



Mayor Beverly H. Burks

Councilmembers:

Jamie Carroll	Laura Hopkins
Awet Eyasu	Yterenickia Bell
Debra Johnson	Susan Hood

Shawanna Qawiy, City Manager

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(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

CITY COUNCIL MEETING AGENDA

**Tuesday, February 7, 2023 - 7:00PM
ZOOM**

1. CALL TO ORDER

2. ROLL CALL

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

- A.** To approve the 01/10/2023 City Council Meeting Minutes and 01/31/2023 City Council Work Session Minutes.
- B.** To approve a request from CDF Action for \$10,000 for the Early Learning Task Force.
- C.** To approve a resolution to deactivate the Housing Authority of the City of Clarkston.
- D.** To approve the appointments to the Board of Commissioners of the Urban Redevelopment Agency (URA) of the City of Clarkston.

4. REPORTS

- A.** Planning/Economic and Development 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 approve amending Chapters 9.5 of the City Code regarding service stations and Chapter 11 of the Code regarding businesses; to limit hours of operation for convenience stores; to allow convenience stores that maintain video surveillance systems to acquire a permit for expanded hours of operation; and other purposes.

7. CONSENT AGENDA

- A.** To approve a resolution authorizing the renewal of the City Services Agreement with the Clarkston Community Center.
- B.** To approve Perkins+Will, Inc. to conduct the Clarkston Greenway Feasibility Study.



- C. To approve Construction 57, Inc. to perform the 2022 LMIG Church St. and Lovejoy St. Sidewalk Project.
- D. To approve a resolution to deny the claim for damages asserted by claimant Jermarcus Wheeler.
- E. To approve a resolution to deny the claim for damages asserted by claimant Jaque Wheeler.
- F. To approve a resolution appointing Dekalb County Board of Registrations and Elections to conduct the City of Clarkston 2023 General Municipal Election.
- G. To approve a request to allocate \$82,800 in ARPA funds for the Amani Women Center Workforce Development Pilot Program.

8. NEW BUSINESS

- A. To approve a resolution authorizing the city to purchase 3520 Montreal Creek Court.

9. EXECUTIVE SESSION

10. 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 7, 2023. The public may participate in the meeting by using the following information below:

<https://us02web.zoom.us/j/89800310243?pwd=bTk5R2lCYjFDS1hTYWZlFbDNDZ2dyZz09>

Dial by your location

- +1 312 626 6799 US (Chicago)
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Meeting ID: 898 0031 0243

Find your local number: <https://us02web.zoom.us/j/89800310243>

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA HELD
BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JANUARY 10, 2023

On the 10th day of January 2023, at 7:00 p.m., the City Council of Clarkston, Georgia met in regular session by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; Yterenickia Bell, Laura Hopkins, and Susan Hood. Absent: None. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); 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 members of Council were present.

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

- A. To approve the 12/06/2022 City Council Meeting minutes and 01/03/2023 City Council Work Session minutes.

Councilmember Johnson made a motion to approve the 12/06/2022 City Council Meeting Minutes and the 01/03/2023 City Council Work Session Minutes. Vice Mayor Eyasu duly seconded the motion.

Councilmember Hood expressed a correction to Item 2, Roll Call of the January 3, 2023 minutes. City Clerk, Tomika Mitchell stated she would make that correction.

Mayor Burks called for the vote and declared the motion approved (6-0).

- B. To approve awarding Russell Landscaping the Right-of-Way Maintenance and Landscape Services Project in the amount of \$242,022.

Ms. Qawiy stated this item was to review, discuss and approve the staff's recommendation for Russell Landscaping, as the lower bidder for the Right-of-Way Maintenance and Landscape Services Project. The project amount has been reduced to \$132,185 due to in-kind services.

Councilmember Bell made a motion to approve Russell Landscaping to receive the contract for the Right-of-Way Maintenance and Landscape Services Project in the amount of \$132,185. Councilmember Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

4. REPORTS

A. Planning/Economic and Development Report and the City Manager's Report

- The City received grant funding to assist with a Crosswalk Design Project.
- The Forty Oaks historical analysis is near completion. Draft report expected to be complete by February 10.
- The Zoning Re-Write is still under construction. The construction team has received numerous comments. The draft will be ready for public review by the February 23 Planning Meeting.
- Weather conditions have delayed the Rowland St. Project.
- The Amnesty Program allowed several people to take care of their tickets.
- The Flock Safety Clarkston Drone Pilot Program will start testing the utilization of drones as first responders in Clarkston.
- Name your Pocket Park received 14 responses. The top three responses were: Sanctuary Park, Clarkston Halfway Park, and Trailside Green.

B. City Manager's Report

- This report was given during the Planning/Economic and Development Report.

C. City Attorney's Report

- No report given.

D. Council Remarks

- The Council members 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

Brian Medford made comments on Rowland St. holding the water during the rain event last week.

6. OLD BUSINESS

A. To approve the 2023 LMIG Proposed Projects.

City Manager, Shawanna Qawiy stated the Office of Local Grants forwarded the FY 2023 Local Maintenance Improvement Grant (LMIG) award letters to the mayors and the chairpersons of all the local governments within the state. The FY 2023 LMIG award letter contains information on how to apply for the LMIG funds, and the total award amount.

To complete the application process, staff is providing the proposed list of projects for consideration under this fiscal year of funding. The formula amount for the Fiscal Year 2023 program is \$93,532.50 with a local match of \$28,059.75 (30%). The total project budget will be \$ 121,592.25.

With an approved listed of projects the mayor will sign a cover letter with a notarized LMIG application. The entire LMIG package will be submitted on-line before the application deadline of February 2023.

The Council briefly discussed this item.

Councilmember Hood made a motion to roll over the funding and combine it with next year's projects. Councilmember Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

7. CONSENT AGENDA

- A. To approve the reappointment of the City Attorney.
- B. To approve a resolution authorizing the reappointment of the Municipal Court Judge.
- C. To approve a resolution authorizing the reappointment of the Auditor.
- D. To approve the appointment of Councilmembers to the Standing Advisory Committees: Public Safety and Legal Committee; Transportation and Environment Committee; Housing and Infrastructure Committee; Community Development and Civic Innovation Committee; Business and Economic Development Committee; and Equity, Inclusion, and Opportunity Committee.

Judge Will reiterated that it was his honor to serve the City and citizens of Clarkston and provided a few updates on projects and programs within the Municipal Court.

Vice Mayor Eyasu made a motion to approve the Consent Agenda items. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

8. NEW BUSINESS

- A. **PUBLIC HEARING** - To approve amending the zoning map to rezone the properties located at 572 Woodland Avenue (18 047 32 007), 582 Woodland Avenue (18 047 32 002), 586 Woodland Avenue (18 047 32 006), 590 Woodland Avenue (18 047 32 005), 596 Woodland Avenue (18 047 32 004), 600 Woodland Avenue (18 047 32 009), 606 Woodland Avenue (18 047 32 008) and 616 Woodland Avenue (18 047 34 001) Scottdale, GA 30079 (within the City of Clarkston) from I- Light Industrial to NR-CD Neighborhood Residential Community Development District.

City Manager, Shawanna Qawiy stated this item was approve an amendment to the zoning map and a rezoning of the properties from I- Light Industrial to NR-CD Neighborhood Residential Community Development District.

The Public Hearing opened at 7:34 p.m.

Brian Medford spoke in favor of the rezoning.

The Public Hearing closed at 7:38 p.m.

The Council briefly discussed this item.

Councilmember Hopkins did not support this item due to information not given during the Work Session and other reasons.

City Attorney, Stephen Quinn provided understanding on this item.

Councilmember Carroll made a motion to approve the NR-CD zoning for the parcels. Councilmember Bell duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (4-1-1). Councilmember Hopkins voted “no” and Vice Mayor Eyasu abstained.

B. To approve selecting a Vice-Mayor.

Mayor Burks gave a brief overview of the role as Vice-Mayor, then allowed each candidate Vice Mayor Eyasu and Councilmember Johnson to address the Council.

Vice Mayor Eyasu expressed his thanks to Council for the support over the years and presented his thoughts about him serving in this position. Vice Mayor Eyasu then stated he would like to continue to serve as the Vice Mayor.

Councilmember Johnson thanked Councilmember Hopkins for the nomination and gave a brief overview of her tenure while serving on Council.

The Council briefly discussed this item.

Councilmember Hopkins made a motion to nominate Debra Johnson as Vice Mayor. Councilmember Bell duly seconded the motion.

Attorney Quinn reviewed the City’s Charter and provided the process of selecting the Vice Mayor. Mr. Quinn stated the Council would need to vote on each nominated candidate.

The Mayor called the roll for a vote for each candidate.

The following Councilmembers voted for Awet Eyasu: Susan Hood, Jamie Carroll, and Awet Eyasu.

The following Councilmembers voted for Debra Johnson: Laura Hopkins, Y’Terenickia Bell, and Debra Johnson.

Mayor Burks declared the votes were tied and vetoed the votes by voting for Debra Johnson.

Debra Johnson will serve as the new Vice Mayor for the City of Clarkston.

9. EXECUTIVE SESSION

10. ADJOURNMENT

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

The meeting was adjourned at 8:18 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 31, 2023

On the 31st day of January 2023, at 7:00 p.m., the City Council of Clarkston, Georgia met in a Work Session 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; Councilmembers Awet Eyasu; Jamie Carroll; Laura Hopkins; Yterenickia Bell, and Susan Hood. Absent: None. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); 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

Mayor Burks stated there is a correction to be made on the agenda under the Resident Comment Policy. Mayor Burks then read the policy.

Vice Mayor Johnson requested to defer Item 6D to the February Work Session to be able to discuss this item at the retreat.

Councilmember Eyasu made a motion to adopt the agenda with the two changes. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

2. ROLL CALL

All members of the City Council were present.

3. WORK SESSION- RESIDENT COMMENT POLICY

Mayor Burks read the Resident Comment Policy.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS

- A. To discuss a resolution authorizing the renewal of the City Services Agreement with the Clarkston Community Center.

City Manager, Shawanna Qawiy stated the City utilizes the Clarkston Community Center for meetings and activity space for special events. Staff recommends renewing the Services Agreement with the Clarkston Community Center.

The Council briefly discussed this item.

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

- B. To discuss a request from CDF for \$10,000 for the Early Learning Task Force.

City Manager, Shawanna Qawiy stated CDF on behalf of the Early Learning Task Force requested to host eight meetings to discuss early learning issues, share information, and plan actions and sponsor the Storywalk Project for \$8,360 and Early Learning Information Fair for \$1,640.

Roberta Malavenda of CDF Action gave a brief presentation regarding the Early Learning Task Force Projects.

The Council briefly discussed this item.

Councilmember Hood recommended sending this item to a Standing Advisory Committee for discussion and recommendation to Council.

Eyelachew Desta provided public comments.

Cynthia Dorsey Edwards with CDF Action expresses her thanks to the Council for the support.

Linda Travers, adjunct professor at Georgia Piedmont provided her comments.

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

- C. To discuss the recommended firm for the Clarkston Greenway Feasibility Study.

City Manager, Shawanna Qawiy stated the City of Clarkston was awarded an Atlanta Regional Commission (ARC) Livable Centers Initiative grant in the amount of \$272,000 with a local share (20%) match of \$68,000. The total cost of the project is \$340,000.

The City of Clarkston initiated a Request for Proposals in November 2022 from qualified vendors to produce the Clarkston Greenway Feasibility Study. The City received four proposals that were reviewed and evaluated by the evaluation team based on the advertised proposal criteria.

After an extensive review process two firms, PERKINS + WILL and POND, were shortlisted for a final virtual interview on January 19th.

