



where possibilities grow

3921 CHURCH STREET ♦ CLARKSTON, GEORGIA 30021

(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

Mayor Beverly H. Burks

Councilmembers:

Debra Johnson-Vice Mayor

Jamie Carroll

Sharifa Adde

Susan Hood

Yterenickia Bell

Mark Perkins

Tammi Saddler Jones, Interim City Manager

CITY COUNCIL MEETING AGENDA

TUESDAY, FEBRUARY 4, 2025 - 7:00PM

1. CALL TO ORDER

2. ROLL CALL

3. PRESENTATION/ ADMINISTRATIVE BUSINESS

A. Employee of the Month Recognition – February 2025

B. To approve the following meeting minutes:

- 1/7/2025 – City Council Work Session
- 1/14/2025 – City Council Meeting
- 1/28/2025 – City Council Work Session

4. REPORTS

A. Police Department Report

B. City Manager's Report

C. City Attorney's Report

D. Council Remarks

E. Mayor's Report

5. PUBLIC COMMENTS

Any member of the public may address the Council during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 40 minutes, and it is not a time for dialogue. If your public comment contains a series of questions, please submit those to the City Clerk in writing. This will facilitate follow-up by the council or staff. The City Council desires to allow an opportunity for public comment; however, the business of the city must proceed in an orderly, timely manner.

6. OLD BUSINESS

A. To consider adopting an ordinance to create the Community Redevelopment Tax Incentive Program.

7. CONSENT AGENDA

A. To approve a Proclamation designating February as "Black History Month".

B. To approve a Proclamation designating March as "Women's History Month".

C. To approve a resolution authorizing a contract renewal for the Use of Meeting Space Agreement with the Clarkston Community Center (Venue Rentals) in the amount of \$15,000 to be funded out of the General Fund.

D. To approve the fabrication and installation of ten (10) decorative mailboxes on the North side of Norman Road from Rogers Street to the Norman Road dam; including repairs/replacement of mailboxes on East Ponce de Leon for an estimated amount of \$30,000 to be funded out of SPLOST I.



- E.** To approve the fabrication and installation of four (4) pergolas and corresponding benches and trash containers to enhance the pedestrian environment on Market Street between Vaughan Street and North Indian Creek for an estimated amount of \$60,000 to be funded out of SPLOST I.
- F.** To approve the replacement of approximately 100 trees and 600 bushes/grasses that were planted by city landscape contractors over the past 5 years that have not survived or are diseased not to exceed \$125,000 to be funded out of the Tree Bank Fund and General Fund.
- G.** To adopt an ordinance to define and prohibit nuisances, to define and prohibit highly hazardous conditions and to provide emergency powers for the building official.
- H.** To approve a resolution appointing Dekalb County Board of Registrations and Elections to conduct the City of Clarkston 2025 General Municipal Election.

8. NEW BUSINESS

- A.** To consider approving a proposal from DeKalb County to fund the installation of the Beautification/Landscaping at the Church Street and I-285 Interchange on-ramp and contributes to the installation of new plants at the Church Street off-ramp.
- B.** To consider adopting an ordinance to require inspection certificates for 100% of multi-family residential units in connection with the annual business license renewal for such developments when the multi-family residential business fails to comply with applicable inspection and licensing requirements during the prior year.
- C.** To consider approving a resolution to re-designate a Downtown Development Area for the Downtown Development Authority (DDA) of Clarkston, as recommended by the DDA.

9. ADJOURNMENT

PUBLIC PARTICIPATION BY VIDEO CONFERENCE

The City of Clarkston, Georgia will conduct the City Council Meeting at 7:00 p.m. on Tuesday, February 4, 2025. The public may participate in the meeting in-person or by using the following information below:

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_X1nojgozTsmRjZgwyYPZ5Q

After registering, you will receive a confirmation email containing information about joining the webinar.



CITY OF CLARKSTON

ITEM NO: 3A

CITY COUNCIL WORK SESSION

MEETING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Presentation

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: Employee of the Month – February 2025

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
PAGES:

PRESENTER CONTACT INFO: Dr. Dwight L. Baker
PHONE NUMBER: 404.824.8135

PURPOSE:

To recognize and reward exceptional employee performance, fostering a culture of appreciation and motivation.

NEED/IMPACT:

- Highlighting outstanding contributions enhances employee morale and engagement.
- Celebrating achievements promotes a positive work environment and inspires others to excel.

RECOMMENDATION:

Announce the Employee of the Month during monthly Council meetings and through internal communications to ensure recognition is well-publicized.

The Employee of the Month will:

- Receive a \$25 gift card.
- Be featured in internal and social media communications.
- Become eligible for nomination as the Employee of the Year.

MINUTES OF A WORK SESSION
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JANUARY 7, 2025

On the 7th day of January 2025, at 7:00 p.m., the City Council of Clarkston, Georgia met in a Work Session in-person and by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Vice Mayor Debra Johnson and Councilmembers Sharifa Adde; Yterenickia Bell; Jamie Carroll; Susan Hood; and Mark Perkins. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager); Lolita Grant (Finance Director); Dr. Dwight Baker (Director of Human Resources and Risk Management); Tomika R. Mitchell (City Clerk); Larry Kaiser (City Engineer); and Stephen Quinn (City Attorney).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER

2. ROLL CALL

Councilmember Adde and Carroll were absent during the roll call.

Vice Mayor Johnson made a motion to add Executive Session to discuss a personnel matter to the agenda. Councilmember Bell duly seconded the motion. Mayor Burks called for the vote and declared the motion approved. (4-0)

Councilmember Hood made a motion to add an Item O to the agenda, adding the reappointment of Felecia Weinert to the Planning and Zoning Commission. Vice Mayor Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved. (4-0)

Councilmember Carroll entered the meeting at 7:02 p.m.

3. PUBLIC COMMENTS

Mayor Burks read the Resident Comment Policy.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS

A. Presentation on House Bill 581 regarding the Statewide Floating Homestead Exemption and the New Local Option Sales Tax.

City Attorney, Stephen Quinn presented an overview of this item stating House Bill (HB) 581 was passed by the Georgia General Assembly during the 2024 legislative session and was signed into law by Governor Kemp on April 18, 2024. HB 581 provides for several extremely significant changes impacting local government revenue. Cities must understand these changes and be prepared to make critical decisions in the coming months that will have

lasting impacts. The constitutional amendment provides the authority for the statewide floating homestead exemption provided for in HB 581.

Councilmember Adde entered the meeting at 7:05 p.m.

This bill provides significant changes to local property tax by implementing a statewide floating homestead exemption (also referred to as a base year or adjusted base year homestead exemption). While technically this operates as a homestead exemption, it effectively limits annual increases in the assessed value of homestead property to an annual rate of inflation. This limitation would apply to properties that qualify for a homestead exemption and would apply for city, county, and school board property taxes. As long as the same homeowner lives in the property, the annual increase in assessed value is limited, but the value is reset to fair market price when the home is sold.

This new exemption will apply to local government property taxes unless each specific local government “opts out” of the exemption. A local government choosing to opt out must do so by March 1, 2025, and must follow the specific procedure in HB 581. This will be the only opportunity to opt out of the exemption. Also included in HB 581 is the creation of a new local option sales tax that may be levied countywide and shared among the county and cities for the purpose of property tax relief. This new local option sales tax is available only if the county and all cities within the county have in place a freeze or a floating homestead exemption (this can either be the statewide exemption in HB 581 or a similar exemption already in place or subsequently approved). The revenue from the sales tax will be split among only the county and cities based upon an intergovernmental agreement. Voters within the county must approve the sales tax through a separate referendum prior to the sales tax being levied, and this sales tax must be reauthorized every five years by local act of the legislature and subsequent referendum.

The Council briefly discussed this matter agreeing to opt out of the Floating Homestead Exemption.

B. Presentation by Food Well Alliance (FWA) and the Atlanta Regional Commission (ARC) regarding their City Agriculture Plan Program.

Emma Hugonnet with FWA and Sarah Brown with ARC gave a presentation on their City Agriculture Plan Program. Ms. Hugonnet provided a brief overview of the many years, the Food Well Alliance has been working in partnership with the ARC to introduce City Agriculture Plans to cities across their five-county service area. Their vision is to bring local governments together with growers and their communities to ensure that cities incorporate local food and agriculture into their plans for development. Cities that engage in the City Agriculture Planning program build community around local food and agriculture, formalize local government’s commitment to prioritizing health and sustainability, and attract innovative ideas and valuable resources to their cities. The process takes time, collaboration, and investment from city-wide stakeholders to create a visionary plan.

This item was for informational purposes only.

5. OLD BUSINESS

- A. To discuss the PTSD Diagnosis Benefits for all First Responders in compliance with House Bill 451 in the amount of \$1,632.00 to be funded out of the General Fund.

Human Resources/ Risk Management Director, Dr. Dwight Baker stated while the City Council has already approved the Lump Sum PTSD Diagnosis Benefits at \$736 annually, compliance with House Bill (HB) 451 requires the City to elect the PTSD Disability Limit for all First Responders, which is set at \$1,632 annually. To address this discrepancy and ensure compliance with the law, an agenda item will be prepared for discussion during the next Workshop Session. This will provide an opportunity to review the matter and align our actions with the requirements of HB 451.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- B. To discuss the proposed dates of February 7-8, 2025, for the Mayor, Council, and Staff Retreat.

Interim City Manager, Tammi Saddler Jones stated annually city management, city department heads and the mayor and city council convene at a location to discuss the mission and goals of the city. This meeting/workshop allows leadership to review accomplishments from the previous year and to establish program goals and strategies for the upcoming year. To allow for more time to discuss important items, staff would like the Mayor and City Council to consider holding the retreat for two days rather than just on one day.

At the request of the City Council, Staff sent out a Doodle Poll with various date options. The dates of Friday, February 7 and Saturday, February 8, 2025, received the most responses. If this is the preferred date, staff will continue to seek out viable venue options where the retreat can be held.

The Council briefly discussed this matter deciding on Friday, February 7, 2025 and Saturday, February 8, 2025.

6. NEW BUSINESS

- A. To discuss authorizing city staff to publish notices for scheduled public hearings to opt out of House Bill 581.

Interim City Manager, Tammi Saddler Jones stated based on the information provided during the presentation of this information, staff recommends the City of Clarkston opt-out of HB 581.

The Council briefly discussed the item.

The Council gave staff concurrence to move forward with publishing the notice.

This item will be placed on the next City Council agenda under the Consent Agenda to authorize staff to publish notices for scheduled public hearings to opt out of House Bill 581.

B. To discuss selecting a Vice-Mayor.

Mayor Burks gave a brief overview of the duties and responsibilities of the Vice-Mayor position stating the Council is to recommend a Vice-Mayor every year. The Vice-Mayor is selected for a term of one year. The Vice-Mayor shall perform the duties of the Mayor during his/her absence.

Councilmember Hood nominated Vice Mayor Debra Johnson for the 2025 Vice Mayor position and Councilmember Perkins nominated Councilmember Bell for the 2025 Vice Mayor position.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda for discussion.

C. To discuss a resolution to approve a contract with David Will, Attorney at Law, for Municipal Court Judge Services and to reappoint him as Judge of Municipal Court for years 2025 and 2026.

Interim City Manager, Tammi Saddler Jones stated this was a contract for the Municipal Court Judge who will preside over the City of Clarkston Municipal Court. The proposed compensation for this contract is \$2,400 per month. This appointment will be for a two-year term.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

D. To discuss a resolution authorizing the reappointment of the City Auditor, Mauldin & Jenkins for the FY 2024 Audited Financial Statement audited during FY 2025 and discuss the Engagement Letter.

Interim City Manager, Tammi Saddler Jones stated in accordance with the Charter, Sec. 4.05, Annual Audit, the mayor and council may employ a public accountant or a certified public accountant to make an annual audit of all financial books and records of the city. The accountant shall file his report with the mayor, at a time agreed to between him and the mayor and shall prepare a summary of the report which shall be furnished or made available to the mayor and every councilman. Mauldin & Jenkins has provided financial audit services to the City for several years. The audit for the year ended December 31, 2024, will require additional effort due to the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) which relate to the significant amount of federal grant funds received during FY2024. The audit work is expected to begin approximately April 1, 2025, and issuance of final audit report no later than June 30, 2025.

Staff recommends the City Council vote to approve the attached Engagement Letter (contract) for audit services for the year ended December 31, 2024, to occur in FY2025 in the amount of \$58,000.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

E. To discuss the reappointment of Ashton Walker to the Historic Preservation Commission.

The Mayor and Council briefly discussed this matter and inquired about the process of receiving applications and if there were any other applications received. The Council recommended deferring this item along with Items F,G, and O to the February 25, 2025 Work Session agenda to allow for additional time for staff to receive applications from interested citizens.

The Council briefly discussed the item.

This item will be placed on the February 25, 2025 City Council Work Session agenda.

F. To discuss the reappointment of Birendra Dhakal to the Planning and Zoning Board.

The Council recommended deferring this item to the February 25, 2025 Work Session agenda to allow for additional time for staff to receive applications from interested citizens.

This item will be placed on the February 25, 2025 City Council Work Session agenda.

G. To discuss the reappointment of Lisa Williams to the Planning and Zoning Board.

The Council recommended deferring this item to the February 25, 2025 Work Session agenda to allow for additional time for staff to receive applications from interested citizens.

This item will be placed on the February 25, 2025 City Council Work Session agenda.

H. To discuss a resolution authorizing an agreement with CPL Architecture, Engineering, and Planning for professional services for an Interim Planning/Economic Development Director position in an amount not to exceed \$25,000.00 for a term of (3) three months to be funded out of the General Fund.

Interim City Manager, Tammi Saddler Jones stated Our former Planning/Economic Development Director resigned effective November 1, 2024 and she only gave a 2-week notice. Due to the short notice, the Interim City Manager contracted with CPL Services to handle the Interim Services within the department. The initial contract 2 months with CPL was within the spending authority of the city manager. However, since the Director position has not been filled yet, there is need to continue services with CPL. The Planning/Economic Development Director position is currently advertised and the intent is to fill the position with

the best qualified candidate as quickly as possible. So, the full estimated 6-month term may not be needed. But, until such time, the Interim City Manager would like to keep our current CPL staff person on our staff for continuity.

Staff recommend approval of the agreement with CPL Services for professional services for an Interim Planning/Economic Development Director position in an amount not to exceed \$25,000 for a term of (3) three months to be funded out of the General Fund.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- I. To discuss a resolution authorizing the Clarkston City Council to designate Richard Edwards as City Planner.

Interim City Manager, Tammi Saddler Jones stated Chapter 15 of the City Code calls upon the City Council to designate a “city planner” by resolution. Since Richard Edwards is acting in this capacity, it is recommended that the City Council officially designate him as city planner. This is particularly important since Mr. Edwards is a consultant and not a city employee, but he will be making official decisions for the City of Clarkston.

Staff recommends approval of the resolution authorizing Richard Edwards as City Planner.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- J. To discuss a resolution authorizing a contract renewal for the Use of Meeting Space Agreement with the Clarkston Community Center (Venue Rentals) in the amount of \$15,000 to be funded out of the General Fund.

Interim City Manager, Tammi Saddler Jones stated the City allocated in its adopted FY 2025 budget \$15,000 for the City to utilize the Clarkston Community Center for meetings and other special events. A portion of this allocation is used to waive the fees for use of the Clarkston Community Center by eligible non-profit organizations upon request. Staff recommends the renewal of the City Services Agreement between the City of Clarkston and the Clarkston Community Center in the amount of \$15,000 to be funded out of the General Fund.

The Council briefly discussed the item.

Sami Luay from the Clarkston Community Center inquired about why the funding amount decreased from the previous years and expressed the importance of not having the cancellation policy as written in the proposed contract and how it could affect the business.

Council recommended the Interim City Manager and Mr. Luay to discuss the proposed contract prior to the upcoming City Council meeting.

Kim Ault presented public comments pertaining to this item.

This item will be placed on the next City Council Meeting agenda for discussion.

- K. To discuss a resolution denying the ante litem claim for damages asserted by claimants Daniel Buttrum, Clareyna Clark, and Daniel Buttrum and Clareyna Clark on behalf of Danela Buttrum (a minor child).

City Attorney, Stephen Quinn stated the City received an ante litem claim from Daniel Buttrum, Clareyna Clark, and Daniel Buttrum and Clareyna Clark on behalf of Danela Buttrum (a minor child) attorney for injuries and damages they suffered in a motor vehicle collision resulting from high speed chase by Clarkston Police Department. and gave a brief overview of this matter. Mr. Quinn stated he believed the attorney sent this notice to all the municipalities in the county within a certain number of miles. The City's insurer has requested that when we receive claims to deny them in a Council meeting to starts the statue of limitations running and there is normally only two years to file a lawsuit.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- L. To discuss a resolution authorizing a contract to the most responsive and responsible bidder, Construction 57, Inc., for the SPLOST II 2024 Pedestrian Improvement Project on Church Steet and Brockett Road in the amount of \$233,457 to be funded out of SPLOST II Fund.

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented to City Council the low bid in the amount of \$233,457.00, as submitted by Construction 57, Inc., to reconstruct and upgrade sidewalks and associated ADA ramps, construct concrete driveway aprons and incorporate streetscape amenities on Church St. and Brockett Road as specified in the SPLOST II 2024 Pedestrian Improvement Project Invitation-to-Bid package. He also stated the Council previously approved SPLOST II funding for the 2024 Pedestrian Improvement Projects. Mr. Kaiser also presented the City Council with subsequent steps should Council approve this item.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- M. To discuss a resolution authorizing a contract to the most responsive and responsible bidder, Magnum Paving, for the SPLOST II 2024 LMIG Street Resurfacing Project Citywide in the amount of \$1,071,903.48 to be funded out of SPLOST II Fund.

