Mayor Garrett called the Regular Meeting of the Decatur City Commission to order at 7:30 p.m. on Monday, December 2, 2019.

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

MINUTES of the Executive Session and the Regular Meeting of November 18, 2019 were approved on a motion by Commissioner Smith, second by Mayor pro tem Powers; and, all voting “aye.”

PUBLIC COMMENT ON AGENDA ACTION ITEMS.

Mayor Garrett opened the public hearing.

Hearing none, Mayor Garrett closed the public hearing.

LEGACY PARK MANAGEMENT SERVICES.

City Manager Arnold recommended that the City Commission partner with a local non-profit organization, the Decatur Legacy Project, Inc. (DLP), to manage the on-going operations and master plan implementation for Decatur Legacy Park. She stated that the Decatur Legacy Park Master Plan reflected the community’s vision for the 77-acre property formerly owned by the United Methodist Children’s Home and purchased in 2017 by the Decatur Public Facilities Authority. She stated that in order to achieve the master plan goals and maintain daily operations, the plan recommended partnering with a ‘dedicated management entity’ to focus on implementation of the plan, financial management and ongoing operations of the park and that the dedicated management entity would need to be able to 1) manage the day-to-day operations of the property including administrative support of tenants, lease management and coordination of property maintenance and repairs; 2) coordinate master plan implementation including RFP development and recommendations for specific projects in the plan; and 3) ensure the financial viability of park operations including the development of reliable revenue streams, identification of grant and foundation funding, and budgeting oversight.

City Manager Arnold stated that at its November 18th meeting, the vice-chair of the DLP Meredith Struby presented a proposal to serve as Legacy Park’s ‘dedicated management entity’ as a local non-profit, 501 (c)(3) organization. She stated that the City’s financial commitment to the proposal would be determined through its annual budget process. She added that the DLP would prepare an estimated budget for administrative costs to be considered each year by the City Commission, if approved.
City Manager Arnold recommended that the City Commission accept DLP’s proposal for management services and authorize the City Manager to execute the DLP’s letter of intent with the understanding that a formal agreement between the City and the DLP be finalized no later than April 13, 2020.

Mayor pro tem Powers compared the Decatur Education Foundation with DLP and stated that he saw both organizations having a parallel trajectory with different roles to play.

In response to a question from Mayor pro tem Powers, City Manager Arnold stated that if the proposal was not accepted, the budget recommendation would include an alternate plan. She added that additional resources would be needed to maintain the property efficiently.

Mayor Garrett stated that by partnering with DLP, the City would benefit from the expertise of the DLP board members and DLP would have the ability to apply for grants as a non-profit organization.

In response to a question from Commissioner Walsh, City Manager Arnold stated that the staffing needs would be reviewed by the board members if the letter of intent was approved.

Commissioner Walsh stated that DLP was uniquely qualified to work on the project and the community could get to know more about the work done by DLP through the proposed partnership.

In response to a question from Commissioner Walsh, City Manager Arnold stated that the public notice seeking two new board members was expected to be sent out in early January of 2020.

In response to a question from Commissioner Walsh, City Manager Arnold stated that the Form 990-N had been filed with the Internal Revenue Service (IRS). She stated that the documents that were submitted to the IRS could be made available if needed.

Mayor Garrett mentioned one of the presentations made during the evening’s work session which suggested using Decatur Legacy Park to commemorate the legacy of staff members who had served the City for a certain number of years.

On a motion by Commissioner Smith, second by Commissioner Drake; and, Commissioners Drake, Smith and Walsh voting “aye,” the proposal from the Decatur Legacy Project, Inc. was accepted and the City Manager was authorized to agree and accept the terms outlined in the DLP’s letter of intent.  

FISCAL YEAR 2018-2019 AMENDED GENERAL FUND BUDGET.