The unanimous recommendation by the evaluation team was PERKINS +WILL. Staff recommended PERKINS + WILL to conduct the ARC LCI- Clarkston Greenway Feasibility Study.

The Council briefly discussed this item.

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

- D. To discuss the recommended firm for the 2022 LMIG Church St. and Lovejoy St. sidewalks project.

City Manager, Shawanna Qawiy stated the City of Clarkston received four bids for the Church Street and Lovejoy Street sidewalk project. Prior to advertising the project management team prepared a cost estimate in July 2022 of \$140,000 to \$160,000 for the project to ensure that the received bids were within a comparable amount.

In November 2022, the evaluation team reviewed each submitted proposal based on the Invitation to Bid requirements. Based on the bid requirements, Construction 57, Incorporated presented the lowest bid at \$160,710.

The 2022 Local Maintenance Improvement Grant (LMIG) funding allocation of \$ 91,600.45 with the 30% local match of \$27,480.14 along with an additional \$41, 629.41 will be used to complete this project. The total cost of this project is \$160,710.00.

Staff recommended Construction 57 to perform the Church Street and Lovejoy Sidewalk project at a project cost of \$160,710.00.

The Council briefly discussed this item.

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

- E. To discuss a resolution to deactivate the Housing Authority of the City of Clarkston.

City Manager, Shawanna Qawiy stated in 1983, Ordinance No. 114 was adopted authorizing the proceeds of the Single-Family Mortgage Revenue Bonds to be used in part to purchase mortgage loans for single family residential units located within the city limits of Clarkston.

In 1984, Resolution No.121a was adopted and approved by Mayor and Council of the City of Clarkston due to a need to provide additional housing in the City of Clarkston due to a shortage of safe or sanitary dwelling accommodations available to persons of low income and affordable rentals.

The “Local Government Authorities Registration Act” requires that all local government authorities operating in the State to annually register and submit financial report via the Department of Community Affairs (DCA’s) Annual Authority Registration and Financial Report (AARF) system. Authorities that fail to meet this requirement are prohibited by the Act from incurring any debt until completing the mandated filings. In order for the Authority to remain eligible to participate in a variety of state administered financial assistance programs, the local authority must be compliant with the filings required for the three most recently completed fiscal years. The failure to comply with the requirements impairs the authority to legally finance its operations.

After research and review of the inactive Authority it has been determined that the City can deactivate its housing authority by adopting a resolution providing for its deactivation. The Housing Authority of the City of Clarkston has no assets or liabilities.

City Attorney, Stephen Quinn gave a brief explanation for deactivating the Housing Authority.

The Council briefly discussed this item.

Brian Medford presents comments on this item.

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

- F. To discuss the appointments to the Board of Urban Redevelopment Agency (URA) of the City of Clarkston.

City Manager, Shawanna Qawiy stated each member of the Board of Commissioners of the Agency shall serve in such capacity only during the period that such person is also a member of the Governing Body and any person who succeeds a member of the Governing Body in office shall become a member of the Board of Commissioners of the Agency.

Finance Director, Dan Defnall gave a brief explanation of how the reporting process.

The Council briefly discussed this item.

Mr. Quinn presented clarification on the appointment process of the board members to the Board URA.

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

- G. To discuss a resolution to deny the claim for damages asserted by claimant Jermarcus Wheeler.

City Attorney, Stephen Quinn stated the City received a claim from Mr. Wheeler's attorney, alleging he was involved in an automobile accident during a police pursuit with DeKalb County. Chief Hudson looked into this matter and determined for certain that nobody in Clarkston was involved. 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 this item.

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

- H. To discuss a resolution to deny the claim for damages asserted by claimant Jaque Wheeler.

City Attorney, Stephen stated the City this claim was regarding a traffic accident involving a city vehicle, but not any official city business. A claim was made by Mr. Wheeler and the insurance adjuster has been in touch with the claimant and asked the City to deny this to start the process.

The Council briefly discussed this item.

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

5. OLD BUSINESS

- A. To discuss amending Chapters 9.5 of the City Code Regarding Service Stations and Chapter 11 of the Code regarding Businesses; To Limit Hours of Operation for Convenience Stores; To Allow Convenience Stores that Maintain Video Surveillance Systems to Acquire a Permit for Expanded Hours of Operation; and Other Purposes.

Councilmember Bell stated in March 2022, there were concerns about the code and compliance of the convenience stores, as the current code does not allow any of the convenience stores in Clarkston to stay open for 24 hours. However, the convenience stores were not abiding by the ordinance.

The ordinance today has two major components; an annual late-night permit to operate and maintain a video surveillance system.

The Council briefly discussed this item.

Mr. Quinn presented an overview of the ordinance and regulations pertaining to the convenience stores.

The Council also discussed the definition of convenience stores and service stations, with an explanation from Mr. Quinn.

Brian Medford presented comments on this item.

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

6. NEW BUSINESS

- A. To discuss a resolution to authorize the city to purchase 3520 Montreal Creek Court.

City Manager, Shawanna Qawiy stated the city has determined that it is in the public interest to acquire the +/-2.0 acres of property known as 3520 Montreal Creek Court, Clarkston, GA 30021. The property owner has offered to sell the property to the city for \$70,000.

Mayor Burks stated the City is planning to have a park at the purchased property.

The Council briefly discussed this item.

Brian Medford presented comments on this item.

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

- B. To discuss a resolution appointing Dekalb County Board of Registrations and Elections to conduct the City of Clarkston 2023 General Municipal Election.

City Clerk, Tomika Mitchell stated this item was to approve Dekalb County to conduct the City of Clarkston's 2023 General Municipal Election, under the standing interlocal agreement from October 2013.

Mayor Burks stated there will be three seats up for election in November 2023.

Ms. Mitchell also stated the qualifying fee has been published in the legal organ, Champion New. The qualifying fee is 3% of the Councilmember salary, which is \$360.

The Council briefly discussed this item.

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

- C. To discuss a request to allocate \$82,800 in ARPA funds for the Amani Women Center Workforce Development Pilot Program.

City Manager, Shawanna Qawiy stated The Amani Women Center Workforce Development Pilot Program anticipates to train over 40 participants. The Center proposes a workforce development pilot initiative to assist newcomers who are residents of Clarkston. The purpose of the workforce development pilot program is to assist participants in gaining life skills that translate to livable wages, improvement of economic well-being and additional fundamental opportunities that meet their needs.

Doris Mukangu and Reggie from the Amani Women's Center presented detailed information about the Workforce Development Pilot Program.

Khatera, a citizen of Clarkston presented comments on this item.

The Council briefly discussed this item.

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

- D. To discuss allocating ARPA funds for government services.

This item was deferred to the February Work Session.

The Council briefly discussed this item.

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

7. EXECUTIVE SESSION

The Council did not enter Executive Session.

8. ADJOURNMENT

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

The meeting adjourned at 9:35 p.m.

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

CITY OF CLARKSTON

ITEM NO: 3B

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the request from CDF Action to allocate \$10,000 for the Early Learning Task Force, Storywalk and Early Learning Information Fair.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT:

**Councilpersons Jamie Carroll, Awet Eyasu
Shawanna Qawiy, City Manager**

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the request of \$10,000 from CDF Action for the Early Learning Task Force, Storywalk and Early Learning Information Fair.

NEED/ IMPACT: CDF Action on behalf of the Early Learning Task Force is requesting to host eight(8) meetings to discuss early learning issues, share information, and plan actions and sponsor the Storywalk Project (\$8,360) and Early Learning Information Fair (\$1,640).

RECOMMENDATION: N/A

Proposal to the City of Clarkston
2023 Proposed City Budget: City of Clarkston Early Learning Task Force

November 28, 2022

CDF Action, on behalf of the City of Clarkston Early Learning Task Force, requests \$10,000 to be included in the 2023 City of Clarkston budget for the Task Force. Task Force activities include (a) hosting at least 8 meetings to discuss early learning issues, share information, and plan actions, and (b) sponsoring two projects, The City of Clarkston Story Walk at Friendship Forest and the City of Clarkston Early Learning Information Fair.

No funds are requested to facilitate the Task Force meetings. Funds are being requested for the two projects.

REQUEST

Story Walk at Friendship Forest: \$8,360

City of Clarkston Early Learning Information Fair: \$1,640

Total request: \$10,000

I. Background and update

A. Story Walk

In 2021, CDF Action, on behalf of the City of Clarkston Task Force, submitted a proposal for City ARPA funding to start up a Story Walk at Friendship Forest. A Memorandum with the City was developed. The city purchased the Story Walk Boards with ARPA funding. The Clarkston Early Learning Task Force, through a committee, developed an evaluation design with the assistance of a consultant, and facilitated the planning, including developing a Story Walk flyer. The ARPA grant was for \$6,370.00. That work was completed by December 2021 and all invoices paid. The proposal, MOU, evaluation design, and report, previously submitted, are available.

In 2022, with no additional funding from the Task Force/City, the following activities were completed:

- Twelve books were selected, and copies purchased with funds from the Stone Mountain Rotary.
- Thirteen Story Walk Boards were installed summer 2022 by the City of Clarkston
- The library was unable to laminate the first book, causing some delay in installation. Alternatives and funding were secured.
- The first book was installed by members of the Committee in early November.
- Guides to accompany the books were developed by a Clarkston resident who also works for the Rollins Center for Language and Literacy.
- A “soft launch” was held November 19, 2022, for Committee members, partners, and their children, attended by 12 adults and 5 children. Photos are available.
- Copies of the first book and the guides will be distributed to Clarkston area early learning and health programs in December. Copies of the book are currently available for loan through the Clarkston Library.
- The Task Force has joined the DeKalb Library Story Book Committee. The Clarkston Story Walk will be listed in their directory.

B. City of Clarkston Early Learning Information Fair

In 2022, the Clarkston Early Learning Task Force sponsored the first Early Learning Information Fair at Indian Creek Elementary School. The event was well attended by families and early learning partners, including Easter Seals North Georgia Head Start, Amani, Early Learning Scholars, Scottdale Early Learning, Giselle Learning Academy, Amazing World of Children, Parents as Teachers, DeKalb County First Steps, CDF Action, and Tinkergarten. IRC brought over 40 families from Afghanistan. \$1,000 received from the city was spend on banners, flyers, and supplies.

II. Proposed 2023 Activities and Budget

A. Story Walk - \$8,360

Activities:

- Maintain the Story Walk Boards at Friendship Forest
- Laminate the pages of each new book and install monthly
- Coordinate the development of the book guides with Rollins Center for Language and Literacy
- Translate the book guides into select languages
- Distribute copies of each book with the guides to Clarkston area early learning and health programs
- Plan quarterly events with targeted groups (e.g., READY School childcare centers)
- With Friendship Forest Advisory Committee, develop system of collecting data.

- Serve as a liaison between the project, the city, and the DeKalb County Libraries Story Walk Committee
- Meet quarterly with the Friendship Forest Advisory Committee to plan and monitor activities and to collect/analyze data for the evaluation report.
- Prepare an annual report of activities, recommendations.

Budget:

\$4,800	Story Walk Coordinator (contract with CDF Action)
1,200	Translation of book guides
1,100	Printing and laminating
500	Book purchase
760	CDF administrative costs
\$8,360	Total Request

B. Early Learning Information Fair: \$1,640

Activities: The Task Force and partners will host the second annual Clarkston Early Learning Information Fair, date to be determined (January or February 2023). The purpose of the Fair is to provide information to Clarkston area residents about early learning programs, including Head Start, Georgia Pre-Kindergarten, childcare subsidies (CAPS), childcare programs, and other early learning activities, including the READY School, home visiting, Family Literacy Program, the Story Walk at Friendship Forest, the Clarkston Library, and nature programs such as Tinkergarten. Activities will include free books and children's games.