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented to City Council the low bid in the amount of \$1,071,903.48, as submitted by Magnum Paving, to provide resurfacing on 20 streets as previously approved in the SPLOST II Resurfacing Program and related tasks

as specified in the SPLOST II 2024 LMIG Street Resurfacing Invitation-to-Bid package. Mr. Kaiser also stated the Council previously approved SPLOST II funding for the 2024 Resurfacing Program.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

N. To discuss the Community Redevelopment Tax Incentive Program.

Councilmember Bell stated this item was to discuss the Community Redevelopment Tax Incentive Program authorized by the Constitution of the State of Georgia. This is a program to address deplorable housing units and properties in Clarkston to encourage property owners to maintain their properties, reduce the burden of government services, and ensure the safety and wellbeing of residents residing in properties throughout the city.

The establishment of this tax incentive program provides a definition of “blight” and details the process of identification of properties that are maintained in a blighted condition. This program provides a process for remediation or redevelopment to remove the designation of blight and illustrate the city's willing to collaborate to ensure the safety of our residents.

This measure was initially discussed on October 23, 2024, at the Public Safety and Legal SAC meeting and the members voted in the December 11, 2024, meeting to add it to the Council agenda for discussion.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda for discussion.

O. To discuss the reappointment of Felicia Weinert to the Planning and Zoning Board.

The Council recommended deferring this item to the February 25, 2025 Work Session agenda to allow for additional time for staff to receive applications from interested citizens.

This item will be placed on the February 25, 2025 City Council Work Session agenda.

Vice Mayor Johnson made a motion to enter Executive Session. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

7. EXECUTIVE SESSION

A. To discuss a personnel matter.

8. ADJOURNMENT

Vice Mayor Johnson made a motion to adjourn the meeting. Councilmember Perkins duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned (6-0).

The meeting was adjourned at 10:08 p.m.
ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD IN-PERSON AND BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JANUARY 14, 2025

On the 14th day of January 2025, at 7:15 p.m., the City Council of Clarkston, Georgia met in regular session in-person and by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Vice Mayor Debra Johnson and Councilmembers Sharifa Adde, Yterenickia Bell; Jamie Carroll; Susan Hood; and Mark Perkins. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager); Lolita Grant (Finance Director); Christine Hudson (Police Chief); Dr. Dwight Baker (Director of Human Resources & Risk Management); Tomika R. Mitchell (City Clerk); and Stephen Quinn (City Attorney).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ROLL CALL

All Councilmembers were present.

Vice Mayor Johnson made a motion to defer Item 8B to the January 28th Work Session. Councilmember Perkins duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

A. To approve minutes the following meetings:

- 11/13/2024 – Special Called City Council Meeting
- 12/03/2024 – City Council Meeting
- 12/14/2024 – Special Called City Council Meeting
- 12/18/2024 – Special Called City Council Meeting
- 12/30/2024 – Special Called City Council Meeting

Councilmember Hood made a motion to approve the following sets of minutes: 11/13/2024, 2/03/2024, 12/14/2024, 12/18/2024, and 12/30/2024. Vice Mayor Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

4. REPORTS

A. Municipal Court Report.

- Lillian Tripplet gave a brief report on the Municipal Court Department.

B. City Manager's Report

- The Interim City Manager, Tammi Saddler Jones gave a brief report on the following: Closing of city administrative offices on Monday, January 20th for the observance of Dr. Martin Luther King, Jr. holiday; the Clarkston CARES Community Grant Program; Boards, Commissions and Committees vacancies; Standing Advisory Committees update on revisions, and recognition of herself and Interim Public Works Director, Marcus Seaton on completing the Local Administered Project (LAP) Certification.

C. City Attorney's Report

- Stephen Quinn did not have a report.

D. Council Remarks

- The Councilmembers briefly gave an overview of meetings and events they attended, and projects they are currently working on.

E. Mayor's Report

- Mayor Burks gave a brief overview of meetings and events she attended and other news of the city.

5. PUBLIC COMMENTS

There were no public comments.

6. OLD BUSINESS

7. CONSENT AGENDA

- A. To approve the PTSD Diagnosis Benefits for all First Responders in compliance with House Bill 451 in the amount of \$1,632.00 to be funded out of the General Fund.
- B. To approve authorizing city staff to publish notices for scheduled public hearings to opt out of House Bill 581.
- C. To approve a resolution authorizing a contract with David Will, Attorney at Law, for Municipal Court Judge Services and to reappoint him as Judge of Municipal Court for years 2025 and 2026.
- D. To approve a resolution authorizing the reappointment of the City Auditor, Mauldin & Jenkins for the FY 2024 Audited Financial Statement audited during FY 2025 and consider the Engagement Letter.
- E. To approve a resolution authorizing an agreement with CPL Architecture, Engineering, and Planning for professional services for an Interim Planning/Economic Development Director position in an amount not to exceed \$25,000.00 for a term of (3) three months to be funded out of the General Fund.
- F. To approve a resolution authorizing the Clarkston City Council to designate Richard Edwards as City Planner.
- G. To approve a resolution denying the ante litem claim for damages asserted by claimants Daniel Buttrum, Clareyna Clark, and Daniel Buttrum and Clareyna Clark on behalf of Danela Buttrum (a minor child).
- H. To approve a resolution authorizing a contract to the most responsive and responsible bidder, Construction 57, Inc., for the SPLOST II 2024 Pedestrian Improvement Project on

Church Steet and Brockett Road in the amount of \$233,457 to be funded out of SPLOST II Fund.

- I. To approve a resolution authorizing a contract to the most responsive and responsible bidder, Magnum Paving, for the SPLOST II 2024 LMIG Street Resurfacing Project Citywide in the amount of \$1,071,903.48 to be funded out of SPLOST II Fund.

Councilmember Perkins made a motion to approve the Consent Agenda Items 7A through I. Vice Mayor Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

8. NEW BUSINESS

- A. To consider selecting a Vice-Mayor.

Mayor Burks stated at the beginning of January the Council selects a Vice Mayor. At the last Work Session, current Vice Mayor Johnson and Councilmember Bell were nominated for the Vice Mayor seat for 2025. Mayor Burks opened the floor again for nominations and there were no additional nominations from the City Council.

Current Vice Mayor Johnson presented brief comments regarding why she would like to be Vice Mayor again.

Councilmember Bell presented brief comments regarding why she would like to be Vice Mayor.

The Council voted on both nominations. Vice Mayor Johnson, Hood and Adde voted in favor of the selection of Councilmember Johnson as Vice Mayor.

Attorney Stephen Quinn provided clarification on the process of the selection for the Vice Mayor seat and recommended a Councilmember to make a motion for one of the two candidates selected for Vice Mayor.

Councilmember Perkins made a motion to select Councilmember Bell as the Vice Mayor. Councilmember Carroll duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (3-3). Vice Mayor Johnson and Councilmember Adde and Hood voted “no”. Mayor Burks cast the deciding vote, voting against Councilmember Bell's selection as Vice Mayor.

Councilmember Hood made a motion to select Vice Mayor Johnson as the Vice Mayor for 2025. Councilmember Adde duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (3-3). Councilmembers Bell, Carroll, and Perkins voted “no”. Mayor Burks vetoed the tie vote, supporting Councilmember Johnson's continuation as Vice Mayor.

- B. To consider a resolution authorizing a contract renewal for the Use of Meeting Space Agreement with the Clarkston Community Center (Venue Rentals) in the amount of \$15,000 to be funded out of the General Fund.

At the beginning of this meeting, this item was deferred to the January 28th Work Session.

- C. To consider a resolution approving the qualifying fees for the 2025 Municipal General Election in the City of Clarkston.

City Clerk, Tomika Mitchell stated the City of Clarkston is required by State law (O.C.G.A. § 21-2-131) to set a qualifying fee for candidates wishing to qualify for these municipal elections no later than February 1st of the election year. The qualifying fee shall be three percent (3%) of the annual compensation (total gross salary) for the office. The qualifying fee for the Mayor seat will be \$450.00 and the qualifying fee for each City Council seat will be \$360.00. Staff recommend setting a qualifying fee for the Mayor and City Council candidates wishing to qualify for the municipal elections.

The Council discussed this matter.

- D. Vice Mayor Johnson made a motion to the qualifying fees for the 2025 Municipal General Election in the City of Clarkston in the amount of \$450.00 for the mayoral seat and \$360.00 for the City Council seat. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

9. ADJOURNMENT

Councilmember Perkins made a motion to adjourn. Councilmember Carroll duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned (6-0).

The meeting adjourned at 7:39 p.m.

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

MINUTES OF A WORK SESSION
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JANUARY 28, 2025

On the 28th day of January 2025, at 7:00 p.m., the City Council of Clarkston, Georgia met in a Work Session in-person and by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Vice Mayor Debra Johnson and Councilmembers Sharifa Adde; Yterenickia Bell (virtual); Jamie Carroll; Susan Hood; and Mark Perkins. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager); Lolita Grant (Finance Director); Tomika R. Mitchell (City Clerk); Larry Kaiser (City Engineer); and Stephen Quinn (City Attorney).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER

2. ROLL CALL

Vice Mayor Debra Johnson was absent during the roll call.

3. PUBLIC COMMENTS

Mayor Burks read the Resident Comment Policy.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS

A. To discuss a Proclamation designating February as “Black History Month”.

Vice Mayor Johnson entered the meeting at 7:03 p.m.

Diversity, Equity, and Inclusion Officer, Yolanda McGee gave a brief overview of the history of Black History Month.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

B. To discuss a Proclamation designating March as “Women’s History Month”.

Diversity, Equity, and Inclusion Officer, Yolanda McGee gave a brief overview of the history of Women’s History Month.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

C. To present the Georgia Environmental Protection Division Storm Water Management Plan document submitted by staff every 5 years.

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented a brief overview of the requirement to submit an updated Storm Water Management Plan every five years. The management plan is the guidebook for the City's annual Storm Water MS4 Permit, to submit to EPD by June of each year. Mr. Kaiser then presented to the Council the storm water requirements, processes and procedures that staff and Public Works implements on a daily basis to ensure adherence to EPD criteria and most importantly to protect the water quality in the city's streams and creeks. Mr. Kaiser presented a brief overview of the Storm Water Management Plan components and the required measurable goals/ mapping and reporting forms.

This item was for informational purposes, no action will be needed on this item.

5. OLD BUSINESS

- A. To discuss a resolution authorizing a contract renewal for the Use of Meeting Space Agreement with the Clarkston Community Center (Venue Rentals) in the amount of \$15,000 to be funded out of the General Fund.

Interim City Manager, Tammi Saddler Jones stated the city allocated in its adopted FY 2025 budget \$15,000 for the City to utilize the Clarkston Community Center for meetings and other special events. A portion of this allocation is used to waive the fees for use of the Clarkston Community Center by eligible non-profit organizations upon request.

At the request of a city council member, staff have made additional revisions to the proposed renewal agreement to address the following areas of concern: Greater clarity needed on what qualifies as a "Bonafide non-profit *operating in Clarkston*"; Improve admin processes for reserving and approving events and how funds are disbursed or released; Stronger policy needed for cancellation for both the city and residents and non-profits using the funding; and Clearly defined prioritization and/or proportional guidelines around funding (city, residents, non-profits).

The Council briefly discussed this item.

Luay Sami with the Clarkston Community Center presented comments regarding non-profits.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- B. To discuss an ordinance to create the Community Redevelopment Tax Incentive Program.

Councilmember Bell gave a brief overview stating the purpose of this item is to address deplorable housing units and properties in Clarkston to encourage property owners to maintain their properties, reduce the burden of government services, and ensure the safety and wellbeing of residents residing in properties throughout the city. This measure will not have an impact on individuals with fixed incomes or those that have a single family detached. There will be a process to identify a blighted property that would be subject to the tax increase. Councilmember Bell also stated the establishment of this tax incentive program provides a definition of "blight" and details the process of identification of properties that are maintained in a blighted condition. This program

provides a process for remediation or redevelopment to remove the designation of blight and illustrate the city's willing to collaborate to ensure the safety of our residents.

The Council briefly discussed this item.

City Attorney, Stephen Quinn presented clarification on liens on properties and also informed the Council of a memo his firm is working including a list of the various tools that are and can be in our toolbox to be use against properties that are a problem.

This item will be placed on the next City Council Meeting agenda for discussion.

6. NEW BUSINESS

- A. To discuss a DeKalb County proposal to fund the installation of the Beautification/Landscaping at the Church Street and I-285 Interchange on-ramp and contributes to the installation of new plants at the Church Street off-ramp.

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented a brief overview of this item stating Commissioner Ted Terry has indicated that he is willing to provide 100% funding from Dekalb County, provided it's approved in his budget the cost to install new landscaping and design at the Church St on-ramp (westbound I-285) and a \$10,000 contribution to be used for additional plantings at the Church Street off-ramp. In exchange, Commissioner Terry wants the City to uphold the following: maintain the Church Street on-ramp cost, which is about \$30,000; continue to maintain the new supplemental landscaping for the off-ramp at Church Street; and submit a GDOT encroachment permit. Mr. Kaiser stated Commissioner Terry asked for the city's concurrence to his presented conditions with an email or letter from the City of Clarkston to move forward.

The Council briefly discussed this item.

Dean Moore presented public comments on this item.

This item will be placed on the next City Council Meeting agenda.

- B. To discuss the fabrication and installation of ten (10) decorative mailboxes on the North side of Norman Road from Rogers Street to the Norman Road dam; including repairs/replacement of mailboxes on East Ponce de Leon for an estimated amount of \$30,000 to be funded out of SPLOST I.

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented a brief overview of the history of the city installing decorative mailboxes in the city. Mr. Kaiser stated this project is to provide the same mailbox design and installation that currently exists on the south side of Norman Road to those residents that live on the north side of Norman Road and to prepare specifications for the mailboxes for purposes of advertising to-bid for this work; including a meeting with each effected property owner to present the agreement form for signature for maintenance and ownership of said mailboxes by the City. Work scope would also include replacement/repair of decorative mailboxes on East Ponce de Leon. The estimated cost of \$30,000 for the fabrication

and installation of these mailboxes was included in the city's FY 2025 budget for capital improvements.

The Council briefly discussed this item.

Harry Kendrick presented public comments on this item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- C. To discuss the fabrication and installation of four (4) pergolas and corresponding benches and trash containers to enhance the pedestrian environment on Market Street between Vaughan Street and North Indian Creek for an estimated amount of \$60,000 to be funded out of SPLOST I.

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented a brief overview of this item stating the streetscape design in 2014 and 2015 included pergolas on the East Ponce de Leon corners of Market St. but were not considered any further down on the street. Mr. Kaiser recommended the city provide similar pedestrian and streetscape amenities to the western end of Market St. as currently exists on Market St. between Vaughan St. and East Ponce de Leon. The estimated cost for the fabrication and installation of pergolas, benches and trash containers is \$60,000. The cost for these streetscape amenities could be SPLOST I funded given the same improvements were previously undertaken at other locations on Market St. the Streetscape Improvement Project.

The Council briefly discussed this item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- D. To discuss the replacement of approximately 100 trees and 600 bushes/grasses that were planted by city landscape contractors over the past 5 years that have not survived or are diseased not to exceed \$125,000 to be funded out of the Tree Bank Fund and General Fund.

Larry Kaiser with Collaborative Infrastructure Services, Inc. stated the city has installed quit a few trees since 2016. Mr. Kaiser presented a brief overview on the history of tree installation and replacement in the city. Mr. Kaiser recommended the replacement of approximately 100 trees and 600 bushes/grasses that were planted by city landscape contractors over the past 5 years that have not survived or are diseased not to exceed \$125,000 to be funded out of the Tree Bank Fund. Staff recommended moving forward by preparing specifications and scope of work for the tree replacement project.

The Council briefly discussed this item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- E. To discuss an ordinance to require inspection certificates for 100% of multi-family residential units in connection with the annual business license renewal for such developments.

Interim Planning and Economic Development Director, Richard Edwards stated the city currently requires all multi-family apartment complexes to submit a code compliance certificate for fifty percent (50%) of the units at each development each year. Staff are requesting to increase that requirement to 100%, which would provide the city with a comprehensive analysis of the conditions of all the multi-family apartment complexes within the city. Mr. Edwards stated these inspections have proven to be a useful tool to safeguard the health, safety, and welfare of citizens living in multi-family rental dwellings.

The Council briefly discussed this item.

Dean Moore presented public comments on this item.

This item will be placed on the next City Council Meeting agenda.

- F. To discuss an ordinance to define and prohibit nuisances, to define and prohibit highly hazardous conditions and to provide emergency powers for the building official.

Interim Planning and Economic Development Director, Richard Edwards stated the city's ordinances does not currently define "nuisance." The first part of this text amendment is to define nuisance, by definition it means "Nuisance shall mean any condition, act or occurrence that results in annoyance, harm, inconvenience or damage to another; and the fact that the act or occurrence may otherwise be lawful shall not keep it from being a nuisance."

The second part of this is to declare conditions that are highly hazardous. The Building Official would be responsible for inspecting sites that are thought to be highly hazardous and making a determination of the conditions. Further, this text amendment (Sec. 10-3) would allow the city to issue citations for sites that are declared highly hazardous if action is not taken immediately to remediate the highly hazardous conditions.

The Council briefly discussed this item.

City Attorney, Stephen Quinn clarified the city and property owners responsibility for protecting a resident who is living in a highly hazardous unit.

Dean Moore and Harry Kendrick presented public comments on this item.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- G. To discuss an ordinance to amend the text of the Zoning Ordinance to designate drive-in and drive-thru restaurants as Conditional Uses in the NC-2 Zoning District.