City Manager Arnold recommended the adoption of Resolution R-19-28 amending the general fund budget for fiscal year 2018-2019 to reflect changes in expenditures since the revised budget adoption on June 17, 2019. She stated that additional fiscal year-end financial information would be available upon completion of the comprehensive annual financial report

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1 Mayor Garrett and Mayor pro tem Powers abstained from the vote.
which was scheduled for completion by the end of the calendar year. She added that there was no change to the bottom line of the general fund budget.

In response to a question from Commissioner Walsh, City Manager Arnold stated that the audit process had been helpful in identifying an error in coding of temporary salaries and that the error had been rectified.

On a motion by Commissioner Smith, second by Mayor pro tem Powers; and, all voting “aye,” Resolution R-19-28 was adopted.

RIGHTS OF WAY ORDINANCE AMENDMENT.

Project Manager Courtney Frisch recommended amendments to the Rights-of-Way Ordinance and definition table in the City Code by replacing existing Article VII, Use of Rights-of-Way by Utilities, in its entirety with a new Article VII. She stated that while most of the existing Article VII would remain unchanged, the new Article VII would include amendments pertaining to small wireless facilities and would enable the City to regulate the aesthetics of the small cell infrastructure in the public rights of way.

Ms. Frisch stated that the proposed amendment was developed by the Georgia Municipal Association, tailored to fit the City of Decatur environment, and was reviewed by the City Attorney. She added that the key points included: 1. added definitions, 2. wireless facility standards, 3. historic district and streetscape guidelines, 4. camouflage and concealment requirements, 5. installation and modification, 6. plans for use, and 7. contact information.

In response to a question from Mayor Garrett, Ms. Frisch stated that the aesthetics would only apply to the small cell infrastructure and none of the other utilities.

In response to a question from Mayor Garrett, Ms. Frisch stated that staff had been approached by various carriers willing to offer their services.

In response to a question from Commissioner Drake, Ms. Frisch explained the difference between the previous and current proposal.

In response to a question from Commissioner Smith, Ms. Frisch stated that there could be an opportunity to camouflage the new structures through art or other media.

City Manager Arnold stated that the Federal Communications Commission (FCC) had given limited regulatory power to local government bodies regarding small cell infrastructure. She commended Ms. Frisch and her team on working on the project creatively and efficiently.

Mayor Garrett concurred with City Manager Arnold.

On a motion by Commissioner Drake, second by Commissioner Smith; and, all voting “aye,” Ordinance O-19-18 was adopted.
CONSOLIDATED FEE SCHEDULE.

Ms. Frisch recommended an update to the fiscal year 2019-2020 consolidated fee schedule, adopted on June 17, 2019 to include the fees for small wireless infrastructure. She stated that small wireless facilities were a type of telecom infrastructure comprised of an antenna and radio equipment, typically placed on utility poles, installed to complement macrocell coverage and add broadband capacity in high demand areas. She added that revisions to the fee schedule were required due to Senate Bill 66 - Streamlining Wireless Facilities and Antennas Act, which went into effect on October 1, 2019. She explained that the law regulated the expansion of 5G broadband internet access across Georgia.

In response to a question from Commissioner Smith, Ms. Frisch concurred that there would be no franchise fee involved.

On a motion by Commissioner Walsh, second by Mayor pro tem Powers; and, all voting “aye,” the updated consolidated fee schedule was adopted.

LANDSCAPE SERVICES BID AWARD.

Facilities Superintendent Felix Floyd recommended the establishment of a project budget and award of a bid in the amount of $99,822 for annual citywide landscape maintenance services to the low bidder, Ed Castro Landscape of Roswell. He stated that the proposal included mowing, trimming, litter and debris removal at 13 sites including locations such as City Hall, Decatur Recreation Center, Beacon Complex, Harmony Park and the Courthouse Square. He stated that the maintenance would include periodic visits on a weekly and monthly schedule. He stated that nine firms responded to the request for proposals and all met the minimum specifications. He added that Ed Castro Landscape had performed landscape maintenance services for the City of Atlanta, Fulton County, Atlanta Technical College, Georgia State University and was a contractor on two projects for the City of Decatur. He stated that funds were available in the fiscal year 2019-2020 general fund budget for this work.