- Estimated number of partners: 15
- Estimated number of families: 100

Budget:

\$1,640 Total Request: Banners, flyers, supplies. The Task Force will seek additional funding from partners and others

For more information: Roberta Malavenda, CDF Action, 404 3172734; roberta@cdfaction.org

JANUARY, 2023



CLARKSTON



EARLY LEARNING TASK FORCE

HISTORY

The Clarkston Early Learning Network was formed in 2013 to support the Clarkston library, promote the importance of literacy and the early learning years, and collaborate to create and sustain early learning programs and experiences for all Clarkston children. In 2019, Network members approached the City Council to become an Advisory Committee or Task Force. The City passed a resolution in 2020 to create the Task Force appointing 20 members. Members include families, childcare experts, City Council staff, and members; CDF Action was appointed as the facilitator.





PURPOSE

To engage the Clarkston community to develop equitable policies, practices, and programs so that every young child enjoys safe, nurturing, and playful learning environments

MISSION

To research, discuss, and collaborate to create practical, innovative, and equitable policies, practices, and programs to enhance early learning

SIGNATURE PROJECTS



- Clarkston Tell Me a Story! Festival
- Clarkston Story Walk at Friendship Forest
- Children's activities at festivals including Juneteenth, health fairs, Clarkston Summit
- Recruitment and training to increase the number of and diversity among childcare professionals (Enhanced Child Development Associate)
- Resource sharing, collaboration, issue discussion, and action
- Advocacy: legislative and local

MEET OUR MEMBERS



Mayor Beverly Burks, ex-officio
Councilman Awet Eyasu
Councilman, Jamie Carroll
City Manager, Shawanna Qawiy
Virginia Baker
Alexandra Cesar
Hira Chhetri
Angel Chin
Beena Dahal
Maggie Deaton
Eyelachew Desta
Julie Goldberg
Jennifer Green
Amy Jaret
Roberta Malavenda
Janette Miles
Nasra Mirreh
Gwen Morgan
Ashi Owen-Smith
Linda Travers

CLARKSTON TELL ME A STORY! FESTIVAL



The Clarkston Tell Me a Story! Festival is in its 10th year!

- "One of the events with the most diversity in the City"
- Over 200 attendees at last year's event
- Over 20 partners, each hosting a literacy event
- Featuring Kuumba Storytellers of GA and local storytellers
- Free books and festival bags
- Funded by the City of Clarkston, CDF Action, sponsors, and donors



CLARKSTON EARLY LEARNING FAIR



Purpose: to showcase Clarkston early learning child care centers and programs to increase the number of eligible children enrolled

- Over 100 attendees
- Literacy activities and resources offered by child care centers, Paint Love, Easter Seals of North Georgia Head Start, Amani Women's Center, CDF Action, Tinkergarten, Georgia Department of Early Care and Learning (DECAL), Parents as Teachers, and more!



CLARKSTON STORY WALK



FOCUS: STORY WALK

- PURPOSE
- PARTNERS
- PARTICIPATION
- PROPOSAL



STORYWALK

**FRIENDSHIP FOREST
WILDLIFE SANCTUARY
CITY OF CLARKSTON, GA**

WELCOME

Families, children, caregivers, teachers, & community members:

Follow the signs along the trail to follow the path of the pages of a children's picture book. Enjoy walking, reading, and talking about the story together. The last sign includes some activities that connect to the story. Borrow the book from the DeKalb Library, Clarkston.

PARTNERS

CLARKSTON EARLY LEARNING TASK FORCE

Rollins Center for Language & Literacy | **COX Campus**

DEKALB COUNTY PUBLIC LIBRARY | **Rotary Club of Stone Mountain**

CDF ACTION

Little Stories

The StoryWalk Project was created by Anne Ferguson of Montpelier, VT and developed in collaboration with the Vermont Bicycle & Pedestrian Coalition and the Kellogg Hubbard Library.

PURPOSE

- Support our philosophy that learning happens everywhere
- Address the finding that Clarkston needs more "playful spaces" where families can interact and learn together
- Counteract "learning loss"
- Increase physical fitness
- Promote early learning, health, and appreciation of nature
- Build community connections





WHAT IS THE STORY WALK?

The Clarkston Story Walk is inspired by the national StoryWalk movement, created by Anne Ferguson of Montpelier, VT.

The Clarkston Story Walk is a series of display boards installed alongside the walking trail at Friendship Forest.

Each board contains one or two pages of a children's book, and supplemental activities for parents are also presented.

Collaborators include the public library and Clarkston area childcare centers.

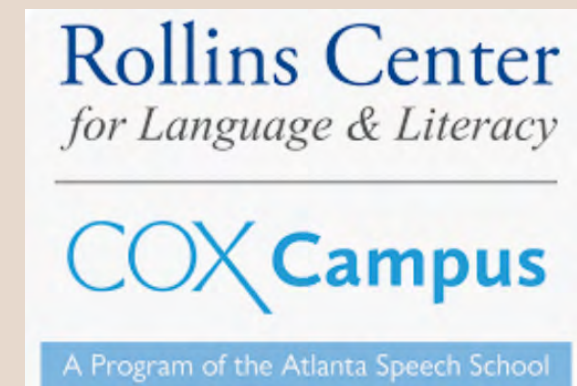




OUR PARTNERS



OF STONE MOUNTAIN



Clarkston Childcare Centers * Clarkston Families



THE STORY WALK GETTING STARTED

- Research and proposal to the City of Clarkston
- ARP Funding from City of Clarkston for Story Walk boards and evaluation
- Boards installed
- Evaluation (logic model) and implementation plan created
- Criteria developed for book selection & books selected
- Funding for books from Rotary Club of Stone Mountain
- Installation of first book: *Look What I Found in the Woods*
- Activity guides developed for families and teachers
- Book made available through Dekalb County Library
- Books provided to Clarkston childcare programs
- Launch hosted with members of the committee

THE STORY WALK IN ACTION



DO MORE WITH THE BOOK!

Ages 3+

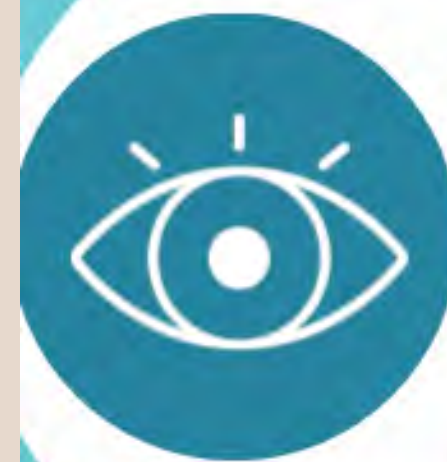
Look What I Found in the Woods by Moira Butterfield

Use these focus words from the story all day and week long: **treasure, collect, variety, forest/woods**

TALK

As you walk, talk with your friends or family:

- Why do you enjoy the woods/forest?
- Why do you like **collecting** _____?
- How can you **protect**, or take care of, the woods/forest?

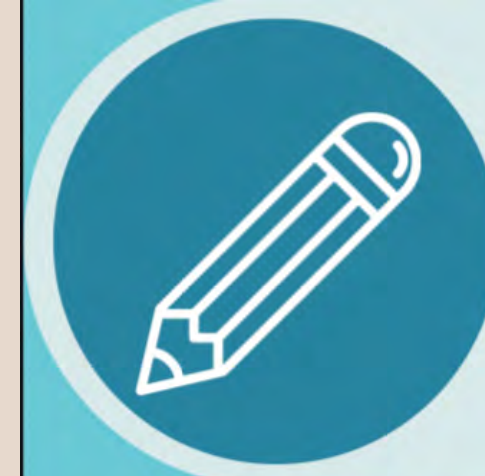


LOOK: PHOTO TREASURE HUNT

Think about the **treasures** talked about in this story. Explore Friendship Forest and take pictures of **treasures** that you find. Look for: a **variety**, or different types of, tree and leaf shapes, a **variety** of tree bark, a spider web, a bird's nest, a nut, a plant with flowers, a tree cone, a bird and an insect. What other **treasures** can you find?

SING & ACT

Head over to the outdoor amphitheater in the park and create a song about the forest. Perform the song for your friends or family.



WRITE & DRAW

Consider bringing paper and a pencil on your next visit to the park. Draw or write about what you observe-- what you see, hear, and smell in the **woods**!

Developed for the Clarkston Early Learning Taskforce by:

Rollins Center
for Language & Literacy

COX Campus
www.coxcampus.org

A Program of the Atlanta Speech School

The StoryWalk Project was created by Anne Ferguson of Montpelier, VT and developed in collaboration with the Vermont Bicycle & Pedestrian Coalition and the Kellogg Hubbard Library

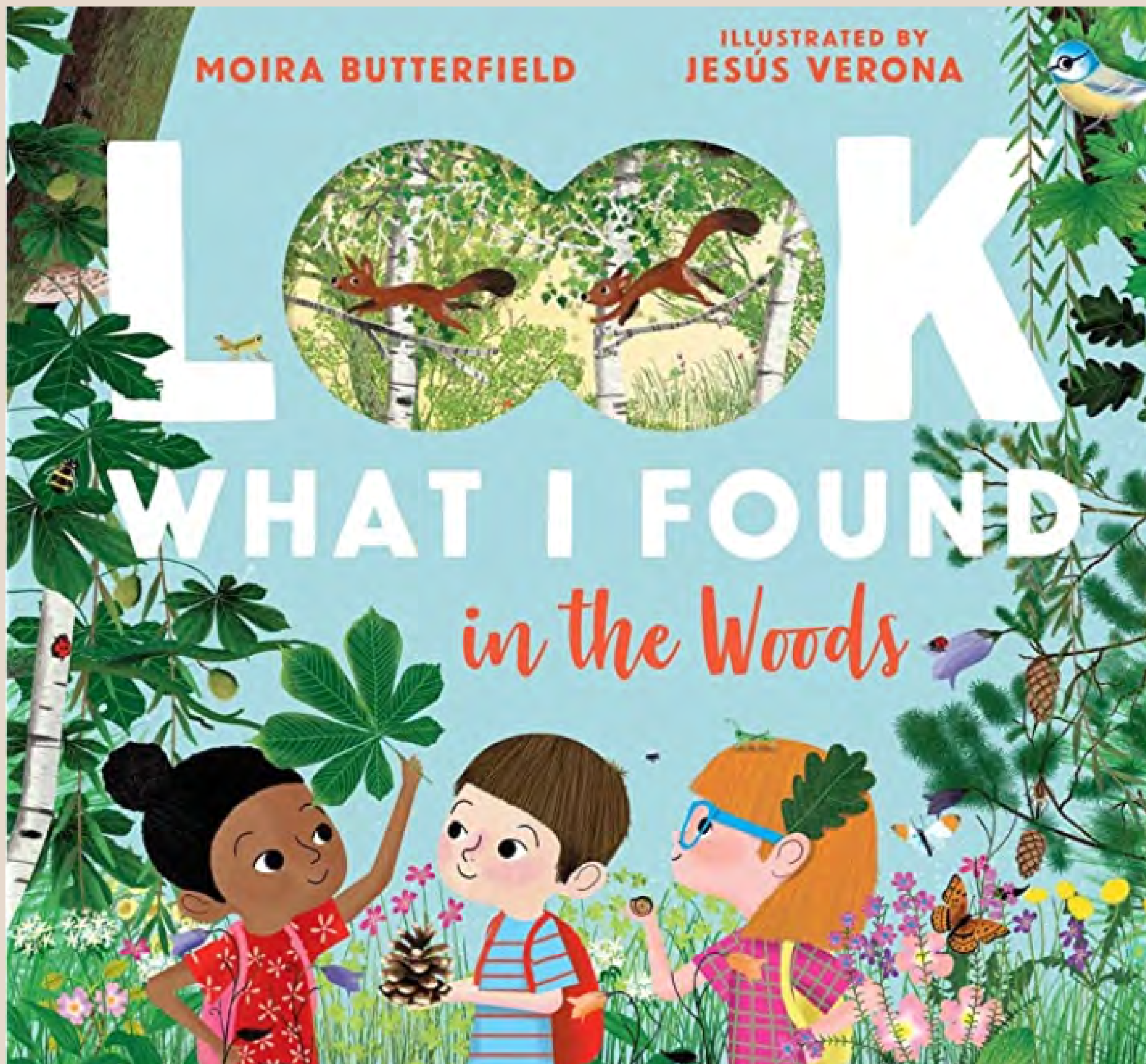
MOIRA BUTTERFIELD

ILLUSTRATED BY
JESÚS VERONA

LOOK

WHAT I FOUND

in the Woods



BUDGET PROPOSAL

for the Clarkston Early Learning Task Force

Clarkston Story Walk: \$8,360

for coordination, lamination, translation, changing of books, events, promotion, distribution of books to Clarkston programs, data collection and evaluation

Clarkston Early Learning Fair: \$1,640

for venue rental, flyers, and banners

THANK YOU

We give thanks to the Clarkston Story Walk Committee, the City of Clarkston, and the Muskogee/Creek Nation who first inhabited the land we call Friendship Forest and continue to model raising children in relationship with the land.