Interim Planning and Economic Development Director, Richard Edwards stated unfortunately the public hearing for Planning and Zoning Commission meeting was canceled last Tuesday due to

inclement weather, so it will be readvertised for next month's Planning and Zoning Commission meeting and then a public hearing for the March 4th City Council meeting.

The Council briefly discussed this item.

Councilmember Perkins gave a brief overview on this item.

This item will be deferred to the February Work Session agenda.

- H. To discuss a resolution appointing Dekalb County Board of Registrations and Elections to conduct the City of Clarkston 2025 General Municipal Election.

City Clerk, Tomika Mitchell stated the City Council adopted an agreement with DeKalb County on November 2013, to allow the DeKalb County Board of Registrations and Elections staff, equipment and expertise conduct the City of Clarkston Elections. Individual duties and responsibilities of both the City and County staff are set forth in the Intergovernmental Agreement. Staff recommend authorizing the DeKalb County Board of Registrations and Elections to conduct the City of Clarkston November 4, 2025, General Municipal Election.

This item will be placed on the next City Council Meeting agenda under Consent Agenda.

- I. To discuss the proposed Downtown Development Authority (DDA) Boundary Map, as recommended by the DDA.

Interim Planning and Economic Development Director, Richard Edwards stated the DDA is looking to expand their boundaries, which will incorporate all the commercial areas within the city because the DDA now has funding from the City and they have started going after grant programs and different funding sources. The DDA did approve this map at their December 23, 2024 meeting, which is not official until approved by the City Council.

The Council briefly discussed the item.

This item will be placed on the next City Council Meeting agenda.

7. ADJOURNMENT

Councilmember Perkins made a motion to adjourn the meeting. Councilmember Carroll duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned (6-0).

The meeting was adjourned at 9:01 p.m.

ATTEST:

Tomika R. Mitchell

Beverly H. Burks

City Clerk

Mayor

City of Clarkston's Interim City Manager's Contracts Log \$10,000 to \$25,000

Service	Vendor	Amount	Effective Dates	Approval Date	PROCUREMENT PROCESS	Comments
Stormwater Management Program (SWMP)	Integrated Science & Engineering	\$10,000	Due to the Environmental Protection Division by 12/21/2024	08/21/2024	<ul style="list-style-type: none"> Obtained proposal from vendor based upon current work pending by vendor Presentation by ISE to Mayor, City Council, and Staff at the March 15, 2024 Submitted to, reviewed and approved by the City Attorney 08/21/2024 Signed by ICM 	Due by 12/08/2024
Athletic Coordinator	Marla Hale	\$10,000	08/26/2024 to 12/31/2024	08/26/2024	<ul style="list-style-type: none"> Recommendation received from Parks & Rec Manager Submitted to, reviewed and approved by the City Attorney 08/26/2024fc Signed by ICM 	Fall Youth Soccer Program Winter Youth Basketball Program
Pavement Core Sampling	S&ME, Inc.	\$8,950	10/01/2024	09/11/2024	<ul style="list-style-type: none"> Solicitation advertised on Bidnet from 08/08/2024 to 08/29/2024 Bid opened 08/29/2024 Submitted to City Attorney 09/11/2024. Approved by the City Attorney 09/30/2024 Signed by ICM 	To collect 43 spots for core samples to create street resurfacing specs related to the LMIG project. Contract language negotiations between the two attorneys delayed the signature

Drainage Improvements Project #2	A & S Paving, Inc.	\$23,110	10/22/2024	10/22/2024	<ul style="list-style-type: none"> • Solicitation advertised on Bidnet from 09/19/2024 to 10/22/2024 • Pre-bid 10/01/2024 • Bid opened 10/22/2024 • Submitted to, reviewed and approved by the City Attorney on 10/22/2024 • Signed by ICM 	Drainage Improvements for identified locations on Smith Street to the curve of Lincoln
Drainage Improvements Project #3	A & S Paving, Inc.	\$22,000	10/22/2024	10/22/2024	<ul style="list-style-type: none"> • Solicitation advertised on Bidnet from 09/19/2024 to 10/22/2024 • Pre-bid 10/01/2024 • Bid opened 10/22/2024 • Submitted to, reviewed and approved by the City Attorney 10/22/2024 • Signed by ICM 	Drainage Improvements for identified locations on Mell Avenue
Equipment for Clarkston PD	AmChar Wholesale, Inc.	\$10,963.62	10/09/2024	10/09/2024	<ul style="list-style-type: none"> • Obtained three quotes • Submitted to procurement • Signed by ICM 	Glock firearms and associated accessories
Consult for the Planning and Economic Development Department	Macauley Investments, LLC	\$12,000	10/01/2024 - 12/31/2024	10/11/2024	<ul style="list-style-type: none"> • Planning and Economic Development Director recommended. • Submitted to, reviewed and approved by the City Attorney 09/30/2024 • Signed by ICM 	Assisting with Economic Development efforts.
Portable Changeable Message Sign for Police Department	Kustom Signals, Inc	\$14,950	N/A	09/19/2024	<ul style="list-style-type: none"> • Selected thru a Statewide Contract • Signed by ICM 09/19/2024 	Not a contract. It is a bill of sale.

Class and Comp Study	Evergreen Solutions, LLC	\$21,500	- 02/28/2025		<ul style="list-style-type: none"> • Solicitation advertised on Bidnet from 08/13/2024 to 09/17/2024 • Bid opened 09/17/2024 • Submitted to, reviewed and approved by the City Attorney 10/08/2024 	
Provide Interim Planning & Economic Development Director services	CPL Architecture, Engineering and Planning	\$25,000	- 10/31/2024	10/08/2024	<ul style="list-style-type: none"> • Recommended by the ICM • City Attorney reviewed and approved. • Signed by ICM 	Interim Director Services for the Planning/Economic Development Dept. Three staff assigned to assist with tasks.
Online Hosting Services	CIVIC Plus	\$9,144.00	- 01/15/2025	01/15/2025	<ul style="list-style-type: none"> • City Attorney reviewed and approved. • Signed by ICM 	



CITY OF CLARKSTON

ITEM NO: 6A

CITY COUNCIL WORK SESSION/ MEETING

MEETING TYPE: Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE: Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To adopt an ordinance to create the Community Redevelopment Tax Incentive Program.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
PAGES:

PRESENTER CONTACT INFO: Councilmember Yterenickia Bell
PHONE NUMBER: (404) 296-6489

PURPOSE: To approve the Community Redevelopment Tax Incentive Program authorized by the Constitution of the State of Georgia. This is a program to address deplorable housing units and properties in Clarkston to encourage property owners to maintain their properties, reduce the burden of government services, and ensure the safety and wellbeing of residents residing in properties throughout the city.

NEED/ IMPACT: The establishment of this tax incentive program provides a definition of "blight" and details the process of identification of properties that are maintained in a blighted condition. This program provides a process for remediation or redevelopment to remove the designation of blight and illustrate the city's willing to collaborate to ensure the safety of our residents.

RECOMMENDATION: This measure was initially discussed on October 23, 2024, at the Public Safety and Legal SAC meeting and the members voted in the December 11, 2024 meeting to add it to the Council agenda for discussion.

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT NEW ARTICLE VIII OF CHAPTER 5 OF THE CITY CODE TO CREATE A COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM; TO LEVY AN INCREASED AD VALOREM TAX ON BLIGHTED PROPERTY; AND TO PROVIDE FOR A DECREASED RATE OF TAXATION FOR PROPERTY WHERE BLIGHT CONDITIONS ARE REMEDIATED.

WHEREAS, the existence of real property that is maintained in a blighted condition causes increased costs for the city by increasing the need for government services, including but not limited to social services, public safety services and code enforcement services; and

WHEREAS, rehabilitation of blighted property decreases this need for such government services; and

WHEREAS, the City Council by this ordinance exercises the powers granted to municipal corporations by O.C.G.A. Title 36, Chapter 61, Urban Redevelopment, in furtherance of its objective to eradicate conditions of blight within the city; and

WHEREAS, the City Council by this ordinance does establish a community redevelopment tax incentive program as authorized by Article IX, Section II, Paragraph VII(d) of the 1983 Constitution of the State of Georgia in order to encourage private property owners to maintain their real property and the buildings, structures and improvement thereon in good condition and repair, and as an incentive to encourage community redevelopment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF CLARKSTON as follows:

SECTION 1. New Article VIII of Chapter 5 of the City Code is hereby adopted, to read as follows:

“ARTICLE VIII. COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM

Sec. 5-460. Purpose.

The purposes of this article are to reduce the costs of governmental services, to encourage private property owners to maintain their real property and the buildings, structures and improvement thereon in good condition and repair, and to provide an incentive to encourage community redevelopment.

Sec. 5-461. Definitions

As used in this article, the following terms shall have the meanings indicated:

Blighted property, blighted, or blight means any urbanized or developed property that:

Presents two or more of the following conditions:

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1. Uninhabitable, unsafe, or abandoned structures including but not limited to boarded-up structures.
 2. Inadequate provisions for ventilation, light, air, or sanitation.
 3. An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe that the governor has declared a state of emergency under the state law or has certified the need for disaster assistance under federal law; provided, however, this designation shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm.
 4. A site identified by the Federal Environmental Protection Agency as a superfund site pursuant to 42 U.S.C. Section 9601, et seq. or environmental contamination to the extent that requires remedial investigation or a feasibility study.
 5. Repeated illegal activity on the individual property of which the property owner knew or should have known.
 6. The maintenance of the property is below state, county, or municipal codes for at least three (3) months after written notice of the code violation to its owner.
 7. Is conducive to ill health, transmission of disease, infant mortality or crime in the immediate proximity of the property.
 8. Property that is subject to frequent property maintenance or environmental code citations.

Property shall not be deemed blighted solely because of aesthetic conditions.

Property shall not be deemed blighted for the purpose of any increase of ad valorem taxation under this division if the property is a dwelling house which is being used as a primary residence of one (1) or more persons.

Boarded-up structure means a structure that has its doors, windows, or other openings covered with boards or secured in another way.

Building inspector means a certified inspector possessing the requisite qualifications to determine minimal code compliance.

Building official means a person authorized to enforce provisions of the technical construction codes.

Community redevelopment means any activity, project, or service necessary or incidental to achieving the redevelopment or revitalization of a redevelopment area or portion thereof designated for redevelopment through any urban redevelopment plan that may be adopted by the city or through local ordinances relating to the repair, closing, and demolition of buildings and structures unfit for human habitation.

Governing authority means the mayor and council of the City of Clarkston, a Georgia Municipal Corporation.

Millage or millage rate means the levy, in mills, that is established by the governing authority for purposes of financing, in whole or in part, the levying jurisdiction's general fund expenses for the fiscal year.

Person means an individual, corporation, partnership, business or nonprofit entity, association, joint-stock company, business trust, joint venture, commercial entity, public corporation, unincorporated association, estate, trust, trustee in bankruptcy, receiver, fiduciary, or other legal representative or commercial entity.

Public officer means the city manager, or such officer or employee of the city as designated by the city manager to perform the duties and responsibilities hereafter set forth in this article.

Structure means anything constructed or erected which has, or the use of which requires, permanent or temporary location on or in the ground, or which is attached to something having a permanent location on the ground, including, but not limited to, the following: buildings, gazebos, signs, billboards, tennis courts, radio and television antennae and satellite dishes (including supporting towers), swimming pools, light fixtures, walls, fences and steps.

Sec. 5-462. Levy of increase ad valorem tax on blighted real property.

- (a) There is hereby levied on all real property within the city that has been officially identified as maintained in a blighted condition an increased ad valorem tax by applying a factor of ten (10) to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or as may otherwise be provided by general law; provided, however, real property on which there is situated a dwelling house which is being occupied as the primary residence of one (1) or more persons shall not be subject to official identification as maintained in a blighted condition and shall not be subject to increased taxation.
- (b) Such increased ad valorem tax shall be applied and reflected in the next tax bill rendered following official designation of a real property as blighted; provided, however, if a property owner resolves the blighted condition of such owner's property to the city's satisfaction (in accordance with the provisions of section 5-464) at least sixty (60) days prior to the preparation of the first tax bill following such official designation of such real property as blighted, the property shall be eligible for the decrease of the tax rate as provided in section 5-465 in the first tax bill rendered following official designation of such real property as blighted.
- (c) Revenues generated from the increased ad valorem tax imposed on properties designated as maintained in a blighted condition shall, upon receipt, be segregated by the city manager as designated within the General Fund's line item for the abatement of nuisances and used only for community redevelopment purposes, including but not limited to defraying the cost of the city's program to close, repair, or demolish unfit buildings and structures, land acquisition and clearing, and costs associated with the eradication of duly-identified slum and blight.

Sec. 5-463. Official identification of property maintained in blighted condition.

- (a) In order for a parcel of real property to be officially designated as maintained in a blighted condition and subject to increased taxation, the following steps must be completed:

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- (1) An inspection must be performed on the parcel of property. An inspection may be performed when one of the following conditions is met:
 - a. A request may be made by the public officer or by at least five (5) residents of the city (each living in a different household from the others) for inspection of a parcel of property; or
 - b. The public officer may cause a survey of existing conditions to be performed, or may refer to any such survey conducted or finalized within the previous five (5) years, to locate or identify any parcels that may be in a blighted condition and for which a full inspection should be conducted to determine if that parcel of property meets the criteria set out in this article for designation as being maintained in a blighted condition.
 - (2) A written inspection report of the findings for any parcel of property inspected pursuant to subsection (1) above shall be prepared and submitted to the public officer. Where feasible, photographs of the conditions found to exist on the property on the date of inspections shall be made and will supplement the inspection report. Where compliance with minimum construction, housing, occupancy, fire and life safety codes in effect within the city are in question, the inspection shall be conducted by a certified inspector possessing the requisite qualifications to determine minimal code compliance.
 - (3) Following completion of the inspection report, the public official will review the report and supporting documents for findings and recommendations by the building official in determining that the property identified meets the definition of blighted area as defined under this article. The public officer shall make a determination, in writing, that a property is maintained in a blighted condition, as defined by this article, and is subject to increased taxation.
 - (4) The public officer shall cause a written notice of his/her determination that the real property at issue is being maintained in a blighted condition to be served upon the person(s) shown on the most recent tax digest of DeKalb County as responsible for payment of ad valorem taxes assessed thereon and parties in interest; provided, however, where through the existence of reasonable diligence it becomes known to the public officer that real property has been sold or conveyed since publication of the most recent tax digest, written notice shall be given to the person(s) known or reasonably believed to then own the property or be chargeable with the payment of ad valorem taxes thereon, at the best address available. Service in the manner set forth at O.C.G.A. § 41-2-12 shall constitute sufficient notice to the subject property owner or person chargeable with the payment of ad valorem taxes for purpose of this section, except that posting of the notice on the property will not be required.
- (b) The written notice given to the person(s) chargeable with the payment of ad valorem taxes and parties in interest shall notify such person and parties in interest of the public officer's determination that the real property is being maintained in a blighted condition and shall advise such person and parties in interest of the hours and location at which the person may inspect and copy the public officer's determination and any supporting documentation. Persons and parties in interest notified that the real property of which the person(s) is chargeable with the payment of ad valorem taxes shall have thirty (30) days from the receipt
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of notice in which to request hearing before the city's municipal court. Written request for hearing shall be filed with the public officer. Upon receipt of a request for hearing, the public officer shall notify the city manager (if the duties of public officer as defined under this article have been delegated by the city manager to some other officer or employee of the city), the municipal court clerk and the city clerk.

- (c) Within thirty (30) days of the receipt of a request for hearing, the municipal court clerk shall set a date, time and location for the hearing and shall give at least ten (10) business days' notice to the person(s) and/or parties in interest requesting the hearing and the public officer. Hearings may be continued by the municipal court judge upon request of any party, for good cause.
- (d) At the hearing, the public officer shall have the burden of demonstrating by a preponderance of the evidence that the subject property is maintained in a blighted condition, as defined by this article. Upon hearing from the public officer and/or their witnesses and the person(s) or parties in interest requesting the hearing and/or their witnesses, the municipal court judge shall make a determination either affirming or reversing the determination of the public officer. The determination shall be in writing and copies thereof shall be served on the parties by certified mail or statutory overnight delivery. The determination by the municipal court judge shall be deemed final. If the municipal court judge affirms the determination of the public officer, a copy of such determination shall be served upon the city manager or their designee. The city manager or their designee will thereafter coordinate with the Tax Commissioner of DeKalb County regarding the imposition of the increased ad valorem tax against the subject property beginning on the next regular tax bill rendered on behalf of the city.
- (e) Persons aggrieved by the determination of the municipal court affirming the determination of the public officer may appeal the decision by petitioning the Superior Court of DeKalb County for review of the decision within thirty (30) days of issuance of the municipal court's written determination.

Sec. 5-464. Remediation or redevelopment to remove designation of blighted condition.