In response to a question from Commissioner Smith, Mr. Floyd stated that there was a significant cost difference between similar proposals and explained further.

On a motion by Mayor pro tem Powers, second by Commissioner Smith; and, all voting “aye,” the landscape services bid was awarded and a project budget established.

GLENLAKE PARK TENNIS COURT RESURFACING.

Program Supervisor Jabari Cole recommended establishment of a construction budget of $27,000 and award of a contract for repairs and resurfacing of the Glenlake Park Tennis Courts to Southeastern Tennis Courts of Lilburn, in the amount of $24,000. He stated that the repairs included repairing the base surface under two courts, application of a seal coat and replacing seams between the courts as necessary. He stated that Southeastern Tennis Courts was a highly-experienced local firm and had been responsible for installing the original court surface at Glenlake in 2010. He added that the tennis court surface was a Premier Court system which was a proprietary product and repairs by a contractor would be required. He explained that Southeastern Tennis Courts was the only firm in the area to meets this qualification so no bids were sought for the work. He stated that funds for the project were available in the fiscal year 2019-2020 budget.
In response to a question from Mayor Garrett, Mr. Cole stated that a resurfacing project had been previously undertaken in 2016.

In response to a question from Commissioner Walsh, Deputy City Manager Hugh Saxon explained that the Oakhurst Park Tennis Court would be a different project altogether.

In response to a question from Mayor Garrett, Mr. Cole stated that tennis practice at a Premier Court system would involve a slower pace.

In response to a question from Mayor pro tem Powers, Mr. Cole stated that he would have to check the warranty period that Southeaster Tennis Courts would be offering.

On a motion by Commissioner Walsh, second by Commissioner Drake; and, all voting “aye,” the contract for repairs and resurfacing of the Glenlake Park Tennis Courts was awarded to Southeastern Tennis Court of Lilburn, Georgia and a construction budget was established.

REQUESTS AND PETITIONS.
Stephanie Hudson, 140 Ponce de Leon Court, requested that staff review the regulations on short term rentals. She noted that the properties at 152 Ponce de Leon Court and 156 Ponce de Leon Court were two examples of properties made to be available as short term rentals.

REPORTS AND OTHER BUSINESS.
On a motion by Commissioner Smith, second by Commissioner Drake; and, all voting “aye,” Resolution R-19-29 confirming the Executive Session of November 18, 2019 was adopted as recommended.

Mayor Garrett read the Planning Commission agenda for December 10, 2019.

Commissioner Walsh shared her Thanksgiving experience.

Commissioner Walsh thanked the E5 Leadership Academy participants for the presentations during the evening’s work session.

Commissioner Smith stated he appreciated the presentations from the E5 teams that were made during the work session.

Commissioner Smith thanked the Technology Committee members for the presentation during the work session.

Commissioner Smith invited everyone to the Decatur Business Association annual holiday party on December 3, 2019 at 130 Clairemont Avenue from 5:15 p.m. to 7:00 p.m.

Commissioner Drake noted his appreciation for the presentations made during the work session.
Commissioner Drake reminded everyone to enjoy the Christmas Tree Lighting on December 5, 2019 at 7:00 p.m. at the Decatur Square.

Mayor pro tem Powers invited everyone to the Bonfire and Marshmallow Roast on December 12, 2019 at 7:00 p.m. at the Decatur Square.

Mayor pro tem Powers encouraged everyone to check the calendar of events on the city website.

Mayor Garrett responded to the request made by Ms. Hudson and stated that there was no ordinance regarding short-term rentals in place at the moment. She thanked Ms. Hudson for her comment.

Mayor Garrett invited everyone to the Christmas Tree Lighting in Oakhurst on December 8, 2019.

Mayor Garrett invited everyone to the Cocoa Crawl on December 16, 2019 from 5:00 to 7:00 p.m. organized by the Winnona Park Neighborhood Association.

Mayor Garrett shared her appreciation of the presentations made during the work session.

There being no other business, the meeting was adjourned.

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Meredith Roark
City Clerk