For more information, contact
roberta@cdfaction.org



CITY OF CLARKSTON

ITEM NO: 3C

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the deactivation of the Housing Authority of the City of Clarkston.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE:

To approve the deactivation of the Housing Authority of the City of Clarkston.

NEED/ IMPACT:

In 1983 Ordinance 114 was adopted authorizing the proceeds of the Single-Family Mortgage Revenue Bonds to be used in part to purchase mortgage loans for single family residential units located within the city limits of Clarkston.

In 1984 Resolution 121a was adopted and approved by Mayor and Council of the City of Clarkston due to a need to provide additional housing in the City of Clarkston due to a shortage of safe or sanitary dwelling accommodations available to persons of low income and affordable rentals.

The "Local Government Authorities Registration Act" requires that all local government authorities operating in the State to annually register and submit financial report via the Department of Community Affairs (DCA's) Annual Authority Registration and Financial Report (AARF) system. Authorities that fail to meet this requirement are prohibited by the Act from incurring any debt until completing the mandated filings. In order for the Authority to remain eligible to participate in a variety of state administered financial assistance programs, the local authority must be compliant with the filings required for the three most recently completed fiscal years. The failure to comply with the requirements impairs the authority to legally finance its operations.

After research and review of the inactive Authority it has been determined that the City can deactivate its housing authority by adopting a resolution providing for its deactivation. The Housing Authority of the City of Clarkston has no assets or liabilities.

RECOMMENDATION: N/A

RESOLUTION NO. _____

**A RESOLUTION TO DEACTIVATE THE HOUSING AUTHORITY OF
THE CITY OF CLARKSTON.**

WHEREAS, the Georgia General Assembly has created for each city in the State a public body corporate and politic known as the "housing authority" of each city; and

WHEREAS, pursuant to O.C.G.A. § 8-3-4, such housing authorities may only take action when they are “activated” by the governing authority of their city; and

WHEREAS, the Clarkston City Council activated the Housing Authority of the City of Clarkston by its resolution dated April 3, 1984; and

WHEREAS, the Housing Authority of the City of Clarkston currently has no assets or liabilities and has not conducted business in many years; and

WHEREAS, the Clarkston City Council has determined that there is no longer a need for the Housing Authority of the City of Clarkston to exercise its powers within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Clarkston that the Housing Authority of the City of Clarkston is hereby deactivated.

SO RESOLVED, this _____ day of February, 2023.

CLARKSTON CITY COUNCIL

BEVERLY H. BURKS, Mayor

ATTEST:

Tomika R. Mitchell
City Clerk

Copy

Section 1.

WHEREAS, the Housing Authority of the County of DeKalb, Georgia (the "Authority") proposes to issue one or more series of its Housing Authority of the County of DeKalb, Georgia, Single Family Mortgage Revenue Bonds (the "Bonds"); and

WHEREAS, the Authority has requested that the Mayor and Council of the City of Clarkston adopt an ordinance authorizing the proceeds of the Bonds to be used in part to purchase mortgage loans for single family residential units located within the municipal limits of the City of Clarkston; and

WHEREAS, the City of Clarkston desires that the Authority make available part of the proceeds of the Bonds to purchase such single family mortgage loans within the municipal limits of the City of Clarkston; and

WHEREAS, the Housing Authorities Law (Ga. Laws 1937, p. 210, et seq., as amended) includes within the definition of project the acquisition of single family mortgages; and

WHEREAS, the acquisition of single family mortgages by the Authority is hereinafter referred to as the "Project"; and

WHEREAS, under the Housing Authorities Law the City of Clarkston is required to consent to the operation of any "Project" within the municipal limits of the City of Clarkston by the Authority and does hereby deem this Ordinance to comply with the requirement of the Housing Authorities Law;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CLARKSTON, THAT:

The Authority is authorized to make available such funds as it desires for purchase of mortgages of single family residential units located within the municipal limits of the City of Clarkston and the City of Clarkston does hereby consent to such program of the Authority.

Section 2.

This Ordinance shall be in full force and effect upon passage.

This the 2^d day of August, 1983.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

RESOLUTION NO. 121a

A RESOLUTION TO DECLARE THE NEED FOR THE ACTIVATION OF A HOUSING AUTHORITY TO FUNCTION IN THE CITY OF CLARKSTON, GEORGIA, PURSUANT TO THE PROVISIONS OF THE HOUSING AUTHORITIES LAW; TO APPOINT THE COMMISSIONERS FOR SAID AUTHORITY; TO AUTHORIZE SAID AUTHORITY TO EXERCISE THE POWERS CONTAINED IN THE HOUSING AUTHORITIES LAW; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

W I T N E S S E T H:

WHEREAS, it has been determined by the Mayor and Council of the City of Clarkston, Georgia, that there exists an urgent need to provide additional housing in the City of Clarkston, Georgia; and

WHEREAS, it has been determined by the Mayor and Council that there is a shortage of safe or sanitary dwelling accommodations in the City of Clarkston available to persons of low income at rentals they can afford; and

WHEREAS, the Housing Authorities Law, O.C.G.A. Section 8-3-1 (1982), et seq. (the "Act"), which was enacted by the General Assembly of the State of Georgia, creates for every city in the State of Georgia a public body corporate and politic to be known as the "Housing Authority" of such city, which shall consist of a board of five commissioners to be appointed by resolution of the governing body of such city for initial terms of one, two, three, four and five years and thereafter for staggered terms of five years; and

WHEREAS, the Mayor and Council have determined that there is a need for a Housing Authority to function in the City of Clarkston to help finance the cost of providing an adequate supply of housing for the people of the City of Clarkston; and

WHEREAS, the Mayor and Council, after thorough investigation, have determined that it is desirable and necessary that a Housing Authority be activated immediately to function in the City of Clarkston with the powers granted it by the Act to issue revenue bonds for the purpose of providing funds to finance housing in order to fulfill the present needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clarkston, and it is hereby resolved, determined and declared that there exists a pressing current and future need for a Housing Authority (as more fully described in the Act) to function in the City of Clarkston

for the purpose of providing an adequate supply of housing in said City, thereby promoting the health and welfare of the people of said City.

BE IT FURTHER RESOLVED that there is a shortage of safe or sanitary dwelling accommodations in the City of Clarkston available to persons of low and moderate income at rentals they can afford.

BE IT FURTHER RESOLVED, by the aforesaid authority, that there be and there is hereby activated the public body corporate and politic known as the "Housing Authority of the City of Clarkston" (hereinafter referred to as the "Authority"), which Authority was created upon the adoption and approval of the Act and particularly O.C.G.A. Section 8-3-4 thereof.

BE IT FURTHER RESOLVED, by the aforesaid authority, that there be and there are hereby elected as commissioners of the Authority the following named persons, each of whom is a resident of the City of Clarkston and none of whom is an officer or employee of the City of Clarkston:

<u>NAME</u>	<u>TERM</u>
(1) PAUL D. IVEY (Chairman)	5 years
(2) HUGH R. ELDER	4 years
(3) EDNA HENSLER	1 year
(4) JAMES McCOY	3 years
(5) NORMA PERRIN	2 years

BE IT FURTHER RESOLVED, by the aforesaid authority, that commencing with the date of adoption of this resolution, each of said persons named as commissioners above shall serve in such capacity for the number of years set forth opposite their respective names; and if at the end of any term of office of any commissioner, a successor thereto shall have not been elected, then the commissioner whose term of office shall have expired shall continue to hold office until his successor shall be so elected. No person shall receive any compensation for serving as a commissioner, but a commissioner may be reimbursed for his actual expenses incurred in the performance of his duties.

BE IT FURTHER RESOLVED, by the aforesaid authority, that in the event that a commissioner at any time ceases to be a resident of the City of Clarkston, his eligibility to serve as a commissioner shall cease, and his term of office shall end.

BE IT FURTHER RESOLVED, by the aforesaid authority, that the Commissioners hereinbefore elected shall organize, carry out their duties and responsibilities and exercise their powers and prerogatives in accordance with the terms and provisions of the Act as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED, by the aforesaid authority, that this resolution shall be effective immediately upon its adoption by the Mayor and Council and from and after such adoption the Authority shall be deemed to be duly created and activated and shall have perpetual existence.

BE IT FURTHER RESOLVED, by the aforesaid authority, that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

Adopted and approved this 3rd day of April, 1984.

CITY OF CLARKSTON, GEORGIA

BY: *Ernest S. Whaley*
ERNEST S. WHALEY, Mayor
William H. Armistead
WILLIAM H. ARMISTEAD, Councilman
Ernest A. Carroll
ERNEST A. CARROLL, Councilman
Harry F. Hensler
HARRY F. HENSLER, Councilman

JOHN M. RAWLINS, Councilman

L. Carroll Spivey
L. CARROLL SPIVEY, Councilman

Bobby L. Wright
BOBBY L. WRIGHT, Councilman

Attest:

Sue S. Northington
SUE S. NORTHINGTON, City Clerk

(SEAL)

Approved as to Form:

Stephen M. Pavuk
STEPHEN M. PAVUK, City Attorney

CITY OF CLARKSTON

ITEM NO: 3D

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the appointments to the Board of Commissioners of the Urban Redevelopment Agency (URA) of the City of Clarkston.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the appointments to the Board of Commissioners of the URA of Clarkston for the City of Clarkston.

NEED/ IMPACT: Each member of the Board of Commissioners of the Agency shall serve in such capacity only during the period that such person is also a member of the Governing Body and any person who succeeds a member of the Governing Body in office shall become a member of the Board of Commissioners of the Agency.

RECOMMENDATION: Staff recommends appointing members to the Board of Commissioners of the URA of Clarkston for the City of Clarkston.