- (a) A property owner or person(s) who is chargeable with the payment of ad valorem taxes on real property that has been officially designated pursuant to this article as property maintained in a blighted condition may petition the public officer to lift the designation, upon proof of compliance with the following:
 - (1) Completion of work required under a plan of remedial action or redevelopment approved by the city's building official and public officer that addresses the conditions of blight found to exist on or within the property, including compliance with all applicable minimum codes; or
 - (2) Completion of work required under a court order entered in a proceeding brought pursuant to Chapter 5, Article II. Property Maintenance Code and Article VII. Nuisance Abatement of the Code of Ordinances for the City of Clarkston, Georgia; and
 - (3) Payment in full of any outstanding ad valorem taxes (state, school, county and city, including the increased tax pursuant to this article) and satisfaction of all governmental liens due and payable on the subject property.
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- (b) Before action on a petition to lift the blight designation, the public officer shall cause the property to be thoroughly inspected by a building inspector, who by written inspection report, shall certify that all requisite work has been performed to applicable code in a workmanlike manner, in accordance with the specifications of the plan of remedial action or redevelopment, or applicable court order. Upon finding required work to be satisfactorily performed, the public officer shall issue a written determination that the real property is no longer maintained in a blighted condition. Copies of this determination shall be served upon the person(s) chargeable with the payment of ad valorem taxes, and upon the city manager or their designee who shall communicate such updated status to the Tax Commissioner of DeKalb County. All fees associated with inspections shall be the responsibility of the property owner.
- (c) All plans for remedial action or redevelopment shall be in writing, signed by the person(s) chargeable with the payment of ad valorem taxes on the real property and the building official and the public officer and shall contain the following:
- (1) The plan shall be consistent with the city's comprehensive plan and all laws and ordinances governing the subject property and shall conform to any urban redevelopment plan adopted for that area.
 - (2) The plan shall set forth in reasonable detail the requirements for repair, closure, demolition, or restoration of existing structures, in accordance with minimal statewide codes; where structures are demolished, the plan shall include provisions for debris removal, stabilization and landscaping of the property.
 - (3) On parcels of five (5) acres or greater, the plan shall address the relationship to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.
 - (4) The plan shall contain verifiable funding sources that will be used to complete its requirements and show the feasibility thereof; and
 - (5) The plan shall contain a timetable for completion of required work.
 - (6) Any outstanding ad valorem taxes (state, school, county, and city, including the increased tax pursuant to this article) and governmental liens due and payable on the property must be satisfied in full.

Sec. 5-465. Decreased rate of taxation to be applied after successful remedial action or redevelopment of blighted property.

- (a) Real property which has had its designation as maintained in a blighted condition removed by the public officer, shall be eligible for a decrease in the rate of city ad valorem taxation by applying a factor of 0.5 to the city millage rate applied to the property, so that such property shall be taxed at a lower millage rate than the millage rate generally applied in the municipality or otherwise provided by general law; such decreased rate of taxation shall be applied beginning with the next tax bill rendered following removal of official designation of a real property as blighted. The decreased rate of taxation may be given in successive years, depending on the amount of cost expended by the person(s) chargeable with payment of ad valorem taxes on the property to satisfy its remediation or redevelopment, with every twenty-five thousand dollars (\$25,000.00) or portion thereof equaling one (1) year of tax

reduction; provided, however, that no property shall be entitled to reduction in city ad valorem taxes for more than three (3) successive years.

- (b) In order to claim entitlement for a decreased rate of taxation, the person(s) chargeable with payment of ad valorem taxes on the property shall submit a notarized affidavit to the public officer, supported by receipts or other evidence of payment, of the amount expended.

Sec. 5-466. Duty of city clerk to provide notice to county tax commissioner.

- (a) It shall be the duty of the city clerk to notify the DeKalb County Tax Commissioner in writing as to designation or removal of designation of a specific property as maintained in a blighted condition. Such notice shall identify the specific property by street, address, land lot and tax parcel identification number, as assigned by the DeKalb County Tax Assessor's Office. The public officer shall cooperate with the Tax Commissioner to assure accurate tax billing of those properties subject to increase or reduced ad valorem taxation under this article.

Secs. 5-467—5-479. Reserved.”

SECTION 2. This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

SO ORDAINED this _____ day of _____, 2025.

ATTEST:

**CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA**

Tomika Mitchell, City Clerk

Mayor Beverly H. Burks

Approved as to form:

Stephen G. Quinn, City Attorney



CITY OF CLARKSTON

ITEM NO: 7A

WORK SESSION/ CITY COUNCIL MEETING

HEARING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To approve a Proclamation designating February as “Black History Month”.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Yolanda McGee
PHONE NUMBER: 404 754-6960

PURPOSE: To approve a Proclamation for Black History Month recognized by the city of Clarkston. The theme for Black History Month 2025 is “Celebrating Generations of Resilience, Leadership, and Innovation”.

NEED/ IMPACT: To recognize the contribution of African Americans to the nation and to the City of Clarkston.

RECOMMENDATION: Mayor publicly announces city’s proclamation acknowledging Black History Month within the city.

City of Clarkston Proclamation Black History Month 2025

WHEREAS, the month of February is recognized nationally as Black History Month, a time to honor and celebrate the significant contributions, achievements, and history of African Americans who have shaped our nation and community; and

WHEREAS, the City of Clarkston, Georgia, is proud of its diverse and inclusive community, which thrives because of the contributions of African Americans and other communities of color who have enriched the cultural, social, and economic fabric of our city; and

WHEREAS, the theme for Black History Month 2025, “*Celebrating Generations of Resilience, Leadership, and Innovation*,” recognizes the enduring impact of African Americans throughout history, from overcoming systemic challenges to advancing social justice, science, art, education, business, and more; and

WHEREAS, we reflect on the trailblazers, including civil rights leaders, educators, entrepreneurs, and artists, whose work and sacrifices have paved the way for progress, and we recognize that Black history is American history; and

WHEREAS, the City of Clarkston remains committed to fostering equity, justice, and opportunity for all, and to creating a future where every individual is celebrated for their unique contributions to our community; and

WHEREAS, during this month, we encourage all residents, businesses, and organizations in Clarkston to participate in events, programs, and initiatives that promote education, awareness, and appreciation of African American history and culture.

NOW, THEREFORE, I, Beverly H. Burks, Mayor of the City of Clarkston, Georgia, do hereby proclaim February 2025 as **Black History Month** in the City of Clarkston and encourage all citizens to join in recognizing and honoring the invaluable contributions of African Americans to our city, state, and nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Clarkston to be affixed this 4th day of February, 2025.



CITY OF CLARKSTON

ITEM NO: 7B

WORK SESSION/ CITY COUNCIL MEETING

HEARING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To approve a Proclamation designating March as “Women’s History Month”.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Yolanda McGee
PHONE NUMBER: 404 754-6960

PURPOSE: To approve a Proclamation designating March as Women’s History Month recognized by the city of Clarkston.

NEED/ IMPACT: To recognize the contribution of women to the nation and to the city of Clarkston.

RECOMMENDATION: Mayor publicly announce city’s proclamation acknowledging March as women history month within the city.



Proclamation Designating the Month of March as "Women's History Month"

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have served our country courageously in the military; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history:

NOW, THEREFORE, I, Beverly H. Burks, Mayor of the City of Clarkston, Georgia and on behalf of the Clarkston City Council, hereby proclaim the month of March 2025 as

Women's History Month

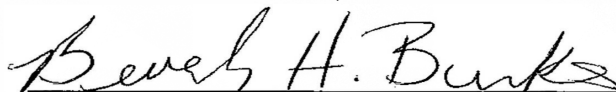
in the City of Clarkston, and the City Council and Staff hereby acknowledge and celebrate the contributions of women and this proclamation calls upon the people of the City of Clarkston to observe **March as Women's History Month** with appropriate programs, ceremonies, and activities.

So ordained, this 4th day of March, 2025.

ATTEST:

Tomika R. Mitchell,
City Clerk

CITY COUNCIL
CITY OF CLARKSTON, GEORGIA


Beverly H. Burks, Mayor



CITY OF CLARKSTON

ITEM NO: 7C

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Approval

MEETING DATE: February 4, 2025

SUBJECT: To approve the renewal of the City Services Agreement between the City of Clarkston and the Clarkston Community Center in the amount of \$15,000 to be funded out of the General Fund

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Tammi Saddler Jones,
Interim City Manager
PHONE NUMBER: 404-296-6489

PURPOSE: To approve the renewal of the City Services Agreement between the City of Clarkston and the Clarkston Community Center.

NEED/ IMPACT: The City allocated in its adopted FY 2025 budget \$15,000 for the City to utilize the Clarkston Community Center for meetings and other special events. A portion of this allocation is used to waive the fees for use of the Clarkston Community Center by eligible non-profit organizations upon request.

At the request of a city council member, staff have made additional revisions to the proposed renewal agreement to address the following areas of concern:

1. Greater clarity needed on what qualifies as a “Bonafide non-profit *operating in Clarkston*”
2. Improve admin processes for reserving and approving events and how funds are disbursed or released.
3. Stronger policy needed for cancellation for both the city and residents and non-profits using the funding.
4. Clearly defined prioritization and/or proportional guidelines around funding (city, residents, non-profits)

To allow city administration more time to address these concerns in the proposed renewal agreement, this agenda item was deferred until the work session meeting on Tuesday, January 28, 2025.

RECOMMENDATION: Staff recommends the renewal of the City Services Agreement between the City of Clarkston and the Clarkston Community Center in the amount of \$15,000 to be funded out of the General Fund.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, GEORGIA, AUTHORIZING A CONTRACT RENEWAL FOR THE USE OF MEETING SPACE AGREEMENT WITH THE CLARKSTON COMMUNITY CENTER (VENUE RENTALS).

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSTON, GEORGIA:

Section 1. That the City Council hereby authorizes a contract renewal for the Use of Meeting Space Agreement with the Clarkston Community Center (venue rentals) for the City to utilize if needed for meetings and activity space for certain special events in the amount of \$15,000 to be funded out of the General Fund. A copy of the agreement is attached hereto as “Exhibit A” and are incorporated herein for all purposes.

PASSED, APPROVED and RESOLVED this _____ day of _____ 2025.

Beverly H. Burks, Mayor

ATTEST:

Tomika R. Mitchell, City Clerk

EXHIBIT A

Use of Meeting Space Agreement between Clarkston Community Center and City of Clarkston

This Services Agreement is entered into this the day of _____, by and between **CLARKSTON COMMUNITY CENTER, INC.**, a Georgia non-profit corporation doing business at 3701 College Avenue, Clarkston, GA 30021, (hereinafter "CCC") and the **CITY OF CLARKSTON**, a Georgia municipal corporation located at 1055 Rowland Street, Clarkston GA 30021, (hereinafter the "City");

WHEREAS, the City is desirous of ensuring greater access to the CCC for bona fide 501(c)(3) non-profit organizations as determined by section 501(c)(3) of the Internal Revenue Code. The organization must be organized and operated exclusively for exempt purposes set forth in section 501(c)(3), and none of its earnings may inure to any private shareholder or individual. In addition, it may not be an action organization, i.e., it may not attempt to influence legislation as a substantial part of its activities and it may not participate in any campaign activity for or against political candidates. and

WHEREAS, the City is in need of meeting and activity space for certain special events; and

WHEREAS, CCC is prepared to provide agreed upon space to the City and non-profit 501C3 organizations.

NOW, THEREFORE, in consideration of the payment and mutual covenants described herein, the City and CCC do hereby agree as follows:

1. ROLES AND RESPONSIBILITIES for Clarkston Community Center ("CCC"):
 - a) Provide meeting space to the City, as requested by the City, in partial consideration for the payments contemplated by this Agreement. The value of rental space allocated to the City per this Agreement is \$5,000, based on CCC's standard market rates. If the City's requests to use space during the term of this Agreement exceed the \$5,000 allocated, CCC will invoice the City for the excess amount based on the CCC's standard market rental rates listed in Exhibit A.
 - b) Provide monthly reports to the city manager that list the date, hours and charges for space used by the City of Clarkston.
 - c) If the City does not use all of its \$5,000 allowance for space during the term of this Agreement, CCC shall allocate any unused portion of this amount to space rental by eligible 501(c)(3) organizations.
 - d) Provide \$10,000 worth of rental space to bona fide 501(c)(3) organizations, with each such organization limited to one event funded through this Agreement during the term of this Agreement.
 - e) CCC shall track use of its space by non-profits to enforce the limit of one event per year per 501(c)(3) nonprofit organization.

- f) Verify if A/V sound is being requested by the non-profit. Payment for sound will be dependent upon availability of funds.
- g) Ensure that each request by a 501(c)(3) organization for use of the CCC is made in writing, to the CCC, at least 30 business days prior to the desired event date. This request should clearly identify the purpose of the event, date, time, any additional requests for sound, and a legal copy of their 501 C3 incorporation and determination letter.
- h) Provide the City Manager with a copy of said written request, along with the 501 C3 incorporation paperwork, within two business days of the request being received by the CCC to obtain approval by the City Manager or her/his designee for the use of any or all part(s) of the CCC.
- i) Provide a quarterly report of allocations to the City no later than the following dates: April 5, 2025; July 5, 2025; October 5, 2025; and January 5, 2026.
- j) Verify that the requesting non-profit (501C3) organizations are aware of the CCC's policy that events must be canceled no later than 30 calendar days prior to the approved event. If said organization has violated this policy, they are prohibited from using the CCC for any event during the current agreement year. A CCC representative shall provide the requesting person/organization with a copy of this rule, in writing, within one business day of said request.
- k) Allow the City of Clarkston to cancel their bookings at least fourteen calendar days prior to the scheduled event without penalty, based on the City's business needs.
- l) Allow non-profit 501 C3 organizations to cancel bookings at least 30 calendar days prior to the scheduled event without penalty. If this requirement is met, funds originally applied to the canceled event shall be applied to future events. Events canceled less than 30 calendar days prior to the scheduled event will result in forfeit of the fee for use of the space. Events rescheduled less than 30 calendar days of the event date will be considered cancellations, and penalties will apply as described in Exhibit B.

2) ROLES AND RESPONSIBILITIES for the City of Clarkston ("City"):

- a) Make any request to the CCC for space, through the City Manager's office, in writing.
- b) Review and approve or deny, in writing, any request received from the CCC for use of space by a non-profit within two business days of receipt by the City. Events will be approved on a first come, first served basis, provided all relevant documentation is included in the request to approve.
- c) Pay the CCC, in consideration for the services and use of facilities contemplated herein, Fifteen Thousand Dollars (\$15,000.00). This amount shall be paid in quarterly installments of Three Thousand Seven Hundred and Fifty Dollars (\$3,750) each. The first such payment shall be made not later than February 28, 2025; the second installment shall be paid not later April 15, 2025; the third installment shall be paid not later than July 15, 2025; the fourth installment shall be paid not later than October, 15 2025.

3) Term and Termination

This Agreement is for a period beginning on the date of mutual approval of the Agreement and ending on December 31 of the current agreement year. The Agreement may be renewed on an annual basis by written agreement of the Parties subject to availability of funds and appropriation of said funds by the City Council. The Agreement may be terminated without cause by either party via thirty (30) business days written notice.

SO AGREED, this ____ day of _____, 2025.

CLARKSTON COMMUNITY CENTER

Luay Sami, Executive Director

Date: _____

CITY OF CLARKSTON

Beverly H. Burks, Mayor

Date: _____

Approved as to form:

Stephen Quinn

Stephen G. Quinn
City Attorney



SPACE RENTAL

ARE YOU LOOKING TO RENT A
SPACE FOR..

- Wedding & Receptions
- Graduation Parties
- Birthday Parties
- Baptisms
- Baby Shower
- Bridal Showers
- Church Meetings
- Business Meetings
- Holiday Parties
- Bar Mitzvahs
- Office Spaces
- Monthly Programs Rentals
- Filming Location Rentals
- And much more....

Contact us to schedule your tour

404-508-1050

Rentals@clarkstoncommunitycenter.org



Event Rooms & Capacity

Angora Hall: (2,900 sq.ft.) This hall features vaulted ceilings supported by exposed beams, floor-to-ceiling windows, a curtained stage, and a baby grand piano.

Capacity:

- Dining setup for 250 people,
- Theater setup for 300 people.
- Tables and chairs included. Event Coordinator onsite.

Day and Rate:

- Saturday: \$2500 (10 Hours: Between 9 am -12 am)
- Saturday: \$2000 (5 Hours)
- Additional time between 9 am -12 am: \$250/hour
- Sunday-Friday: \$200/Hour (minimum 4 hours)
- Refundable Security Deposit: \$250

East Room: (1,350 sq.ft.) This room features large windows, which create a bright and open atmosphere.

Capacity:

- Dining setup for 90 people,
- Theater setup for 120 people.

- Saturday \$1000 (5 Hours: Between 9 am -12 am)
- Saturday \$1400 (10 Hours: Between 9 am -12 am)
- Sunday-Friday: Rate: \$150/Hour
- Refundable Security Deposit: \$175

West Room: (600 sq.ft.) This room features large windows that create a bright and open atmosphere.

Capacity:

- Dining setup for 36 people
- Theater setup for 40 people.

- Saturday \$800 (5 Hours: Between 9 am -12 am)
- Saturday \$1000 (10 Hours: Between 9 am -12 am)
- Sunday-Friday: Rate: \$125/Hour
- Refundable Security Deposit: \$150

The Entire Building: (10,000 sq.ft.) This space boasts Angora Hall, East Room, West Room, and changing rooms, along with a kitchen. Hardwood floors adorn the entirety, comprising three rooms of different sizes, an artfully decorated foyer, and a prep kitchen.

