m.

Mayor Garrett expressed condolences to the family and friends of Louise Jackson, a longtime Oakhurst resident who had recently passed away.

Mayor Garrett stated that she was amazed to learn about the number of grants received in the last year and the work it would be funding.

Mayor Garrett thanked Ms. Harris for her 35 years of service to the City and wished her well in her retirement.

The City Commission wished the community fun, safe, happy and prosperous holidays.

There being no further business, the meeting was adjourned at 9:20 p.m.

Meredith Roark
City Clerk