Urban Redevelopment Agency (URA) of the City of Clarkston Board of Commissioners

The URA Board of Commissioners is comprised of seven members of the Governing Body (City of Clarkston) automatically

As of 12/6/2016	As of 12/31/2017	As of 12/31/2018	As of 12/31/2019	As of 12/31/2020	As of 12/31/2021	As of 12/31/2022
Edward Terry	Edward Terry	Edward Terry	Edward Terry	Beverly Burks	Beverly Burks	Beverly Burks
Beverly Burks	Beverly Burks	Beverly Burks	Beverly Burks	Deborah Johnson	Deborah Johnson	Deborah Johnson
Awet Eyasu	Awet Eyasu	Awet Eyasu	Awet Eyasu	Awet Eyasu	Awet Eyasu	Awet Eyasu
Mario Williams	Mario Williams	YT Bell	YT Bell	Laura Hopkins	Laura Hopkins	Laura Hopkins
Ahmed Hassan	Ahmed Hassan	Ahmed Hassan	Ahmed Hassan	Ahmed Hassan	Ahmed Hassan	Susan Hood
Dean Moore	Andrea Cervone	Andrea Cervone	Andrea Cervone	Vacancy	Mark Perkins	YT Bell
Vacant Position	James Carroll	James Carroll	James Carroll	James Carroll	James Carroll	James Carroll

BYLAWS OF
URBAN REDEVELOPMENT AGENCY OF THE CITY OF CLARKSTON

ARTICLE I. – THE AGENCY

Section 1. Name of Agency. The name of the Agency shall be “Urban Redevelopment Agency of the City of Clarkston.”

Section 2. Seal of Agency. The seal of the Agency shall be in the form of a circle and bear the name of the Agency and the year of its organization.

Section 3. Office of Agency. The office of the Agency shall be located at such place in the City of Clarkston, Georgia, as the Agency may from time to time designate by resolution.

ARTICLE II. – OFFICERS

Section 1. Officers. The officers of the Agency shall be a Chairman, a Vice Chairman and a Treasurer/Secretary. The Agency may by resolution appoint additional officers, including, but not limited to a treasurer or an assistant secretary.

Section 2. Chairman. The Chairman shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chairman shall sign all contracts, deeds and other instruments made by the Agency. At each meeting, the Chairman shall submit such recommendations and information as he or she may consider proper concerning the business, affairs, and policies of the Agency.

Section 3. Vice Chairman. The Vice Chairman shall perform the duties of the Chairman in the absence, resignation, incapacity or death of the Chairman.

Section 4. Treasurer/Secretary. The Treasurer/Secretary shall keep the records of the Agency, shall act as secretary of the meetings of the Agency and record all votes and shall keep a record of the proceedings of the Agency in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to such office. The Treasurer/Secretary shall keep in safe custody the seal of the Agency and shall have the power to affix such seal to all contracts and instruments to be executed by the Agency.

Section 5. Additional Duties. The officers of the Agency shall perform such other duties and functions as may from time to time be specified by resolution of the Agency.

Section 6. Election or Appointment. The officers shall be elected at the annual meeting of the Agency from among the members of the Agency and shall hold office for one year or until their successors are elected and qualified.

Section 7. Vacancies. Should any office become vacant, the Agency shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

Section 8. Personnel. The Agency may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Urban Redevelopment Law (O.C.G.A. Section 36-61-1 *et seq.*), as amended (the “Act”), and all other laws of the State of Georgia applicable thereto. The selection and compensation of such personnel shall be determined by the Agency subject to the laws of the State of Georgia.

ARTICLE III. – POWERS AND MEETINGS

Section 1. Powers. The Agency shall have all the powers conferred upon it by the Act and the Constitution and laws of the State of Georgia.

Section 2. Annual Meeting. The Agency shall have an annual meeting. The annual meeting shall be held in the month of January or such other month as shall be specified by resolution of the Agency.

Section 3. Special Meetings. The Chairman of the Agency may, when he or she deems it expedient, and shall, upon the written request of two members of the Agency, call a special meeting of the Agency for the purpose of transacting any business designated in the call. At such special meeting no business shall be considered other than as designated in the call, but if all of the members of the Agency are present at a special meeting any and all business may be transacted at such special meeting. Notice of special meetings may be either oral or written. Oral notice may be delivered personally or by telephone and shall be given at least twenty-four (24) hours prior to the time of the meeting. Written notice may be sent by regular mail, overnight mail, electronic mail or delivered personally. If delivery by electronic mail or personally, such notice shall be delivered twenty-four (24) hours prior to the time of the meeting. If written notice is delivered by overnight mail, such notice shall be mailed two (2) days prior to the time of the meeting. If written notice is sent by regular mail, such notice shall be mailed three (3) days prior to the time of the meeting. Notice shall be deemed to have been given properly to any commissioner who attends the meeting.

Section 4. Quorum. The powers of the Agency shall be vested in the members thereof in office from time to time. A majority of the members shall constitute a quorum for the purpose of conducting its business and exercising its powers and all other purposes.

Section 5. Manner of Voting. The voting on all questions coming before the Agency shall be by roll call and the yeas and nays shall be entered upon the minutes of such meeting, except in the case of election when the vote may be by ballot.

ARTICLE IV. – MISCELLANEOUS

Section 1. Amendments to Bylaws. The Bylaws of the Agency may be amended at a regular or special meeting with the approval of at least two-thirds of the members of the Agency.

Section 2. Fiscal Year. The Agency shall have the same fiscal year as the City of Clarkston, Georgia.

RESOLUTION NO. 121a

A RESOLUTION TO DECLARE THE NEED FOR THE ACTIVATION OF A HOUSING AUTHORITY TO FUNCTION IN THE CITY OF CLARKSTON, GEORGIA, PURSUANT TO THE PROVISIONS OF THE HOUSING AUTHORITIES LAW; TO APPOINT THE COMMISSIONERS FOR SAID AUTHORITY; TO AUTHORIZE SAID AUTHORITY TO EXERCISE THE POWERS CONTAINED IN THE HOUSING AUTHORITIES LAW; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

W I T N E S S E T H:

WHEREAS, it has been determined by the Mayor and Council of the City of Clarkston, Georgia, that there exists an urgent need to provide additional housing in the City of Clarkston, Georgia; and

WHEREAS, it has been determined by the Mayor and Council that there is a shortage of safe or sanitary dwelling accommodations in the City of Clarkston available to persons of low income at rentals they can afford; and

WHEREAS, the Housing Authorities Law, O.C.G.A. Section 8-3-1 (1982), et seq. (the "Act"), which was enacted by the General Assembly of the State of Georgia, creates for every city in the State of Georgia a public body corporate and politic to be known as the "Housing Authority" of such city, which shall consist of a board of five commissioners to be appointed by resolution of the governing body of such city for initial terms of one, two, three, four and five years and thereafter for staggered terms of five years; and

WHEREAS, the Mayor and Council have determined that there is a need for a Housing Authority to function in the City of Clarkston to help finance the cost of providing an adequate supply of housing for the people of the City of Clarkston; and

WHEREAS, the Mayor and Council, after thorough investigation, have determined that it is desirable and necessary that a Housing Authority be activated immediately to function in the City of Clarkston with the powers granted it by the Act to issue revenue bonds for the purpose of providing funds to finance housing in order to fulfill the present needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clarkston, and it is hereby resolved, determined and declared that there exists a pressing current and future need for a Housing Authority (as more fully described in the Act) to function in the City of Clarkston

for the purpose of providing an adequate supply of housing in said City, thereby promoting the health and welfare of the people of said City.

BE IT FURTHER RESOLVED that there is a shortage of safe or sanitary dwelling accommodations in the City of Clarkston available to persons of low and moderate income at rentals they can afford.

BE IT FURTHER RESOLVED, by the aforesaid authority, that there be and there is hereby activated the public body corporate and politic known as the "Housing Authority of the City of Clarkston" (hereinafter referred to as the "Authority"), which Authority was created upon the adoption and approval of the Act and particularly O.C.G.A. Section 8-3-4 thereof.

BE IT FURTHER RESOLVED, by the aforesaid authority, that there be and there are hereby elected as commissioners of the Authority the following named persons, each of whom is a resident of the City of Clarkston and none of whom is an officer or employee of the City of Clarkston:

<u>NAME</u>	<u>TERM</u>
(1) PAUL D. IVEY (Chairman)	5 years
(2) HUGH R. ELDER	4 years
(3) EDNA HENSLER	1 year
(4) JAMES McCOY	3 years
(5) NORMA PERRIN	2 years

BE IT FURTHER RESOLVED, by the aforesaid authority, that commencing with the date of adoption of this resolution, each of said persons named as commissioners above shall serve in such capacity for the number of years set forth opposite their respective names; and if at the end of any term of office of any commissioner, a successor thereto shall have not been elected, then the commissioner whose term of office shall have expired shall continue to hold office until his successor shall be so elected. No person shall receive any compensation for serving as a commissioner, but a commissioner may be reimbursed for his actual expenses incurred in the performance of his duties.

BE IT FURTHER RESOLVED, by the aforesaid authority, that in the event that a commissioner at any time ceases to be a resident of the City of Clarkston, his eligibility to serve as a commissioner shall cease, and his term of office shall end.

BE IT FURTHER RESOLVED, by the aforesaid authority, that the Commissioners hereinbefore elected shall organize, carry out their duties and responsibilities and exercise their powers and prerogatives in accordance with the terms and provisions of the Act as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED, by the aforesaid authority, that this resolution shall be effective immediately upon its adoption by the Mayor and Council and from and after such adoption the Authority shall be deemed to be duly created and activated and shall have perpetual existence.

BE IT FURTHER RESOLVED, by the aforesaid authority, that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

Adopted and approved this 3rd day of April, 1984.

CITY OF CLARKSTON, GEORGIA

BY: *Ernest S. Whaley*
ERNEST S. WHALEY, Mayor
William H. Armistead
WILLIAM H. ARMISTEAD, Councilman
Ernest A. Carroll
ERNEST A. CARROLL, Councilman
Harry F. Hensler
HARRY F. HENSLER, Councilman

JOHN M. RAWLINS, Councilman

L. Carroll Spivey
L. CARROLL SPIVEY, Councilman

Bobby L. Wright
BOBBY L. WRIGHT, Councilman

Attest:

Sue S. Northington
SUE S. NORTHINGTON, City Clerk

(SEAL)

Approved as to Form:

Stephen M. Pavuk
STEPHEN M. PAVUK, City Attorney

RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF CLARKSTON, GEORGIA,
TO DETERMINE THE NEED FOR AND AUTHORIZE
THE HOUSING AUTHORITY OF THE
COUNTY OF DEKALB, GEORGIA, TO EXERCISE ITS
POWERS RELATIVE TO THE REHABILITATION LOAN
AND GRANT PROGRAM

WHEREAS, the City of Clarkston and DeKalb County have entered into a Cooperative Agreement dated September 28, 1984; and

WHEREAS, said Cooperative Agreement provides that the County is to carry out the intent of the Community Development Plan throughout the unincorporated areas of DeKalb County and in the City of Clarkston; and

WHEREAS, the Community Development Plan provides for housing assistance activities, urban renewal, and other activities, as to single-family housing, permitted under the terms of the Housing and Community Act of 1974, as amended; and

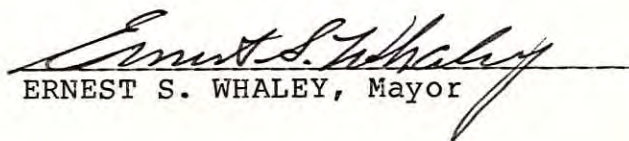
WHEREAS, DeKalb County exercises such Community Development activities through the Housing Authority of the County of DeKalb, Georgia; and

WHEREAS, said Cooperative Agreement continues in effect for a period of three (3) years;

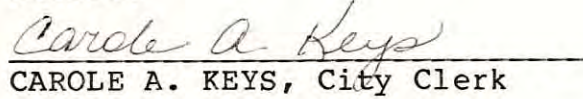
NOW, THEREFORE, IT IS RESOLVED that the City of Clarkston determines that there is a need for the Housing Authority of the County of DeKalb, Georgia, to exercise its powers relative to the Rehabilitation Loan and Grant Program within the city limits of the City of Clarkston as to single-family housing for the purpose of carrying out the Community Development programs of DeKalb County within the city limits; and

BE IT FURTHER RESOLVED that the City of Clarkston hereby authorizes the Housing Authority of the County of DeKalb, Georgia, to exercise its powers relative to the Rehabilitation Loan and Grant Program within the City of Clarkston as to single-family housing for and during the duration of the Cooperative Agreement dated September 28, 1984, between DeKalb County and the City of Clarkston.