Capacity: 500 people

Rate:

- Saturday: \$3500 (10 Hours: Between 9 am -12 am)
- Sunday-Friday: \$500/Hour (9 am – 10 pm)

- Refundable Security Deposit: \$500

Filming Rates: Please contact Sami at:
sami@clarkstoncommunitycenter.org

Refundable Security Deposit and ½ of the total rental is due at the time of reservation

Audio/Visual Package Rates

1- Audio/Visual (LARGE Screen) Package

Features:

- Large screen 9`x12`
- Audience size: 300 people
- Equipment: Sanyo PLC-XP57L3 LED Projector, 2 microphones, sound system (2 large speakers, 2 large woofers)
- Tech support for setup only

Price: \$200

2- Audio/Visual (SMALL Screen) Package

Features:

- -Small screen 46”x 9’
- Audience size: 100 people
- Equipment: Epson EX50 projector, 2 microphones, sound system (2 large speakers, 2 large woofers)
- Tech support for setup only

Price: \$150

3- Audio Only Package

Features:

- Equipment: 2 microphones, sound system (2 large speakers, 2 large woofers)
- Tech support for setup only

Price: \$100

4- Portable Sound System Package

Features:

- Equipment: 1 wired microphone, 2 speakers (suitable for East Room and West Room)

Price: \$50

Additional Information:

Clarkston Community Center (CCC) provides:

- Chairs
- 60” round and/or 6’ long rectangular tables
- An Event Coordinator for room setup and breakdown.
- Access to:
- An art-filled foyer
- A large prep kitchen with storage space, refrigerators, and freezers.

Clients have the freedom to choose their:

- Decorator
- Caterer
- DJ

A 10% discount is available for Clarkston (30021) non-profit organizations:

- Minimum 4-hour booking required
- Proof of non-profit status required.
- Discounts for non-profits are not applicable to Angora Hall.

Facility tours:

Visit the Clarkston Community Center website for more information. Scheduled visits are available on weekdays between 10:00 am and 4:00 pm. For further inquiries, please email rentals@clarkstoncommunitycenter.org or call 404-508-1050.



CITY OF CLARKSTON

ITEM NO: 7D

WORK SESSION/ CITY COUNCIL MEETING

ACTION TYPE: Approval

HEARING TYPE: Council Meeting

AGENDA ITEM SUMMARY SHEET

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To approve the fabrication and installation of ten (10) decorative mailboxes on the North side of Norman Road from Rogers Street to the Norman Road dam; including repairs/replacement of mailboxes on East Ponce de Leon for an estimated amount of \$30,000 to be funded out of SPLOST I.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: [] YES [x] NO

ATTACHMENT: YES [x] NO Pages: 9

INFORMATION CONTACT: Larry Kaiser, PE PHONE NUMBER: 404-909-5619

PURPOSE: To provide the same mailbox design and installation that currently exists on the south side of Norman Road to those residents that live on the north side of Norman Road and to prepare specifications for the mailboxes for purposes of advertising to-bid for this work; including a meeting with each effected property owner to present the agreement form for signature for maintenance and ownership of said mailboxes by the City. Work scope would also include replacement/repair of decorative mailboxes on East Ponce de Leon.

NEED/ IMPACT: The estimated cost for the fabrication and installation of these mailboxes was included in the Cities FY 2025 budget for capital improvements.

RECOMMENDATION:

The streetscape improvements to Norman Road provided for sidewalks on the west side of Norman Road. The components of this south side work included relocation of power poles, concrete curb and gutter and brick pavers at various locations; including the wooden pedestrian walkway platform.

The environmental document prepared for this federally funded project; NEPA (National Environmental Policy Act), included the infrastructure components mentioned above.

During the planning and design scope development for the streetscape project, staff suggested that decorative mailboxes be considered along the parcel frontages within the project limits of the streetscape project; which included the south side of Norman Road and the north side of East Ponce de Leon. Staff and administration was of the opinion that decorative mailboxes presented a "distinctive look" for a community that lacked any significant "small town design character", that included the use of construction materials reflective of buildings and monument structures throughout the city. This work was also intended to complement the goals and aspirations of the streetscape project which included being a catalysis for development and re-development and urban renewal, which at that time, no new street infrastructure had been built in the city since the 1960's.

The streetscape project limits excluded work on the north side of Norman Road (except where granite curb was reset for drainage purposes) due to budget and identification of the north side as a historic neighborhood as defined by the NEPA document. .

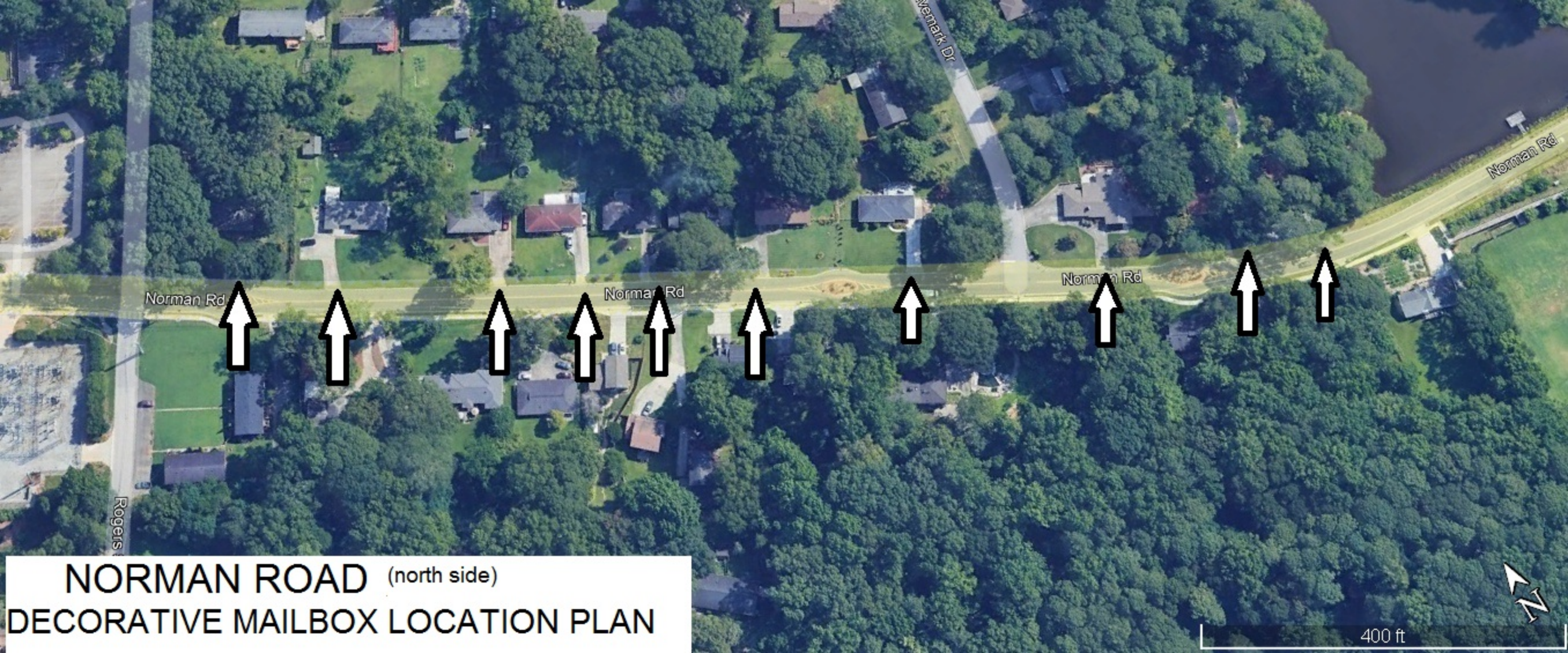
Two face-to-face meetings were held with the property owners that were to receive the decorative mailboxes on the west side. The meetings included a presentation of the design, the agreement form and a timetable for installation.

During construction of the Norman Road sidewalks, homeowners on the east side of Norman Road inquired on the possibility of decorative mailboxes being installed. The City explained that modifications to an approved NEPA document could delay the project construction including significant costs to modify the federal environmental permit. The City solicited a proposal from the environmental firm who prepared the NEPA document. The cost would have been \$35,000.

City administration informed the residents to pursue a request to install decorative mailboxes after the project was completed. The City is not aware of any such requests until recently whereby administration and/or council received a request for the decorative mailboxes.

Attached is a location map of the proposed decorative mailbox locations, including the design, and corresponding letters and agreement forms utilized in the 2016/2017 installations.

Attachment: Location Map – North Side for proposed work
Letter and design sent to residents 2016 and 2020
Agreement form sent to residents 2016 and 2020



NORMAN ROAD (north side)
DECORATIVE MAILBOX LOCATION PLAN

400 ft





City Council

Awet Eyasu, Vice-Mayor

Jamie Carroll

Ahmed Hassan

Laura Hopkins

Debra Johnson

City Manager Robin I. Gomez

November 25, 2020

RE: Streetscape and Pedestrian Enhancement Project – “New Mailbox Replacement Program “

Dear Property Owner:

In the spring of 2016, the City provided notices on the proposed “New Mailbox Design and Replacement Program.” As the final construction for the “***City Streetscape and Pedestrian Enhancement Project***” draws to a close, the City wishes to notify you that the mailbox replacement program, in which mailboxes will be replaced and maintained at City expense, is expected to begin within 1 month.

As a reminder, the project limits for the installation of the new mailboxes are as follows:

- > East Ponce de Leon from I-285 to Market Street
- > Norman Rd from Church Street to the entrance into Milam Park (west side only)

As you have seen, the project has replaced old sidewalks, resurfaced various roadways, and installed several street and pedestrian lighting segments. Brick edge treatments, arbors, streetscape amenities such as benches and trash receptacles have been added, as well as landscaping, traffic signal mast arms, traffic calming, and numerous other enhancements.

To provide consistency with the City’s streetscape design components mentioned above, the City will be replacing all mailboxes within the project limits with new mailboxes. ***The City will be responsible for the cost of installation and on-going maintenance of all new mailboxes. If mailboxes are damaged to the extent that repairs are not financially feasible, the City will replace at no cost to the owner.***

The new mailboxes will be installed at the same time that the existing mailboxes removed. As such, the City expects no disruption of mail delivery.

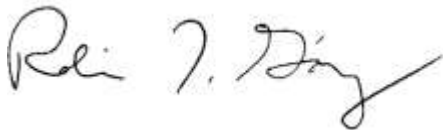
Attached is a rendering of the mailbox to be used on this project. The design is a slight modification to the rendering provided to residents in 2017. The reason for the change is to allow a rear entry into the mailbox which provides for a safer access for mail retrieval. In addition, there are a number of mailboxes on Norman Road that are on a single post. The enclosed design accommodates multiple mailboxes on one post.

To ensure that the streetscape design intent is maintained, the City will not issue a permit nor allow for other mailbox designs to be installed by the property owner. The City believes this new mailbox design and program is critical in maintaining a consistent community “look and feel,” while saving the property owner from all future costs for new mailboxes or maintenance costs.

The City believes you will find this new mailbox to be very aesthetically pleasing and will be of value to you and your neighbors for years to come.

Should you have any questions about the “***New Mailbox Replacement Program***”, I can be reached at 678-409-9683 or rgomez@cityofclarkston.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin I. Gomez". The signature is written in a cursive, flowing style.

Robin I. Gomez, Clarkston City Manager

COPY: Vice-Mayor Awet Eyasu & Clarkston City Council
Rodney Beck, Public Works Director
Shawanna Qawiy, Director of Planning and Development
Larry Kaiser, P.E, Streetscape Project Engineer

Attachment (mailbox rendering)

City Letterhead Here

May 2nd, 2016

RE: Streetscape and Pedestrian Enhancement Project
“New Mailbox Design & Replacement Program”

Dear Property Owner,

The City continues to make significant progress with finalizing design and construction plans for the “*City Streetscape and Pedestrian Enhancement Project*”. The City has held a number of public meetings and one property owner meeting over the past 2 years to ensure the general public and the effected owners are kept fully abreast of the project’s progress. As a reminder, the project limits for the improvements is as follows:

- East Ponce de Leon from I-285 to Market Street
- Market Street from North Indian Creek to Rowland Street
- Rowland Street from Market Street to Norman Rd
- Norman Rd from Church Street to the entrance into Milam Park

The project consists of new sidewalks, road resurfacing, street and pedestrian lighting on certain road segments, brick edge treatments, arbors, streetscape amenities such as benches and trash receptacles, landscaping, traffic signal mast arms, traffic calming and numerous other enhancements.

Communication and outreach to the affected property owners during construction will be of utmost importance to the city. One early coordination effort will be mailbox removal and replacement as the construction phase commences. During construction, all obstructions within the construction limits will be removed – which includes all existing mailboxes, to accommodate for the planned improvements. The city’s contractor will ensure that mail delivery continues to occur during this period of time.

To provide consistency with the city’s streetscape design components, the city is excited to announce a “***MAILBOX REPLACEMENT PROGRAM***”! This program will entail the city replacing all mailboxes within the project limits with new mailboxes. The city will be responsible for the cost and installation of all new mailboxes

Attached to this letter is the mailbox to be used on this project. The mailbox was designed by the city landscape architect for the streetscape project – Mr. Huffman. Mr. Huffman is recognized statewide as a premier landscape architect with numerous landscape design awards to his credit.

He has designed numerous streetscapes for over 20 cities and is the State of Georgia landscape designer for the various Welcome Centers.

To ensure the property owner bears no cost for this mailbox program, the city will also maintain and/or replace the mailboxes in the event they are damaged in the future.

To ensure that the streetscape design intent is maintained, the city will not issue a permit nor allow for other mailbox designs to be installed by the property owner. The city believes this mailbox program is not only an asset to maintain a consistent community “look and feel” but it also saves the property owner from all future costs for new mailboxes or maintenance costs.

The city welcomes your comments on this program and we look forward to working with you when the construction of the streetscape improvements begins in the summer of 2017. I can be reached at 404-296-6489.

Sincerely,

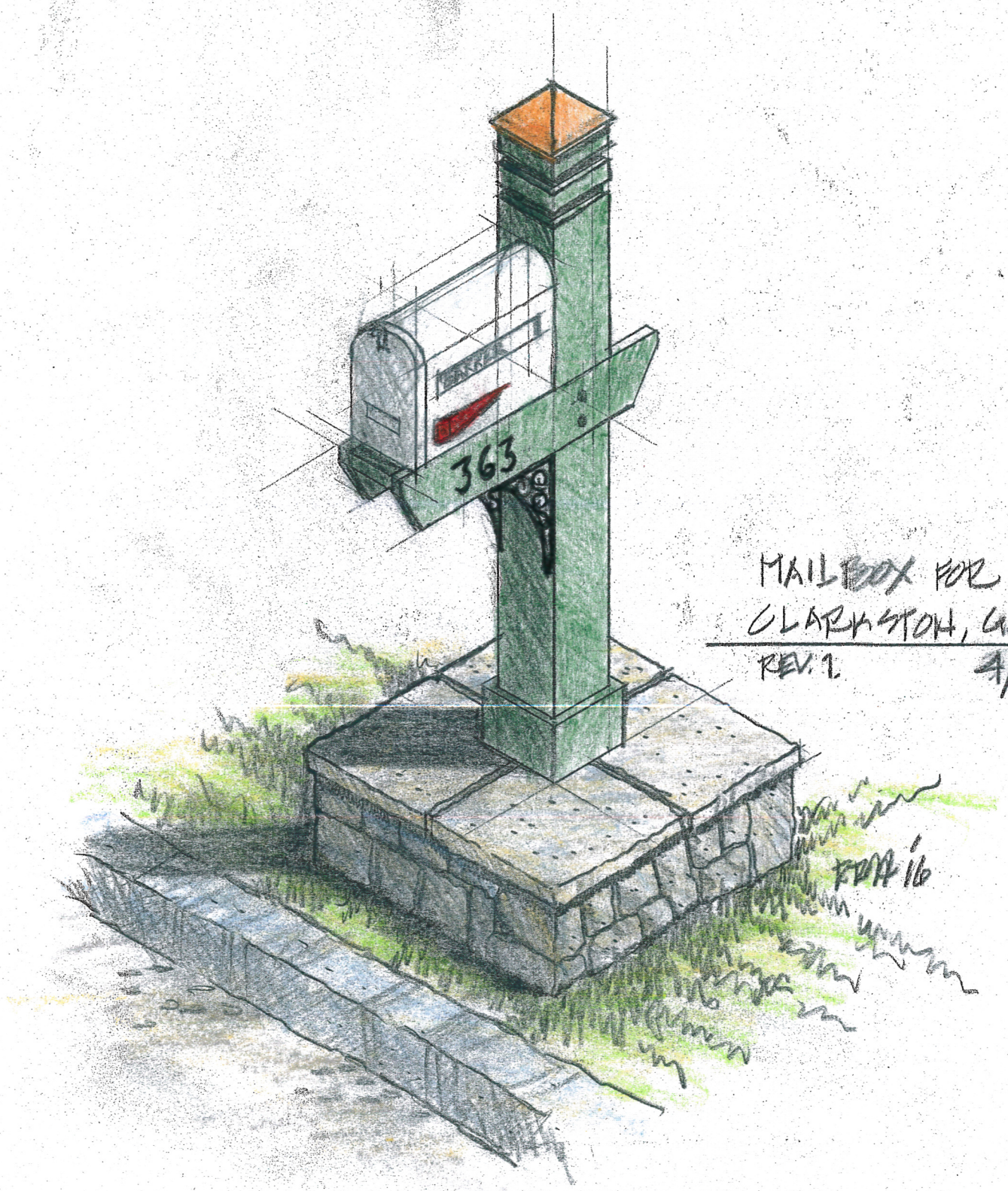
Keith Barker, AICP

City Manager

Cc: Mayor Ted Terry

Members of City Council

Enclosure – rendering of mailbox



MAILBOX FOR
CLARKSTON, GA.
REV. 1. 4/2016

4/16



3/20/2018

CITY CENTER IN CLARKSTON STREETScape PROJECT
PI#0007613
MAILBOX RELOCATION & NEW MAILBOX INSTALLATION
AGREEMENT

MAILBOX REMOVAL & RELOCATION

Each property owner is responsible for removal and relocation of their mailbox to avoid construction impacts during the duration of the project.

The owner may instead elect to have the city's contractor remove and relocate mailboxes during the duration of the project.

The undersigned property must select one of these two choices a minimum of 10 days prior to start of construction. The undersigned is to mark the appropriate box accordingly. If no box is selected, the city's contractor will remove and relocate the mailbox:

CHECK ONE BOX

I CHOOSE TO REMOVE AND RELOCATE MY MAILBOX
DURING CONSTRUCTION

I CHOOSE TO HAVE THE CITY'S CONTRACTOR REMOVE AND
RELOCATE MY MAILBOX

PRINT NAME: _____ ADDRESS: _____

NEW MAILBOX

The undersigned must also acknowledge their understanding of the new mailbox installation program. The letter and rendering of the new mailbox design, dated May 2nd, 2016, was mailed to all property owners within the project limits.

CHECK IF YOU AGREE

THE UNDERSIGNED OWNER/TENANT ACKNOWLEDGES THAT THE CITY
WILL INSTALL AND MAINTAIN THE NEW MAILBOX IN ACCORDANCE WITH
THE CITY'S LETTER DATED MAY 2ND, 2016 & MAILED TO ALL EFFECTED
PROPERTY'S

Property Owner and/or Tenant: _____

Print

Signature

Address

Date



CITY OF CLARKSTON

ITEM NO: 7E

WORK SESSION/ CITY COUNCIL MEETING

ACTION TYPE:
Approval

HEARING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To approve the fabrication and installation of four (4) pergolas and corresponding benches and trash containers to enhance the pedestrian environment on Market Street between Vaughan Street and North Indian Creek for an estimated amount of \$60,000 to be funded out of SPLOST I.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 2

INFORMATION CONTACT: Larry Kaiser, PE
PHONE NUMBER: 404-909-5619

PURPOSE: To provide similar pedestrian and streetscape amenities to the western end of Market Street as currently exists on Market Street between Vaughan Street and East Ponce de Leon.

NEED/ IMPACT: The estimated cost for the fabrication and installation of pergolas, benches and trash containers is \$60,000. The cost for these streetscape amenities could be SPLOST I funded given the same improvements were previously undertaken at other locations on Market Street the Streetscape Improvement Project.

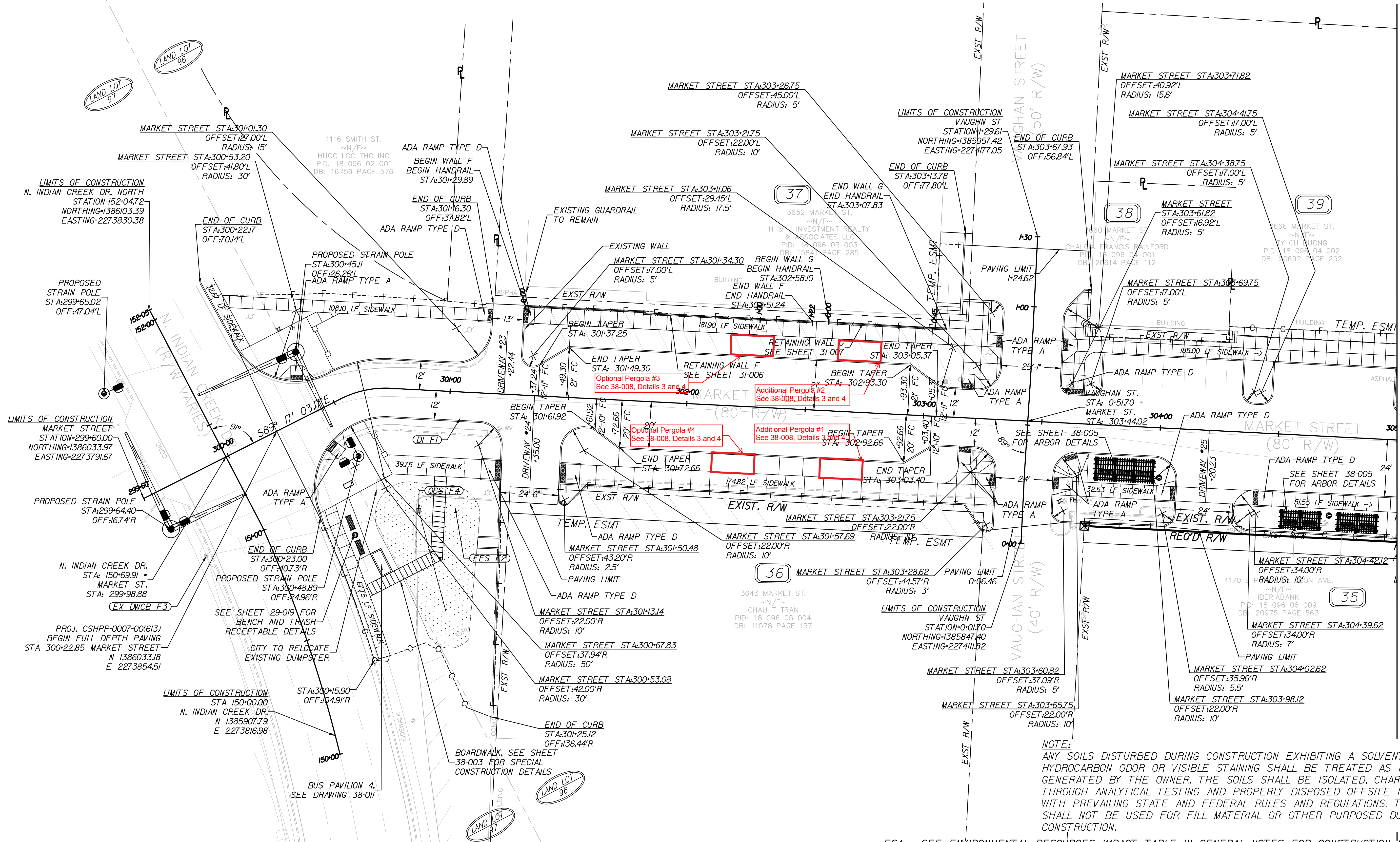
RECOMMENDATION:

With the completion of the streetscape project over 4 years ago, City staff has noticed that there is a need to add additional pedestrian streetscape amenities on Market Street.

When the streetscape design work was undertaken from 2015-2026, the design team and city staff believed the need for pergola's and other streetscape amenities would be limited on certain sections of Market Street given the lack of retail activity that could produce foot traffic – all of which would be needed to justify pergolas and benches. The commercial activity on Market Street, near East Ponce de Leon, at that period of time, had thriving businesses that generated significant footprint traffic including the need to relax and retreat from the sun under a semi-covered pergola.

With minor modifications to the City Streetscapes specifications and plans, staff can prepare a detailed scope of work for Procurement to advertise to-bid the amenities described previously.

Attachment: Location Map of Amenities



MATCHLINE STA 305+00.00
SEE SHEET 13-009

NOTE:
ANY SOILS DISTURBED DURING CONSTRUCTION EXHIBITING A SOLVENT OR PETROLEUM HYDROCARBON ODOR OR VISIBLE STAINING SHALL BE TREATED AS IMPACTED SOILS GENERATED BY THE OWNER. THE SOILS SHALL BE ISOLATED, CHARACTERIZED THROUGH ANALYTICAL TESTING AND PROPERLY DISPOSED OFFSITE IN ACCORDANCE WITH PREVAILING STATE AND FEDERAL RULES AND REGULATIONS. THE MATERIAL SHALL NOT BE USED FOR FILL MATERIAL OR OTHER PURPOSES DURING ROADWAY CONSTRUCTION.

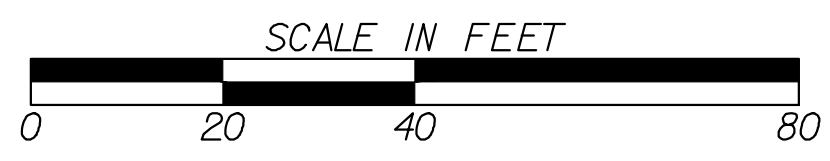
ESA - SEE ENVIRONMENTAL RESOURCES IMPACT TABLE IN GENERAL NOTES FOR CONSTRUCTION RESTRICTIONS.

ESA - ENV. SENSITIVE AREA (SEE ERIT 4-003)
PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



CITY OF CLARKSTON
1055 ROWLAND STREET
CLARKSTON, GA. 30021
TEL: (404) 296-6489

AMEC FOSTER WHEELER
1075 BIG SHANTY ROAD NW
SUITE 100
KENNESAW, GEORGIA 30144
TEL: (770) 421-3400



REVISION DATES

NO.	DATE	DESCRIPTION

**MAINLINE ROADWAY PLANS
MARKET STREET
BEGIN TO STA. 305+00.00**

CHECKED: G. BOWMAN	DATE: -	DRAWING No. 13-008
BACKCHECKED: V. WORD	DATE: -	
CORRECTED: C. JUNG	DATE: -	
VERIFIED: G. BOWMAN	DATE: -	



CITY OF CLARKSTON

ITEM NO: 7F

WORK SESSION/ CITY COUNCIL MEETING

ACTION TYPE: Approval

HEARING TYPE: Council Meeting

AGENDA ITEM SUMMARY SHEET

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To approve the replacement of approximately 100 trees and 600 bushes/grasses that were planted by city landscape contractors over the past 5 years that have not survived or are diseased not to exceed \$125,000 to be funded out of the Tree Bank Fund and General Fund

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: [] YES [x] NO

ATTACHMENT: YES [x] NO Pages: 2

INFORMATION CONTACT: Larry Kaiser, PE PHONE NUMBER: 404-909-5619

PURPOSE: To approve the replacement of approximately 100 trees and 600 bushes/grasses that were planted by city landscape contractors over the past 5 years that have not survived or are diseased not to exceed \$125,000 to be funded out of the Tree Bank Fund.

NEED/ IMPACT: The estimated cost to purchase and install the trees, bushes and grasses was included in the FY 2025 budget although this work can be 100% funded by the City Tree Bank Fund and the General Fund.

RECOMMENDATION:

Prior to 2016, all street rights-of-way were devoid of any city-planted trees. From 2016 to present, the city has planted approximately 800 trees on city right-of-way, not to mention hundreds of annual plants, bushes and ornamental grasses. The primary funding sources and locations for these installations were SPLOST I (Streetscape Project and Friendship Forest Wildlife Sanctuary), General Fund – Trees Atlanta (Church Street and East Ponce de Leon), DeKalb Tree Bank Fund (Church Street), GDOT REBC (Church Street off-ramp) and the City’s Tree Policy (installations required of the development community).

Tree maturity has a significant impact on the survivability of trees. As the trees mature, their ability to withstand harsh weather conditions (extended lengths of dry weather and very cold temperatures) improves. Soil conditions also have a significant impact on tree survivability. Over time, staff has detected issues with tree survivability when planted on CSX right-of-way. Due to the soil chemical and structural composition, the planted trees have a more difficult time acclimating to their soil environment. Soil characteristics on-CSX right-of-way area can much different than native soil – which can be discussion at a later time.

In those tree footprint areas on CSX R/W where survivability has been questionable, staff recommendation is currently to remove the soils within the tree well area including increasing the size of the tree well/excavation area from 2x the tree ball diameter to 3x the diameter, followed by backfilling with purchased top soil and/or Georgia clean clayey silt.

It should be noted that the streetscape project 2-year tree warranty that staff included in the contractor’s contract was utilized to replace a number of trees and bushes in late 2023. Those replaced as well as the original installations from 2020 are doing well with some minor exceptions.

Staff will also note that privatization of the city right-of-way maintenance includes more than just mowing, trash pickup and edging. The privatization scope also includes tree maintenance (pruning). Tree Maintenance is a significant component with increasing the lifespan and survivability of trees.

Staff recommends moving forward with preparing specifications and scope of work for the tree replacement project described herein.



CITY OF CLARKSTON

ITEM NO: 7G

CITY COUNCIL WORK SESSION / MEETING

MEETING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To adopt an ordinance to define and prohibit nuisances, to define and prohibit highly hazardous conditions and to provide emergency powers for the building official.

DEPARTMENT: PLANNING & ECONOMIC DEVELOPMENT

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
PAGES: 4

PRESENTER CONTACT INFO: Richard Edwards, AICP
PHONE NUMBER: 404-536-1120

PURPOSE: To adopt text amendment to Sec. 10-1, 10-2, and 10-3 to define “nuisance” and to define and provide enforcement regulations on “highly hazardous conditions.”

NEED/ IMPACT: The city’s code of ordinances does not currently define “nuisance.” Providing a definition will assist code enforcement and the building official with enforcing the regulations that are within the nuisance code. Further, these text amendments create conditions and enforcement for sites that may be declared as “highly hazardous” to life and/or property.

RECOMMENDATION: Staff is recommending approval of this text amendment.



STAFF ANALYSIS AND REPORT

To: City of Clarkston Mayor & City Council

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to Sec. 10-1, 10-2, and 10-3 of the Code of Ordinances to define “nuisance” and to define and provide enforcement regulations for “highly hazardous conditions.”

Date: January 28, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to Sec. 10-1, 10-2, and 10-3 to define “nuisance” and to define and provide enforcement regulations on “highly hazardous conditions.” These text amendments will assist the building official and code enforcement with addressing nuisances within the City of Clarkston.

Background:

The city’s code of ordinances does not currently define “nuisance.” Providing a definition will assist code enforcement and the building official with enforcing the regulations that are within the nuisance code, Sec. 10-1. Staff is proposing the definition of nuisance to read:

“Nuisance shall mean any condition, act or occurrence that results in annoyance, harm, inconvenience or damage to another; and the fact that the act or occurrence may otherwise be lawful shall not keep it from being a nuisance.”

Sec. 10-2 provides conditions that shall be declared highly hazardous. The Building Official would be responsible for inspecting sites that are thought to be highly hazardous and making a determination of the conditions. Further, this text amendment (Sec. 10-3) would allow the city to issue citations for sites that are declared highly hazardous, if action is not taken immediately to remediate the highly hazardous conditions.

Attachments:

1. Ordinance
2. Redlines of Sec. 10-1, 10-2, & 10-3

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE I OF THE CITY CODE REGARDING NUISANCES; TO DEFINE AND PROHIBIT NUISANCES AND HIGHLY HAZARDOUS CONDITIONS; TO PROVIDE ENFORCEMENT REGULATIONS; TO PROVIDE EMERGENCY POWERS FOR THE BUILDING OFFICIAL; AND FOR OTHER PURPOSES.

WHEREAS, the City Code currently provides examples of certain specific conditions which are declared to be nuisances but does not include a general definition of a nuisance; and

WHEREAS, to assist code enforcement and building officials in the performance of their duties, the City Council desires to supplement the City Code by adding a general definition of a nuisance; and

WHEREAS, the City Council further desires to identify certain conditions as highly hazardous and provide an expedited mechanism for the City to issue citations if such conditions are not promptly remediated.

NOW THEREFORE, BE IT ORDAINED BY the City of Clarkston that Chapter 10 of the Official Code of Ordinance of the City of Clarkston be amended as follows:

SECTION 1. Chapter 10, Article I. – Nuisances of the City of Clarkston Code of Ordinances is hereby amended to read as follows:

“Sec. 10-1. Nuisances defined.

Nuisance shall mean any condition, act or occurrence that results in annoyance, harm, inconvenience or damage to another; and the fact that the act or occurrence may otherwise be lawful shall not keep it from being a nuisance.

The inconvenience complained of shall not be fanciful, or such as would affect only one of fastidious taste, but it shall be such as would affect an ordinary reasonable person.

The following conditions are specifically declared to be nuisances:

- (1) Toilets, plumbing, sewers, septic tank systems, garbage containers or any other sanitary systems in bad repair.
- (2) Any dead or decaying matter, fruit, vegetable, animal, or rodent, upon premises which is odorous or capable of causing annoyance to the inhabitants of the city.
- (3) The generation of smoke or fumes in sufficient amounts to cause odor or annoyance to the inhabitants of the city.

- (4) Trash, garbage, refuse or any foul, decaying or putrescent material kept, used, or placed or disposed of in such a manner or place as to be or to become detrimental to human health or well-being.
- (5) Sewage, kitchen wastes, laundry wastes or any other wastes deposited upon or allowed to remain upon the ground surface or any other place so as to be or to become detrimental to human health or well-being.
- (6) Maintaining a dangerous or diseased animal or fowl.
- (7) The disposal of any material, refuse, or filth in any manner that does not comply with Article II of this Code.
- (8) The creation of unreasonably loud, disturbing, and unnecessary noise, or any noise that is of such intensity and/or duration as would be detrimental to the public peace or welfare, as set forth in Article III of this Code.
- (9) The keeping of any swimming pool that does not comply with the provisions set forth in Article IV of this Code.
- (10) To keep in any place accessible to children any abandoned, unattended, or discarded icebox, refrigerator, or other like container, unless the doors, latches, and locks thereof are removed.
- (11) All walls, trees, and buildings that may endanger persons or property.
- (12) Violation of the DeKalb County Ord. No. 93-32, adopted by the county on November 10, 1992, known as the "DeKalb Clean Air Ordinance," which are incorporated herein by reference.
- (13) Any other nuisance that as defined by the laws of the State of Georgia.
- (14) Any property or structure that by virtue of its overall condition is disorderly or in violation of other ordinances of the city and which would tend to constitute a breach of standards adhered to by other properties or structures in its neighborhood or immediate area.

Sec. 10-2. Highly hazardous conditions.