This Resolution introduced and passed on this the 1st day of September, 1987.


ERNEST S. WHALEY, Mayor

ATTEST:


CAROLE A. KEYS, City Clerk

Approved as to form:

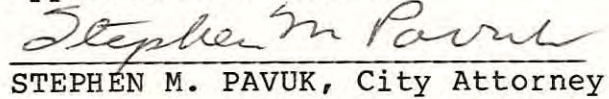

STEPHEN M. PAVUK, City Attorney

Exhibit 3

AN ACTIVATING RESOLUTION OF THE CITY OF CLARKSTON, GEORGIA TO AUTHORIZE THE URBAN REDEVELOPMENT AGENCY OF THE CITY OF CLARKSTON TO TRANSACT BUSINESS AND EXERCISE POWERS UNDER THE PROVISIONS OF THE URBAN REDEVELOPMENT LAW; TO DETERMINE THE NUMBER AND TERMS OF OFFICE OF THE BOARD OF COMMISSIONERS OF THE URBAN REDEVELOPMENT AGENCY; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Urban Redevelopment Law (Section 36-61-1, *et seq.* of the Official Code of Georgia Annotated ("O.C.G.A.")), as amended (the "Act"), creates in each municipality in the State of Georgia a public body corporate and politic to be known as the "urban redevelopment agency" of the municipality, for the purpose of exercising the "urban redevelopment project powers" of the municipality, as defined in the Act; and

WHEREAS, it has been determined by the Mayor and City Council (the "Governing Body") of the City of Clarkston, Georgia (the "City"), pursuant to a resolution of the City adopted on October 6, 2015 (the "Necessity Resolution") that one or more areas that fit the definition described in O.C.G.A. Section 36-61-2(15) exist in the City (the "Redevelopment Areas") and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Redevelopment Areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

WHEREAS, it has been determined by the Governing Body pursuant to the Necessity Resolution that it is in the public interest and that there is a necessity for an urban redevelopment agency of the City of Clarkston to exercise the "urban redevelopment project powers" of the City, as defined in Section 36-61-17(b) of the Act; and

WHEREAS, the Governing Body, after careful study and investigation, has determined that it is desirable and necessary that the City's urban redevelopment agency, as created by the Act, be activated immediately in order to fulfill the needs expressed herein.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Clarkston, Georgia and it is hereby found, determined, and declared that one or more pockets of blight described in O.C.G.A. Section 36-61-2(15) exist in the City and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

BE IT FURTHER RESOLVED that there shall be activated within the City the public body corporate and politic known as the "Urban Redevelopment Agency of the City of Clarkston" (the "Agency") which was created upon the adoption and approval of the Act.

BE IT FURTHER RESOLVED that it is in the public interest for the Agency to exercise the City's "urban redevelopment project powers," as defined in the Act, and hereby elects to have the Agency exercise the urban redevelopment project powers of the City.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Agency shall consist of seven members who shall serve for terms of office of four years, except for the initial commissioners, who shall serve for the terms of office specified below.

BE IT FURTHER RESOLVED that the Governing Body hereby appoints as members of the initial Board of Commissioners of the Agency the following named persons for terms of office expiring as indicated below.

<u>Name</u>	<u>Date of Expiration of Initial Term of Office</u>
Edward Terry	December 31, 2017
Beverly Burks	December 31, 2019
Awet Ayasu	December 31, 2019
Mario Williams	December 31, 2019
Ahmed Hassan	December 31, 2017
Dean Moore	December 31, 2017

BE IT FURTHER RESOLVED that there is a current vacancy on the City Council and upon the election of a council member to replace the current vacancy on the City Council, such council member will be the 7th member of the initial Board of Commissioners of the Agency and shall serve until his or her then current term as council member expires.

BE IT FURTHER RESOLVED that each of the initial members of the Board of Commissioners of the Agency shall serve in such capacity only during the period that such person is also a member of the Governing Body and any person who succeeds a member of the Governing Body in office shall become a member of the Board of Commissioners of the Agency.

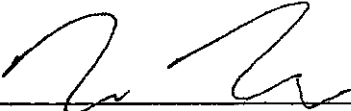
BE IT FURTHER RESOLVED that the Board of Commissioners of the Agency hereinbefore appointed shall organize itself, carry out its duties and responsibilities, and exercise its powers and prerogatives in accordance with the terms and provisions of the Act as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption by the Governing Body and from and after such adoption the Agency shall be deemed to be activated.

SO RESOLVED as of this 6th day of December, 2016.

CITY OF CLARKSTON, GEORGIA



Mayor

(SEAL)

Attest:



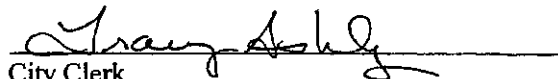
City Clerk

CITY CLERK'S CERTIFICATE

I, Tracy Ashby, the City Clerk to the Governing Body of the City of Clarkston, Georgia (the "City"), DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on December 6, 2016 by the Governing Body in a meeting duly called and assembled in accordance with applicable laws and with the procedures of the City which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of the foregoing resolution appears of public record in the Minute Book of the City, which is in my custody and control.

GIVEN under my hand and the seal of the City, this 7 day of February, 2017.

(SEAL)


City Clerk

MINUTES

CLARKSTON URBAN REDEVELOPMENT AUTHORITY

Tuesday, February 7, 2017

Officials Present

Vice-Mayor:	Dean Moore
Council:	Mario Williams, Awet Eyasu, Ahmed Hassan, Beverly Burks
City Manager:	Keith Barker
City Clerk:	Tracy Ashby

Vice-Mayor Dean Moore called the meeting to order at 5:00pm.

Roll Call: Mario Williams, Awet Eyasu, Ahmed Hassan, Beverly Burks

Absent: Mayor Terry

F. NEW BUSINESS

F1) Approve an Organizing Resolution of the of the Urban Redevelopment Agency of the City of Clarkston Appointing Members, Adopting Bylaws, an Official Seal and for other purposes

The City Manager reported that in order to obtain funding to implement the Friendship Forest Master Plan, the City of Clarkston will exercise its powers under the Urban Redevelopment Law. This item provides for the Clarkston Urban Redevelopment Agency to adopt Bylaws by which the Agency shall be governed, adopt an official seal, appoint the Chair, Vice Chair and Treasurer and appoint the City Attorney as counsel to the Urban Redevelopment Agency.

Ahmed Hassan made a motion to approve the Organizing Resolution of the of the Urban Redevelopment Agency of the City of Clarkston, adopting Bylaws, an Official Seal and appointing as Chairman: Dean Moore, Vic- Chair Jamie Carroll, Secretary/Treasurer Ahmed Hassan and Stephen Quinn as Attorney. Awet Eyasu seconded the motion. A vote was called and the motion carried (4, 0).

F2) A Bond Resolution to Provide for the Issuance of the Urban Redevelopment Agency of the City of Clarkston Revenue Bond (City Of Clarkston Project), Series 2017, In as Aggregate Principle Amount Of \$1,350,000 to Provide Funds to Pay or To be applied toward the cost of financing certain improvements to the Friendship Forest Wildlife Sanctuary and to pay expenses Associated Therewith; To Provide for the form of the Series 2017 Bond; To Provide for the Creation and Maintenance of Certain Funds; To Provide Remedies for the Owners of said Bonds; To Authorize and Approve the Execution and Delivery of an Agreement of Sale with the City of Clarkston, Georgia; And for Other Purposes

The City Manager reported that the resolution approves the terms of the bond financing, form of the Bond, repayment terms and defines events of defaults and remedies of the bondholder. This Bond Resolution also approves the Agreement of Sale which serves as an intergovernmental contract with the City. The City is financing the loan over 8 years at 2.65% and the repayment has been tailored to fit with the City's cash flow cycles. Discussion on the transfer of property title during the loan period.

Awet Eyasu made a motion to approve the Bond Resolution to Provide for the Issuance of the Urban Redevelopment Agency of the City of Clarkston Revenue Bond (City Of Clarkston Project), Series 2017, in as Aggregate Principle Amount Of \$1,350,000 to Provide Funds to Pay or to be applied toward the cost of financing certain improvements to the Friendship Forest Wildlife Sanctuary and to pay expenses associated therewith; To Provide for the form of the Series 2017 Bond; To Provide for the Creation and

Maintenance of Certain Funds; To Provide Remedies for the Owners of said Bonds; To Authorize and Approve the Execution and Delivery of an Agreement of Sale with the City of Clarkston, Georgia; And for Other Purposes. Mario Williams seconded the motion. A vote was called and the motion carried (4, 0).

Awet Eyasu made a motion to adjourn the meeting. Beverly Burks seconded the motion. A vote was called and the motion carried (4, 0).

Meeting adjourned.

CITY OF CLARKSTON

ITEM NO: 6A

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve amending Chapters 9.5 of the City Code Regarding Service Stations and Chapter 11 of the Code regarding Businesses; To Limit Hours of Operation for Convenience Stores; To Allow Convenience Stores that Maintain Video Surveillance (VSS) to Acquire a Permit for Expanded Hours or Operation; and Other Purposes

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Councilperson Y'terenickia Bell

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the regulations set forth in this ordinance to protect the public health, safety and welfare of residents, visitors and employees of convenience stores.

NEED/ IMPACT: Section 11-173. Convenience stores with VSS may operate 24 hours per day.

RECOMMENDATION: N/A.

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY OF CLARKSTON TO AMEND CHAPTER 9.5 OF THE CITY CODE REGARDING SERVICE STATIONS AND CHAPTER 11 OF THE CODE REGARDING BUSINESSES; TO LIMIT HOURS OF OPERATION FOR CONVENIENCE STORES; TO ALLOW CONVENIENCE STORES THAT MAINTAIN VIDEO SURVEILLANCE SYSTEMS TO ACQUIRE A PERMIT FOR EXPANDED HOURS OF OPERATION; AND FOR OTHER PURPOSES.

WHEREAS, the Clarkston City Council is charged by the City Charter with the duty and power to protect public safety and to regulate businesses operating within the City; and

WHEREAS, the City Council finds that a significant number of crimes, particularly violent crimes, have been and continue to be committed at convenience stores; and

WHEREAS, the Council specifically finds that there have been two shootings at convenience stores within the City just in the past several weeks, including a recent homicide; and

WHEREAS, the City Council intends to protect the public health, safety and welfare of residents, visitors and employees of convenience stores by enacting the regulations set forth in this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CLARKSTON CITY COUNCIL AS FOLLOWS:

SECTION 1. City Code Section 9.5-55 is hereby deleted and replaced with the following language:

“9.5-55. Hours of Operation.

Service stations regulated by this chapter are subject to the hours of operation regulations for convenience stores set forth in Article IX of Chapter 11 of the City Code.”

SECTION 2. Chapter 11 of the City Code is hereby amended to add new Article IX regulating convenience stores. Article IX of Chapter 11 shall read as follows:

“ARTICLE IX. CONVENIENCE STORES.

Section 11-171. Definitions.