- (a) It shall be unlawful for any owner or operator to allow, or for any occupant to cause the following highly hazardous property conditions, any of which may constitute a nuisance as defined in Article I or Article II.
- (b) The following conditions are declared to be highly hazardous conditions:

- (1) Roofs, floors or supporting members, including, but not limited to, girders, sills, joists and studs, which show fifty percent (50%) or more damage or deterioration or which are of insufficient size or strength to safely support imposed loads.
 - (2) Non-supporting enclosing, outside walls, or coverings which show fifty percent (50%) or more damage or deterioration.
 - (3) Defective or improperly maintained electrical, heating, ventilation, sanitation or like facilities which endanger or insufficiently protect the health, safety or general welfare of the occupants.
 - (4) Means of egress or ingress, which in the determination of the building official, are defective or unsafe, or substantially smaller than the dimensions required by law.
 - (5) Vacant dwellings which are open and unsecured against unforced entry.
 - (6) Conditions which, in the determination of the building official, are dilapidated, decayed, unsafe, unsanitary or that unreasonably expose occupants or the general public to illness, disease or physical injury.
 - (7) Conditions which, in the determination of the building official, unreasonably expose occupants to rain, moisture or cold air.
 - (8) The presence of visible mold growth, as determined by a health official or certified mold specialist.
 - (9) Any condition, which in the determination of the building official, is highly hazardous to health, safety or general welfare of the occupants or general welfare.
- (c) The owner or occupier of any property where a highly hazardous condition exists shall be subject to immediate citation for such offense.

Sec. 10-3. Nuisance violations and abatement.

No person shall create, maintain, support, aid, or continue any condition that constitutes a nuisance as defined in this article.

- (1) If the owner or occupier of any such property where a nuisance shall be found fails to abate the nuisance within ten (10) days after having been notified by certified mail in writing by the city manager or their designee, such failure on the part of the owner or occupier of the property shall constitute a violation of this section; provided however, that upon the fourth occurrence of a violation upon the same property within any twelve- month period, the ten-day grace period to abate the

nuisance shall not apply and the violating party shall be subject to immediate citation for such offense.

- (2) If the owner or occupier of such property fails to abate a nuisance after being notified as hereinbefore described, the city is authorized to enter upon such premises and clean, abate, or remove the nuisance where appropriate, which shall be done at the expense of the owner or occupier of said property and a lien may be placed on the property in the amount of such expense for the benefit of the city.
- (3) If any nuisance exists on any premises which creates a highly hazardous condition with imminent threat of harm to the safety or well-being of others, the city is authorized to enter upon such premises and clean and remove the nuisance without providing notice to the owner or occupier of said property, which shall be done at the expense of the owner or occupier of said property and a lien may be placed on the property in the amount of such expense for the benefit of the city.
- (4) Any person, firm, or corporation that shall do anything prohibited or fail to do anything required by the provisions of this article, upon conviction of a violation in the municipal court shall be subject to a fine and/or imprisonment in accordance with section 1-7 of this Code of Ordinances. Where any offense or violation continues from day to day, each day's continuation thereof shall be deemed a separate offense.
- (5) Where a property is owned by a corporate entity, any natural person found to be in control of that property may be prosecuted for the violation of this article.
- (6) *Failure to comply.* It shall be unlawful for an owner, operator, or occupant to fail to comply with any applicable provision of this Code.
- (7) *Charges and Summons.* The owner, operator, occupant or person in control of a nuisance property may be issued charges and summons directing the person to appear before the municipal court at a specified time and place to answer the charges.

Sec. 10-4. Emergency Powers.

Whenever the building official shall determine that nuisance conditions constitute a clear and present danger or life or public property, the city manager shall be authorized to immediately cause the condition to be remediated, if it exists outside of a structure, or to immediately close the structure to occupation and use if it exists inside a structure.

Sec. 10-5 – 10-9. Reserved.”

SECTION 2. This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

SO ORDAINED this _____ day of _____, **2025.**

ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA

Tomika Mitchell, City Clerk

Mayor Beverly H. Burks

Approved as to form:

Stephen G. Quinn, City Attorney

ARTICLE I. NUISANCES

Sec. 10-1. Nuisances defined.

Nuisance shall mean any condition, act or occurrence that results in annoyance, harm, inconvenience or damage to another; and the fact that the act or occurrence may otherwise be lawful shall not keep it from being a nuisance.

The inconvenience complained of shall not be fanciful, or such as would affect only one of fastidious taste, but it shall be such as would affect an ordinary reasonable person.

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The following conditions are declared to be nuisances:

- (1) Toilets, plumbing, sewers, septic tank systems, garbage containers or any other sanitary systems in bad repair.
- (2) Any dead or decaying matter, fruit, vegetable, animal, or rodent, upon premises which is odorous or capable of causing annoyance to the inhabitants of the city.
- (3) The generation of smoke or fumes in sufficient amounts to cause odor or annoyance to the inhabitants of the city.
- (4) Trash, garbage, refuse or any foul, decaying or putrescent material kept, used, or placed or disposed of in such a manner or place as to be or to become detrimental to human health or well-being.
- (5) Sewage, kitchen wastes, laundry wastes or any other wastes deposited upon or allowed to remain upon the ground surface or any other place so as to be or to become detrimental to human health or well-being.
- (6) Maintaining a dangerous or diseased animal or fowl.
- (7) The disposal of any material, refuse, or filth in any manner that does not comply with article II of this Code.
- (8) The creation of unreasonably loud, disturbing, and unnecessary noise, or any noise that is of the intensity or duration as would be detrimental to the public peace or welfare, as set forth in article III of this Code.
- (9) The keeping of any swimming pool that does not comply with the provisions set forth in article IV of this Code.
- (10) To keep in any place accessible to children any abandoned, unattended, or discarded icebox, refrigerator, or other like container, unless the doors, latches, and locks thereof are removed.
- (11) All walls, trees, and buildings that may endanger persons or property.
- (12) Violation of the DeKalb County Ord. No. 93-32, adopted by the county on November 10, 1992, known as the "DeKalb Clean Air Ordinance," which are incorporated herein by reference.
- (13) Any other nuisance that as defined by the laws of the State of Georgia.
- (14) Any property or structure that by virtue of its overall condition is disorderly or in violation of other ordinances of the city and which would tend to constitute a breach of standards adhered to by other properties or structures in its neighborhood or immediate area.

(Ord. No. 274, § 1, 9-2-03; Ord. No. 318, § 1, 12-7-06)

Sec. 10-2. Highly Hazardous Conditions.

It shall be unlawful for any owner or operator to allow, or for any occupant to cause the following highly hazardous property conditions, any of which may constitute a nuisance as defined in Article I and Article II.

The following conditions are declared to be highly hazardous conditions:

- (1) Roofs, floors or supporting members, including, but not limited to, girders, sills, joists and studs, which show fifty (50%) or more damage or deterioration or which are of insufficient size or strength to safely support imposed loads;
- (2) Non-supporting enclosing, outside walls, or coverings which show fifty percent (50%) or more damage or deterioration;
- (3) Defective or improperly maintained electrical, heating, ventilation, sanitation or like facilities which endanger or insufficiently protect the health, safety or general welfare of the occupants;
- (4) Means of egress or ingress, which in the determination of the Building Official, are defective or unsafe, or substantially smaller than the dimensions required by law;
- (5) Vacant dwellings which are open and unsecured against unforced entry;
- (6) Conditions which, in the determination of the Director, are dilapidated, decayed, unsafe, unsanitary or that unreasonably expose occupants or the general public to illness, disease or physical injury;
- (7) Conditions which, in the determination of the Director, unreasonably expose occupants to rain, moisture or cold air;
- (8) The presence of visible mold growth, as determined by a health official or Certified Mold Specialist;
- (9) Any condition which, in the determination of the Building Official, is highly hazardous to health, safety or general welfare of the occupants or general welfare.

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Sec. 10-32. Same—Violations.

No person shall create, maintain, support, aid, or continue any condition that constitutes a nuisance as defined herein.

- (1) ~~(1)~~ If the owner or occupier of any such property where a nuisance shall be found fails to abate the nuisance within ten (10) days after having been notified by certified mail in writing by the city manager or ~~their~~ designee, such failure on the part of the owner or occupier of the property shall constitute a violation of this section; provided however, that upon the fourth occurrence of a violation upon the same property within any twelve- month period, the ten-day grace period to abate the nuisance shall not apply and the violating party shall be subject to immediate citation for such offense.
- (2) If the owner or occupier of any such property where a hazardous condition shall be found fails to abate the nuisance immediately, the violating party shall be subject to immediate citation for such offense.
- ~~(3)~~ If the owner or occupier of such property fails to abate a nuisance after being notified as hereinbefore described, the city is authorized to enter upon such premises and clean, abate, or remove the nuisance where appropriate, which shall be done at the expense of the owner or occupier of said property.

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- (43) If any nuisance exists on any premises which creates a highly hazardous condition with imminent threat of harm to the safety or well-being of others, the city is authorized to enter upon such premises and clean and remove the nuisance without providing notice to the owner or occupier of said property, which shall be done at the expense of the owner or occupier of said property.
- (54) Any person, firm, or corporation that shall do anything prohibited or fail to do anything required by the provisions of this article, as they now exist or as they may hereafter be amended, upon conviction of a violation in the mayor's court shall be subject to a fine and/or imprisonment in accordance with section 1-7 of this Code of Ordinances. Where any offense or violation continues from day to day, each day's continuation thereof shall be deemed a separate offense.
- (6) Failure to comply. It shall be unlawful for an owner, operator, or occupant to fail to comply with any applicable provision of this Code. Violations of any applicable provision of this Code by a Corporate Entity shall be civil in nature and shall not constitute a criminal infraction.
- (76) Charges and Summons/Civil Notice. If the owner, operator or occupant violates Article I or II, the City Manager or their designee shall be authorized to issue to such person a copy of charges and summons, or in the case of a corporate entities, a civil notice, directing the person to appear before the Court, or notifying them of their opportunity to do so, respectively, a specified time and pace to answer the charges and summons, or civil notice shall be accomplished as provided by State Law.
- (87) Emergency Power. Notwithstanding any other provisions of this Code, whenever the Building Official shall determine that conditions constitute a clear and present danger or hazard to person or property, the City Manager or their designee shall be authorized to cause the charges and summons, or civil notice, provided by Section 10-2 of this Article hereinabove to issue instanter or to take any other appropriate action necessary to correct said conditions.

(Ord. No. 274, § 1, 9-2-03; Ord. No. 287, §§ 1, 2, 12-7-04; Ord. No. 376, § 8, 12-3-13)

Secs. 10-~~43~~—10-9. Reserved.



CITY OF CLARKSTON

ITEM NO: 7H

CITY COUNCIL WORK SESSION/ MEETING

MEETING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To approve a resolution appointing Dekalb County Board of Registrations and Elections to conduct the City of Clarkston 2025 General Municipal Election.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
PAGES:

PRESENTER CONTACT INFO:
Tomika Mitchell, City Clerk
PHONE NUMBER: 404-296-6489

PURPOSE: To approve a resolution authorizing the DeKalb County Board of Registrations and Elections to conduct the City of Clarkston 2023 General Municipal Election.

NEED/ IMPACT: On November 6, 2013, the City Council adopted an agreement with DeKalb County to allow the DeKalb County Board of Registrations and Elections staff, equipment and expertise conduct the City of Clarkston Elections. Individual duties and responsibilities of both the City and County staff are set forth in the Intergovernmental Agreement.

RECOMMENDATION: Staff recommend authorizing the DeKalb County Board of Registrations and Elections to conduct the City of Clarkston November 4, 2025, General Municipal Election.

RESOLUTION NO. _____

APPOINTING DEKALB COUNTY BOARD OF REGISTRATIONS AND ELECTIONS TO CONDUCT THE CITY OF CLARKSTON 2025 GENERAL MUNICIPAL ELECTION

WHEREAS; The City of Clarkston, Georgia will hold a General Election on Tuesday, November 4, 2025; and

WHEREAS; The City may have need to hold additional City Elections, including Calls for Special City Elections ("the Calls") and Runoffs in addition to the General Election, collectively, for 2025; and

WHEREAS; The City Council is hereby in agreement that it is in the best interest of its citizens, pursuant to O.C.G.A. §2 l-2-4S(c), to continue to allow the DeKalb County Board of Registrations and Elections staff, equipment and expertise to conduct the City of Clarkston 2025 Elections; and

WHEREAS; Individual duties and responsibilities of both the City and County staff are set forth in the Intergovernmental Agreement, between the City and the County, adopted by the Council on November 6, 2013.

NOW, THEREFORE, BE IT RESOLVED THAT THE Clarkston City Council does hereby appoint DeKalb County Board of Registrations and Elections to conduct the City of Clarkston Elections for 2025.

PASSED, APPROVED and RESOLVED this _____ day of _____ 2025.

Beverly H. Burks, Mayor

ATTEST:

Tomika R. Mitchell, City Clerk



CITY OF CLARKSTON

ITEM NO: 8A

WORK SESSION/ CITY COUNCIL MEETING

ACTION TYPE: Approval

HEARING TYPE: City Council

AGENDA ITEM SUMMARY SHEET

MEETING DATE: February 4, 2025

SUBJECT: Present for council consideration acceptance of a \$30,000 donation from Commissioner Ted Terry for the City to install new landscaping to replace plantings that are dead or diseased at the Church Street off-ramp.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: [] YES [x] NO

ATTACHMENT: YES [x] NO Pages: 1

INFORMATION CONTACT: Larry Kaiser, PE PHONE NUMBER: 404-909-5619

PURPOSE: Super District 6 Commissioner Terry has agreed to allocate \$30,000 from the Super District 6 Commissioners budget for the city to replace and install new landscaping at the Church Street off-ramp provided the City agrees to maintain the landscaping plantings at the off-ramp embankment in accordance with the 2016 GDOT Encroachment Permit.

NEED/ IMPACT: No impact. Russell Landscaping is currently under contract to maintain the landscaping at the Church Street off-ramp.

Commissioner Terry will be requesting that CEO Johnson consider funding the installation of new landscaping at the Church Street on-ramp at I-285 Interchange (incorporated area) and the East Ponce de Leon off-ramp at I-285 (unincorporated area). The approximate cost to the county to fully fund the potential landscaping installation in the City is \$125,000.

The City cost to maintain county installed landscaping at the Church Street on-ramp embankment is estimated to be \$30,000 per year.

The county cost for landscape installation and the associated City maintenance tasks at the on-ramp is contingent on the growth of the county budget. If there is adequate growth in the tax base then the potential for this work to be undertaken is likely. At that juncture, the City can assess its budget in the 3rd or 4th quarter of 2025 as to the availability of funding from the General Fund for yearly maintenance costs at the Church Street on-ramp.

RECOMMENDATION: Please refer to additional details of a potential future landscaping partnership:

Commissioner Terry will be requesting that CEO Johnson consider funding the installation of new landscaping at the Church Street on-ramp at I-285 Interchange (incorporated area) and the East Ponce de Leon off-ramp at I-285 (unincorporated area). The approximate cost to the county to fully fund the potential landscaping installation in the City is \$125,000.

The City cost to maintain county installed landscaping at the Church Street on-ramp embankment is estimated to be \$30,000 per year.

The county cost for landscape installation and the associated City maintenance tasks at the on-ramp is contingent on the growth of the county budget. If there is adequate growth in the tax base then the potential for this work to be undertaken is likely. At that juncture, the City can assess its budget in the 3rd or 4th quarter of 2025 as to the availability of funding from the General Fund for yearly maintenance costs at the Church Street on-ramp.



Church Street Off-Ramp



East Ponce de Leon Off-Ramp



Church Street On-Ramp



DeKalb County - Clarkston Interchange Beautification Partnership

800 ft





CITY OF CLARKSTON

ITEM NO: 8B

CITY COUNCIL WORK SESSION / MEETING

MEETING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To consider adopting an ordinance to require inspection certificates for 100% of multi-family residential units in connection with the annual business license renewal for such developments when the multi-family residential business fails to comply with applicable inspection and licensing requirements during the

ATTACHMENT: YES NO
PAGES: 4

PRESENTER CONTACT INFO: Richard Edwards, AICP
PHONE NUMBER: 404-536-1120

PURPOSE: To adopt a text amendment to Sec. 11-97 to require multi-family rental dwellings to complete code compliance inspections by a certified building inspector for all units within the development.

NEED/ IMPACT: The city's code of ordinances only requires that 50% of all multi-family rental dwelling units be inspected on an annual basis. Increasing that requirement to 100% would provide the city with a comprehensive analysis of the conditions of all the multi-family rental dwellings within the city.

RECOMMENDATION: Staff is recommending approval of this text amendment.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 11, ARTICLE V OF THE CITY CODE REGARDING MULTI-FAMILY RENTAL DWELLINGS TO REQUIRE CODE COMPLIANCE CERTIFICATES FOR ALL UNITS WITHIN MULTI-FAMILY RENTAL DWELLINGS AT THE TIME OF BUSINESS LICENSE RENEWAL FOR THOSE OWNERS THAT DO NOT COMPLY WITH APPLICABLE BUSINESS LICENSE REQUIREMENTS DURING THE PRIOR YEAR.

WHEREAS, the City Code currently requires owners of multi-family rental dwellings that are over two (2) years old with at least four units and an on-site leasing office to submit a code compliance certificate annually with their business license renewal covering at least fifty (50) percent of the units at the development; and

WHEREAS, some multi-family dwelling owners have not been complying with this valid requirement; and

WHEREAS, the City Council desires to incentivize compliance with its multi-family housing regulations and to protect the public health, safety and welfare by requiring inspection certificates for 100% of units at multi-family housing developments for which the owner did not comply with applicable regulations during the prior year.

NOW THEREFORE, BE IT ORDAINED BY the City of Clarkston that Chapter 11 of the Official Code of Ordinance of the City of Clarkston be amended as follows:

SECTION 1. Chapter 11, Article V, is hereby amended to add new Section 11-99, to read as follows:

“Sec. 11-99. Additional code compliance certificate requirement for non-compliant owners.