As used in this Article, the following terms shall have the following assigned meanings:

Convenience store means any retail establishment offering for sale prepackaged food and/or beverage products, household items, and/or other goods including, but not limited to, alcoholic beverages, tobacco products, gasoline and pharmaceutical items that do not require a doctor's prescription, within a facility having a gross floor area of less than two thousand six hundred (2,700) square feet.

Video Surveillance System (VSS) means a digital surveillance system that captures and records video on a continuous basis. To qualify as a VSS that complies with this Article, the system shall consist of at least four (4) cameras that capture images at a minimum resolution of 4MP (1440p) and a minimum of 24 frames per second (24 FPS) that are arranged to record video of, at a minimum, the store's entrance/exit from inside and outside, as well as the cash register, at all times. To comply with this Article, the VSS must record 24 hours per day and must preserve all captured images for at least 24 hours on a rolling basis in a manner that allows the captured video to be shared with law enforcement in the event that a crime occurs at the store.

Section 11-172. Hours of operation; late night permit.

- (a) Businesses meeting the definition of a "convenience store" pursuant to Section 11-171 shall have their hours of operation regulated by this section and Section 11-173 rather than Section 11-13.
- (b) All convenience stores shall be closed to the public between the hours of 12:00 Midnight and 6:00 a.m. every day of the year unless the convenience store obtains a "late night convenience store permit" from the city manager and remains in compliance at all times with the regulations set forth in Section 11-173. Such permits shall be issued in accordance with the following criteria:
 - i.) There shall be no fee associated with late night convenience store permits (other than the fee associated with obtaining an annual business license);
 - ii.) Such permits shall be issued on an annual basis and be renewable year to year; and

- iii.) In order to obtain such license or renew such license, the city manager or his/her designee must determine that the convenience store is in full compliance with all regulations set forth in Section 11-173 by an on-site inspection; and
- iv.) A late night convenience store permit may be suspended or revoked at any time, upon notice and due process pursuant to Article I of this chapter, if it is determined that the business has failed to comply with the requirements of Section 11-173.

Section 11-173. Convenience stores with VSS may operate 24 hours per day; right to inspect business location and VSS system.

A convenience store may be open to the public 24 hours per day so long as it establishes and maintains an active VSS system compliant with the specifications set forth in the definition provided in Section 11-171 of this Article at all times. A convenience store that holds a permit to operate late night shall allow the city manager or his/her designee to access its facility upon request in order to inspect and confirm that the VSS system complies with the applicable regulations and is active and operational.”

SECTION 3. Any provision of the City Code in conflict with this ordinance is hereby repealed to the extend necessary to give effect to this ordinance.

SECTION 4. This ordinance shall become effective _____.

SECTION 5. The various sections and clauses of this ordinance are intended to be severable. In the event that any section or clause of this ordinance is deemed to be invalid by a court of competent jurisdiction, the Clarkston City Council hereby declares that it would have adopted this ordinance absent that clause and intends for the remainder of this ordinance to continue in full force and effect.

SO ORDAINED this ____ day of _____, 2022.

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

ATTEST:

Tomika Mitchell, City Clerk

Mayor Beverly H. Burks

Approved as to Form

Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

ITEM NO: 7A

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the renewal of the City Services Agreement with the Clarkston Community Center (CCC).

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the renewal of the CCC Services Agreement.

NEED/ IMPACT: The City utilizes the CCC for meetings and activity space for special events.

RECOMMENDATION:

Staff recommends renewing the Services Agreement with the Clarkston Community Center.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, GEORGIA, AUTHORIZING THE RENEWAL OF THE SERVICES AGREEMENT BETWEEN THE CITY OF CLARKSTON AND THE CLARKSTON COMMUNITY CENTER.

* * * * *

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

Section 1. That the City Council hereby authorizes the renewal of the Service Agreement between the City of Clarkston and the Clarkston Community Center for the City to utilize if needed for meetings and activity space for certain special events. 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 _____ 2023.

Beverly H. Burks, Mayor

ATTEST:

Tomika R. Lewis, City Clerk

EXHIBIT A

**Services Agreement between
Clarkston Community Center and City of Clarkston**

This Services Agreement is entered into this 5th day of January, 2023, 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 Clarkston residents and/or businesses located within Clarkston; 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 Clarkston residents and/or businesses located within Clarkston

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

1) Services to be provided by CCC:

CCC shall dedicate use of space to Clarkston residents/business, as well as city-reserved events such as town hall meetings, at no charge to the city, residents, or business. This space shall be allocated at standard market rates charged by CCC up to \$2,500 per quarter.

2) Use of CCC by Local Businesses/Residents:

- a) One (1) person or one (1) group residing or working within City limits may contract space in Angola Hall, East Room, West Room, or Conference Room at the CCC within the three-month quarter pending availability of space.
 - i. One (1) person or one (1) group may contract a series of four (4), five (5) or six (6) two-hour weekly classes/meetings every quarter.
 - ii. Should desire for repeat series occur, booking for subsequent series shall occur in the quarter period following the conclusion of the series.
- b) One (1) person or one (1) group may hold two-time, maximum four (4)-hour gathering monthly.
- c) Once reserved, CCC shall not cancel reservations save for emergencies that cause closing of entire Center.
- d) Events requiring sound shall be paid through the city grant, given the funds are available.
- e) Every group or person requesting use of the CCC must make a written request to the CCC and the CCC has the duty to provide the City Manager with a copy of said written request within 48 business hours of the request being received by the CCC to obtain approval by the City Manager or their designee for the use of any or all part(s) of the CCC.
- f) The CCC shall provide quarterly report of allocations to the City no later than the following dates: March 31, 2023; June 30, 2023; September 30, 2023; and December 31, 2023.

- g) If, on ***more than one occasion***, a person/organization is approved to use the CCC but then cancels its scheduled event within 7 days of the scheduled event, that same person/organization is prohibited from using the CCC for any event, for a period of 3 months. A CCC representative shall provide the requesting person/organization with a copy of this rule, in writing, within 24 hours of said request.

3) Use of CCC Facility by City

The CCC shall provide to the City space for training, the State of the City Address, quarterly Town Hall meetings, and other events as needed by the City. Any city official/employee who request CCC space for training, the State of the City Address, quarterly Town Hall meetings, and other events as needed by the city must make a written request to the CCC, and a copy of said request must be provided to the City Manager within 48 hours of the request being received by the CCC.

4) Payment to CCC

In consideration for the services and use of facilities contemplated herein, the City shall pay CCC ten thousand dollars (\$10,000.00). This amount shall be paid in quarterly installments of two thousand five hundred dollars and zero cents (\$2,500) each. The first such payment shall be made not later than February 28, 2023; the second installment shall be paid not later April 15, 2023; the third installment shall be paid not later than July 15, 2023; the fourth installment shall be paid not later than October, 15 2023.

5) Term and Termination

This Service Agreement is for a period of one year from adoption. The Agreement may be renewed on an annual basis by written agreement of the Parties subject to appropriation of funds by the City manager. The Agreement may be terminated without cause by either party via thirty (30) days written notice and if the party seeking to terminate the agreement is the City of Clarkston, City Manager. If either party fails to comply with the terms herein, the CCC, with cause, upon written notice to the City Manager may immediately terminate this Agreement; however, if the City of Clarkston chooses to terminate this agreement due to non-compliance with its terms, the City Manager must provide written notice to the EDirector of the CCC.

SO AGREED, upon the date first written above.

CLARKSTON COMMUNITY CENTER



Luay Sami, Executive Director

Date: 1/5/2023

CITY OF CLARKSTON

Beverly H. Burks, Mayor

Date: _____

ATTEST:

City Clerk

Approved as to Form:

City Attorney

CITY OF CLARKSTON

ITEM NO: 7B

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the recommended firm for the Clarkston Greenway Feasibility Study.

DEPARTMENT:
Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT:
Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the recommended firm by the evaluation team for the Clarkston Greenway Feasibility Study.

NEED/ IMPACT: The City of Clarkston was awarded an Atlanta Regional Commission (ARC) Livable Centers Initiative grant in the amount of \$272,000 with a local share (20%) match of \$68,000. Total cost of the project is \$340,000.

The City of Clarkston initiated a Request for Proposals in November 2022 from qualified vendors to produce the Clarkston Greenway Feasibility Study. The City received four (4) proposals that were reviewed and evaluated by the evaluation team based on the advertised proposal criteria.

After an extensive review process two (2) firms PERKINS + WILL and POND were shortlisted for a final (virtual) interview on January 19th.

The unanimous recommendation by the evaluation team is PERKINS +WILL.

RECOMMENDATION:

Staff recommends PERKINS + WILL to conduct the ARC LCI- Clarkston Greenway Feasibility Study.



3500 Parkway Lane, Suite 500
Peachtree Corners, GA 30092

T: 678.336.7740
www.pondco.com

December 12, 2022

RE: RFP # 2022-2023, Clarkston Greenway Feasibility Study | Fee Proposal

To Whom It May Concern,

Please see below for a summary of Pond's fee proposal broken out by task and hourly rates. For more detail, refer to the attached spreadsheet on the following pages. If you have any additional questions or are in need of clarification, please do not hesitate to reach out to us.

Hourly Rates per Labor Classification										
Principal-in-Charge	Project Manager	Deputy PM	Planner	Public Coordinator	Landscape Architect	Senior Engineer	Engineer	Scientist	QA/QC Manager	Hummingbird Firm
\$205	\$195	\$150	\$102	\$150	\$95	\$195	\$140	\$120	\$220	\$190

Fee Proposal		
Task Description	Pond Fees	Hummingbird Fees
Task 1: Existing Conditions and Technical Analysis	\$46,722	\$3,420
Task 2: Public Engagement	\$60,100	\$71,250
Task 3: Conceptual Plan and Analysis Report Development	\$102,634	\$3,040
Task 4: Prepare Project Deliverables	\$14,674	\$3,040
Task 5: Executive Summary Report	\$9,238	\$3,800
Task 6: Presentations	\$10,098	\$6,365
Expenses	\$1,500	\$5,000
Total Proposed Fee:	\$340,881 (DBE Share: 26.67%)	