- (a) For purposes of this section, an owner of a multi-family dwelling development is “non-compliant” if either of the following criteria in connection with applying for or renewing a business license:
 - 1. the owner fails to timely apply for a new or renewal business license, as applicable, in accordance with the deadlines established by City Code Section 11-4; or
 - 2. the owner fails to timely submit a code compliance certificate establishing code compliance for at least fifty (50) percent of the units at the development as required by City Code Section 11-97.

- (b) When an owner is non-compliant as defined in subsection (a), the city clerk shall so notify such owner by certified mail no later than June 1st of the year during which the owner is non-compliant. Such notification shall include advising the owner that

the additional certificate requirement of subsection (c) will apply to that owner's next business license renewal application.

- (c) Each non-compliant owner shall submit a code compliance certificate covering 100 percent (100%) of the units at the development in connection with the owner's (or the owner's successor in interest) next annual business license renewal application. Every unit shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector."

SECTION 2. This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

SO ORDAINED this _____ day of _____, 2025.

ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA

Tomika Mitchell, City Clerk

Mayor Beverly H. Burks

Approved as to form:

Stephen G. Quinn, City Attorney



STAFF ANALYSIS AND REPORT

To: City of Clarkston Mayor & City Council

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to Sec. 11-97 of the Code of Ordinances to require code compliance certificates for all units within multi-family rental dwellings at the time of business license renewal.

Date: January 28, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to Sec. 11-97 to require multi-family rental dwellings to complete code compliance inspections by a certified building inspector for all units within the development. This regulation would only apply to multi-family rental dwellings over two (2) years old, as this code section has specific regulations for those dwellings that have received a certificate of occupancy within twenty-four (24) months of the business license renewal.

Background:

The city's code of ordinances currently requires that each multi-family rental dwelling submit a code compliance certificate for fifty percent (50%) of the units at each development. This will provide the city with a comprehensive analysis of the conditions of all the multi-family rental dwellings within the city. These inspections have proven to be a useful tool to safeguard the health, safety, and welfare of citizens living in multi-family rental dwellings.

Below is a list of jurisdiction and their annual multi-family code compliance inspection requirements:

Brookhaven	100% of units
DeKalb County	100% of units
Chamblee	25% of units
Dunwoody	20% of units
Doraville	100% of units
Stonecrest	100% of units
Tucker	100% of units
Sandy Springs	100% of units
Cobb County	100% of exteriors & 25% of units

Attachments:

1. Ordinance
2. Redlines of Sec. 11-97

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 11, ARTICLE V OF THE CITY CODE REGARDING MULTI-FAMILY RENTAL DWELLINGS; TO REQUIRE CODE COMPLIANCE CERTIFICATES FOR ALL UNITS WITHIN MULTI-FAMILY RENTAL DWELLINGS AT THE TIME OF BUSINESS LICENSE RENEWAL; AND FOR OTHER PURPOSES.

WHEREAS, the City Code currently requires owners of multi-family rental dwellings with at least four units and an on-site leasing office that are over two (2) years old to submit a code compliance certificate annually with their business license renewal covering at least fifty (50) percent of the units at the development; and

WHEREAS, to ensure the health, safety, and welfare of residents living in multi-family rental dwellings, the City Council desires to require annual code compliance inspections of all units at such developments; and

WHEREAS, annual code compliance inspections of all units within multi-family rental dwellings will provide the City with a comprehensive analysis of the conditions of all multi-family rental dwellings within the City and is consistent with the requirements in other local jurisdictions, such as Brookhaven, Doraville, unincorporated DeKalb County, Tucker, and Stonecrest.

NOW THEREFORE, BE IT ORDAINED BY the City of Clarkston that Chapter 11 of the Official Code of Ordinance of the City of Clarkston be amended as follows:

SECTION 1. Chapter 11, Article V, Section 11-97, subsection (a) of the City of Clarkston Code of Ordinances is hereby amended to read as follows:

Sec. 11-97. Code compliance certificate required.

- (a) Each owner shall submit a code compliance certificate annually with their business license renewal application. Such certificate shall cover 100 percent (100%) of the units at the development. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector.”

SECTION 2. This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

SO ORDAINED this _____ day of _____, 2025.

ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA

Tomika Mitchell, City Clerk

Mayor Beverly H. Burks

Approved as to form:

Stephen G. Quinn, City Attorney

Sec. 11-97. Code compliance certificate required.

- (a) Each owner shall submit a code compliance certificate annually with their business license renewal. Such certificate shall cover 100 at least fifty (50) percent (100%) of the units at the development. ~~Every unit shall be inspected, at a minimum, every twenty-four (24) months and shall appear on a code compliance certificate at least every other year.~~ All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector.
- (b) Newly constructed units shall be exempt from the code compliance certificate requirement of subsection (a) for twenty-four (24) months from the date that such units receive a new construction certificate of occupancy from the city. Instead, separately from any certificate that may be required under subsection (a), the owner of newly constructed units (as defined in this subsection) shall submit a code compliance certificate annually for twenty (20) percent of all newly constructed units. No newly constructed unit shall appear on a code compliance certificate required by this section in consecutive years. Upon the date that is twenty-four (24) months after an initial certificate of occupancy is issued, a unit shall be deemed to no longer be "newly constructed" and shall be subject to subsection (a) from that date forward.
- (c) Each owner and certified building inspector shall keep a written record of all inspections for each unit including the date of the inspection, items inspected and all violations, if any, observed. Such records shall be available to the city upon request. Such records shall be presented to the city within ten (10) business days after such request is made in writing to the inspector. Failure to provide such records shall nullify the code compliance certificate for those units.
- (d) This article is not intended to impair the right of the city, through its appropriate officials, to inspect any unit when probable cause exists to suggest that such unit is not in compliance with applicable codes.

(Ord. No. 12-369, § 1(Attach.), 9-4-12; Ord. No. 416, § 1, 10-3-17; Ord. No. 477, § 2, 12-6-22)

Editor's note(s)—Ord. No. 477, § 2, adopted December 6, 2022, repealed the former § 11-79, and enacted a new § 11-79 as set out herein. The former § 11-79 pertained to fee and certificate requirement and derived from Ord. No. 12-369, § 1(Attach.), adopted September 4, 2022; Ord. No. 416, § 1, adopted October 3, 2017.



CITY OF CLARKSTON

ITEM NO: 8C

CITY COUNCIL WORK SESSION / MEETING

MEETING TYPE:
Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: FEBRUARY 4, 2025

SUBJECT: To consider approving a resolution to re-designate a Downtown Development Area for the Downtown Development Authority (DDA) of Clarkston.

DEPARTMENT: PLANNING & ECONOMIC DEVELOPMENT

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
PAGES: 1

PRESENTER CONTACT INFO: Richard Edwards, AICP
PHONE NUMBER: 404-536-1120

PURPOSE: To consider the proposed DDA Boundary Map update. The DDA reviewed and recommended approval of this map at their special called meeting on December 23, 2024.

NEED/ IMPACT: The proposed DDA Boundary Map would allow the DDA to have a wider footprint for economic development purposes.

RECOMMENDATION: Staff is recommending approval of the proposed DDA Boundary Map, as recommended by the DDA.

RESOLUTIN NO. ____

A RESOLUTION TO RE-DESIGNATE A DOWNTOWN DEVELOPMENT AREA FOR THE DOWNTOWN DEVELOPMENT AUTHORITY OF CLARKSTON; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Clarkston, Georgia previously acted to activate the Downtown Development Authority of Clarkston and to designate the boundaries of the central business district of Clarkston that serves as the Downtown Development Area; and

WHEREAS the Georgia Downtown Development Authorities Law provides that the governing body of a municipal corporation may, by resolution adopted subsequent to its resolution activating its downtown development authority, change its designation of the downtown development area to a geographical area within the municipal corporation which, in the judgment of the governing body, at the time constitutes the central business district.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clarkston, and it is hereby resolved by the same, that the “downtown development area” for the Downtown Development Authority of the City of Clarkston, Georgia shall be that geographic area described in Exhibit A, attached hereto and made a part hereof by reference, which area, in the judgment of the Clarkston City Council, constitutes the “central business district” of the City as contemplated by the Downtown Development Authorities Law.

BE IT FURTHER RESOLVED that this resolution shall become effective upon its adoption and that all prior resolutions in conflict with this resolution are hereby repealed to the extent that they may be inconsistent with this resolution.

SO RESOLVED this _____ day of _____, 20_____.

CITY OF CLARKSTION, GEORGIA

Mayor Beverly H. Burks

Attest:

Tomika Mitchell, City Clerk

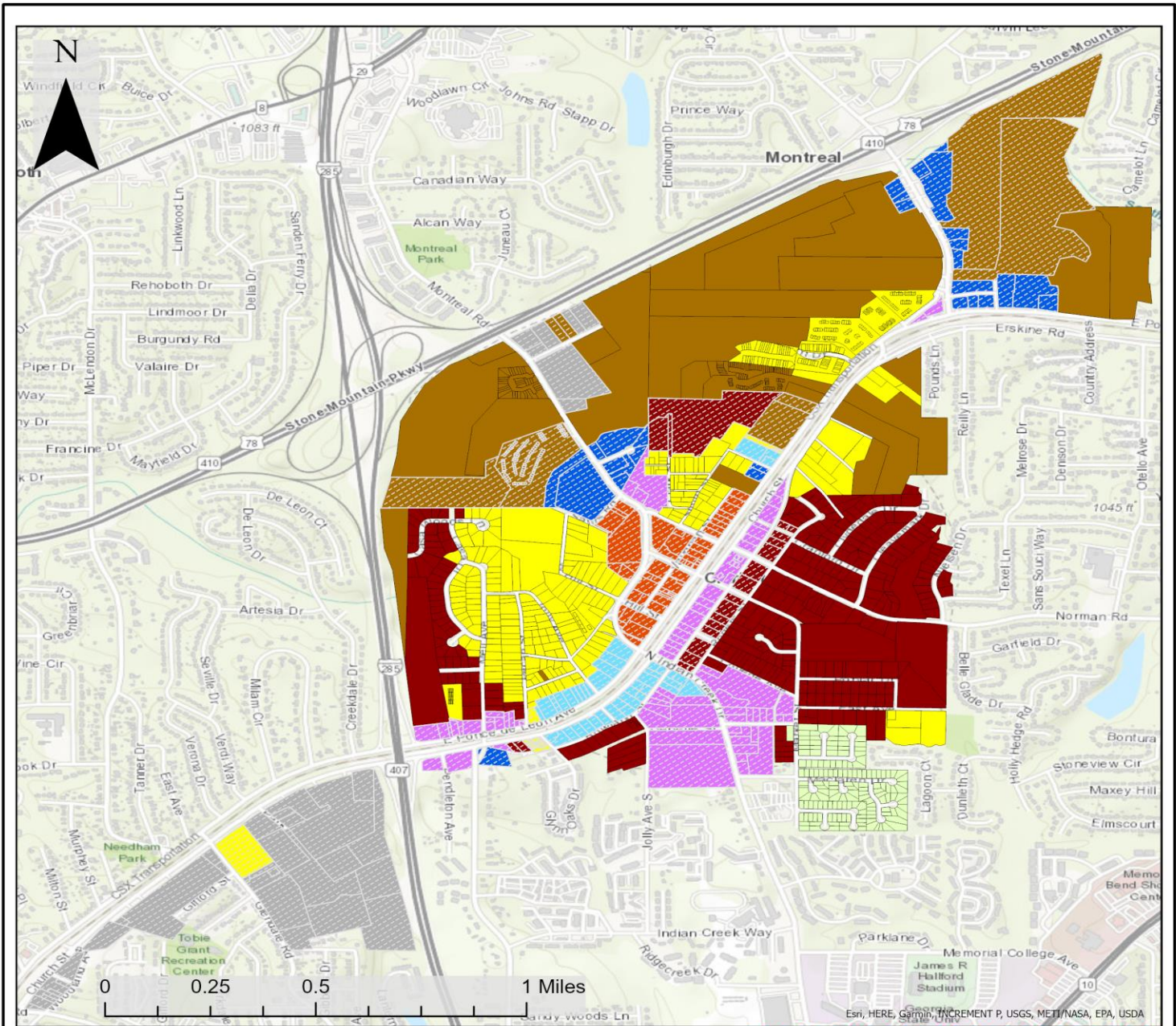
Approved as to form:

Stephen Quinn

Stephen G. Quinn, City Attorney

EXHIBIT “A”

MAP OF DOWNTOWN DEVELOPMENT AREA

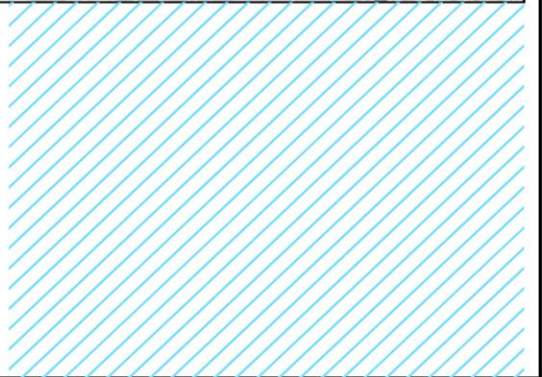


Zoning Designations

- NR-1
- NR-CD
- NC-2
- N/A
- NR-2
- RC
- I
- NR-3
- NC-1
- TC

Downtown Development Authority District

- DDA Parcels
- This map expresses DDA parcels by overlaying dashed grey lines on the zoning designation colors.



3011 Sutton Gate Drive
Suite 130
Suwanee, GA 30024
www.cplteam.com

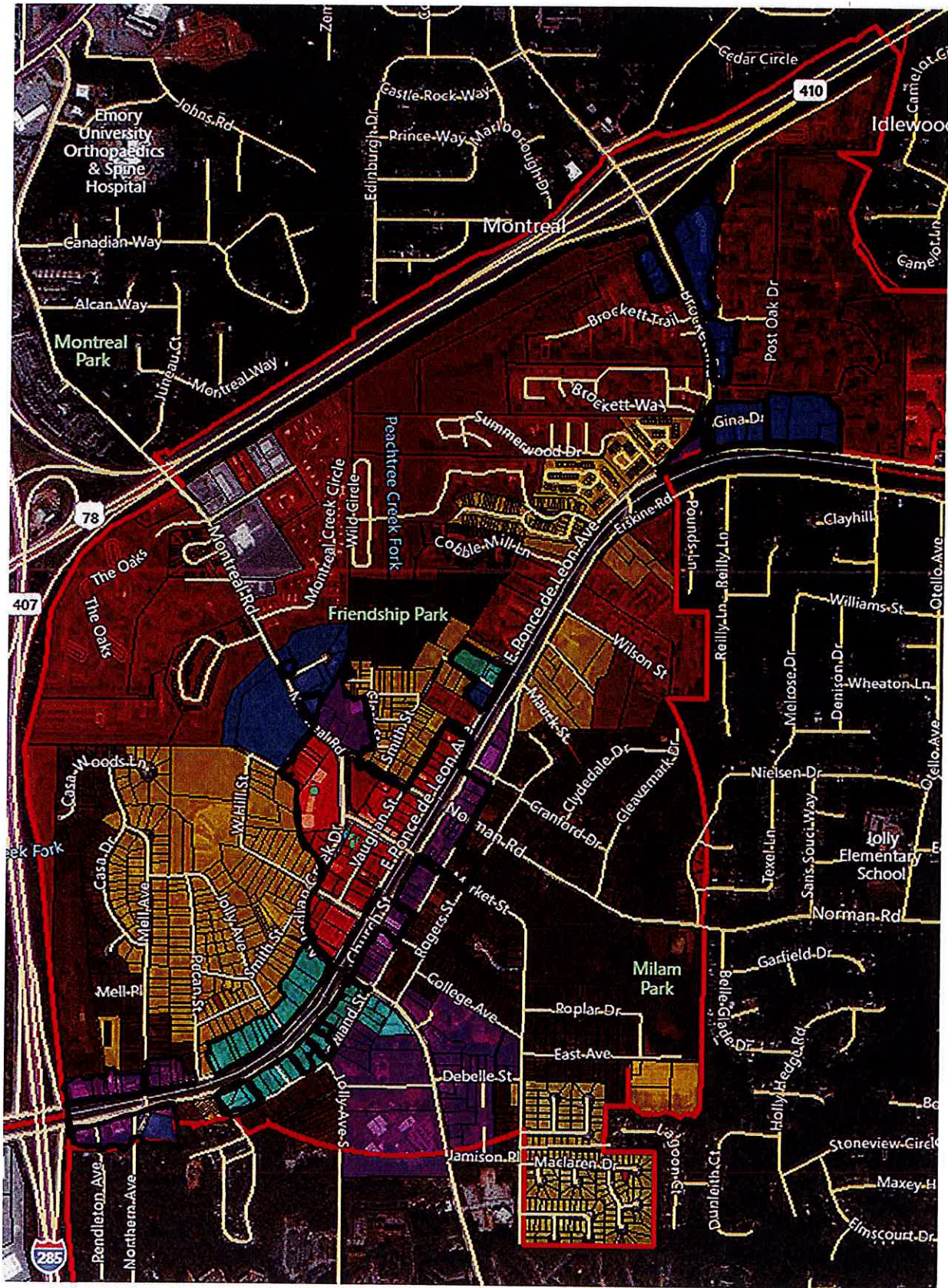
DATE: 29 Jan 2025
DRAWN: ZL
CHECKED: RE
SCALE: 1:22,000 USFT
PN: R24.16965.00

Downtown Development Authority
DDA Boundary and Zoning



Fig. A

CITY OF CLARKSTON DOWNTOWN DESIGNATED AREA



Legend



Boundaries of the proposed downtown designated areas