Thank you,
Pond

Matt Wilder, PLA, ASLA
Principal-in-Charge

POND

Engineers
Architects
Planners
Constructors
Pondco.com

Principal Kohr	Proj Mgr Jones	Deputy PM Maines	Planner Barnum	Pub Coord Mafe	Land Arch Guerra/Gorham	Sr Engineer Puckett	Engineer TR/CV	Env Sci Darr	QC Wilder/Martin	Hummingbird (Avg Rate)	Employee Hours and Cost Totals	
\$ 205.00	\$ 195.00	\$ 150.00	\$ 102.00	\$ 150.00	\$ 95.00	\$ 195.00	\$ 140.00	\$ 120.00	\$ 220.00	\$ 190.00		STANDARD BILLING RATES
2	8	16									2	Hrs. Task 1 Existing Conditions and Technical Analysis
			16			40						28 1.3 Review of Previous plans
4	8	16				40	12	16	40		8	56 1.4 Base map development
2	8	24	40			16				12		144 1.6 Site Visit - Ground Truthing and Analysis/Intersection-Traffic/Env Screening
2	12	16									8	102 Existing Conditions Summary
												38 Internal Meetings - Coordination/Project Management
10	36	72	56		0	96	12	16	40	12	18	368 HOURS SUBTOTAL
\$ 2,050.00	\$ 7,020.00	\$ 10,800.00	\$ 5,712.00	\$ -	\$ 9,120.00	\$ 2,340.00	\$ 2,240.00	\$ 4,800.00	\$ 2,640.00	\$ 3,420.00	\$ 50,142.00	COST SUBTOTAL
2	2	8	8								16	Hrs. Task 2 Public Engagement (Tasks as numbered in Approach)
	4	12	25	12							110	36 1.1 Project Kick-off meeting+Prep
	4	28		4	28						110	163 1.2 Social PinPoint development and Public Outreach/Public Involvement Plan
	8	25		4							25	174 2.1 Pop Up Events/Non-Traditional Engagement
	12	48		4							48	62 2.3 City Staff Meetings - 25 total
	12	48	48		8						48	112 2.4 Project Management Team (PMT) Meetings + Prep - 20 Total
												164 1.5, 1.7, 2.3 Project Advisory Group Interviews/Meetings + Prep - 8 total
												0 1.8 Public Engagement Meeting #1 (Interactive Meeting - See Task 6)
2	6	6	8	8	16						20	66 3.6 Public Engagement Meeting #2 (Per Addendum Q+A)
	6	14	14	8	14						14	70 3.7 Outside Agency Meetings - DeKalb BOC/Tucker Council
2	52	181	95	48	58	0	0	0	0	0	375	811 HOURS SUBTOTAL
\$ 410.00	\$ 10,140.00	\$ 27,150.00	\$ 9,690.00	\$ 7,200.00	\$ 5,510.00	\$ -	\$ -	\$ -	\$ -	\$ 71,250.00	\$ 131,350.00	COST SUBTOTAL
8	40	20	80		60	15	15		2			Hrs. Task 3 Conceptual Plan and Analysis Report Development
4	4	4	60		80	8	8		4			240 2.2 Alternatives Development + Concept Review
2	12	4			60	4	4	4	2			172 3.1 Refine preferred alternatives
2	6	4	4			15	15		2			88 3.2 Preliminary cost estimates
2	8	24			60				12			48 3.3 Deliverability Assessment
2	8	24			60				12			106 3.4 Design Guidelines and Maintenance Plan
	6	8	8		8	8				16		106 3.5 Draft Greenway Concept Study (Action Plan Document)
												62 Internal Meetings - Coordination/Project Management
16	84	88	152	0	328	50	42	0	34	16		810 HOURS SUBTOTAL
\$ 3,280.00	\$ 16,380.00	\$ 13,200.00	\$ 15,504.00	\$ -	\$ 31,160.00	\$ 9,750.00	\$ 5,880.00	\$ -	\$ 7,480.00	\$ 3,040.00	\$ 105,674.00	COST SUBTOTAL
8	16	24			16				2	16		Task 4 Prepare Project Deliverables
2	8	8	8		8	8						82 Final Deliverables
2	16	24	32	0	24	8	0	0	2	16		42 Internal Meetings - Coordination/Project Management
\$ 410.00	\$ 3,120.00	\$ 3,600.00	\$ 3,264.00	\$ -	\$ 2,280.00	\$ 1,560.00	\$ -	\$ -	\$ 440.00	\$ 3,040.00	\$ 17,714.00	124 HOURS SUBTOTAL
												COST SUBTOTAL
2	8	16	24							2	8	Task 5 Executive Summary Report
	4	8									12	60 Editing Project Deliverables into Executive Summary Document
2	12	24	24	0	0	0	0	0	2	20		24 Internal Meetings - Coordination/Project Management
\$ 410.00	\$ 2,340.00	\$ 3,600.00	\$ 2,448.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 440.00	\$ 3,800.00	\$ 13,038.00	84 HOURS SUBTOTAL
												COST SUBTOTAL
6	16	24			24					20		Task 6 Public Presentations (also see Task 2)
	4									5		90 1.8 Public Engagement Meeting #1 - Charette Workshop - Interactive Session with Social Pinpoint/Pigeonhole Live
												9 6.1 Mayor/Council Presentation #1 + Prep
	4									4.5		8.5 6.2 Planning/Zoning Board Presentation
	4									4		8 6.3 Mayor/Council Presentation #2 + Prep
	4	4	4		4					20		36 Internal Meetings - Coordination/Project Management
0	6	28	24	0	24	0	0	0	0	33.5	115.5	HOURS SUBTOTAL
\$ -	\$ 1,170.00	\$ 4,200.00	\$ 2,448.00	\$ -	\$ 2,280.00	\$ -	\$ -	\$ -	\$ -	\$ 6,365.00	\$ 16,463.00	COST SUBTOTAL
32	206	417	383	48	530	70	58	40	50	478.5	2312.5	TOTAL HOURS TASKS 1 thru 6
\$ 6,560.00	\$ 40,170.00	\$ 62,550.00	\$ 39,066.00	\$ 7,200.00	\$ 50,350.00	\$ 13,650.00	\$ 8,120.00	\$ 4,800.00	\$ 11,000.00	\$ 90,915.00	\$ 334,381.00	TOTAL COST TASK 1.0-6.0
1%	9%	18%	17%	2%	23%	3%	3%	2%	2%	21%	100%	PERCENT OF TOTAL HOURS - STAFF AVAILABILITY
											\$ 1,500.00	EXPENSES
											\$ 5,000.00	EXPENSES (HUMMINGBIRD)
											\$ 340,881.00	PROJECT TOTAL
											26.67%	DBE Percentage

CITY OF CLARKSTON

ITEM NO: 7C

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the recommended firm to perform the Church Street and Lovejoy Street Sidewalk project.

DEPARTMENT:

Planning Economic/Development

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the recommended firm to perform the Church Street and Lovejoy Street Sidewalk project.

NEED/ IMPACT:

The City of Clarkston received four (4) bids for the Church Street and Lovejoy Street sidewalk project. Prior to advertising the project management team prepared a cost estimate in July 2022 of \$140,000 to \$160,000 for the project to ensure that the received bids were within a comparable amount.

In November 2022, the evaluation team reviewed each submitted proposal based on the Invitation to Bid requirements. Based on the bid requirements, Construction 57, Incorporated presented the lowest bid at \$160,710.

The 2022 Local Maintenance Improvement Grant (LMIG) funding allocation of \$ 91,600.45 with the 30% local match of \$27,480.14 along with an additional \$41, 629.41 will be used to complete this project. The total cost of this project is \$160,710.00.

RECOMMENDATION:

Staff recommends Construction 57 to perform the Church Street and Lovejoy Sidewalk project at a project cost of \$160,710.00.

MEMO
CHURCH AND LOVEJOY STREET SIDEWALKS
LMIG 2022

Background: Four (4) bids were received on November 21st, 2022;

- SOL Construction, LLC - \$171,418
- Construction 57, Inc. - \$160,710
- R&B Developer, Inc. - \$199,285
- Ohmshiv Construction - \$234,374

Staff Estimated Cost of Work:

Prior to advertising for the project, staff prepared a cost estimate to ensure bid amounts were reasonable. Based on current unit prices for other projects in the Atlanta area for similar work tasks, staff estimated the cost of work to be approximately \$134,500.

Required Bid Submittal Documents: Each firm, with the exception of Construction 57, Inc., omitted acknowledgment of addendum or “Response to Questions”.

Post Bid Submittal Review of Documents: As with all bids, a detailed analysis of the submittal documents was performed after the bids were submitted to ensure compliance with the Invitation-to-Bid (ITB) requirements. This analysis resulted in the following:

- ❖ Construction 57, Inc. has performed work for other cities and counties in Georgia
- ❖ Construction 57, Inc. is a GDOT pre-qualified construction firm
- ❖ Construction 57, Inc. has performed sidewalk work successfully in the City of Clarkston since 2014.
- ❖ Construction 57, Inc. met the document submittal requirements in the ITB

Recommendation

Construction 57, Inc. is the low bidder and has met all the bid requirements. Although the bid amount exceeds the engineering estimate, given the escalation in cost of materials and labor, the project cost is reasonable for the proposed scope of work tasks.

Staff recommends an award to Construction 57, Inc.

LMIG Funding

LMIG 2022 Allocation -	\$91,600.45
30% Match -	<u>\$27,480.14</u>
MIN. CONTRACT AMOUNT =	\$119,080.59

- Final Project Costs must remain greater than \$119,080.59
- City responsible for 100% of the cost of the work exceeding \$91,600.45
- Only qualified materials allowed by GDOT – no landscaping or street furniture

Next Steps

- ✓ Work will require obtaining temporary construction and driveway easements from 2 parcel owners. The easement documents are being prepared, followed by meetings with

the owners for approval. Completed easement forms will be provided to the city manager for acceptance in early January 2023.

- ✓ Contract will be prepared and submitted to the City Manager or signatures upon city council vote on the low bidder

Church Street/Lovejoy LMIG Sidewalk Project

Funding: City of Clarkston and GDOT LMIG

2022 LMIG Allocation: \$91,000

City Required Min. 30% Match: \$27,300

LMIG Required Minimum Project Cost: \$118,300

City Estimated Project Cost: \$150,000-\$160,000

City Financial Responsibility: All project costs in excess of \$91,000

Project Scope: New 5 ft. sidewalk construction, resetting of existing granite curb and 18 inch grass beauty strip. ADA ramps will be constructed at every street/trail/driveway within the path of the sidewalk footprint. Due to shoulder and driveway topography and specimen trees constraints; the following construction and design tasks will be incorporated into the project:

- Use of porous concrete sidewalk at selected locations
- Sidewalk footprint behind trees (not adjacent to the roadway) in select locations
- Significant driveway construction easements due to steep driveway slopes
- Reconstruction of a retaining wall off right-of-way
- 4 ft. sidewalk and no 18 inch grass beauty strip in select locations

Project Limits: Church Street beginning at the end of the existing sidewalk at the Mell Ave trailhead to Lovejoy Street and on the west side of Lovejoy from the Church Street intersection to the PATH Trail.

Schedule: Advertise to-bid in August with bid tabulation to city council in September and contractor NTP issuance in October.

LMIG Schedule Requirement: Contractor must be under contract and issued NTP before 12/31/2022

NEXT STEPS

- Need council approval of sidewalk footprint before advertising to-bid.
- Staff will need to obtain temporary construction and driveway easements from 3 property owners for retaining wall reconstruction and driveway reconstruction



Russell R. McMurry, P.E.,
Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

June 23, 2021

Beverly Burks, Mayor
City of Clarkston
1055 Rowland Street
Clarkston, Georgia 30021-1711

RE: Fiscal Year 2022 Local Maintenance & Improvement Grant (LMIG) Program

Dear Mayor Burks:

We are pleased to announce that the Department will begin accepting applications for the Fiscal Year 2022 LMIG Program in July 2021. Grants will be processed electronically through our **GRANTS (LMIG) Application System**. To begin your FY 2022 LMIG Application, please visit the Department's website at www.dot.ga.gov/PS/Local/LMIG. This site provides a link to the LMIG Application, the LMIG Application Tutorial (Manual), and to the General Guidelines and Rules and other pertinent reports. The project list will be entered directly into the LMIG Application System. Please contact your District State Aid Coordinator, **Chartrae Kent**, at **770-216-3867** for assistance with the online application process.

For an application to be processed, the following requirements must be met:

- A local government must be in Department of Audits and Accounts (DOAA) and Department of Community Affairs (DCA) audit compliance.
- A signed cover letter must be attached and include a completion status of the last three fiscal years' LMIG Grants.
- A signature page must include both the local government seal and the notary seal. The application website provides a blank signature page for you to download, complete and upload as an attachment.
- A local government must provide their District State Aid Coordinator with a Statement of Financial Expenditures form and invoices for Fiscal Year 2019 projects and all other prior years unless previously approved to combine funding for Fiscal Years 2019, 2020, and 2021. The forms can be attached in the LMIG Application System if they have not already been provided to your District State Aid Coordinator.

All electronic LMIG applications must be received no later than February 1, 2022. Failure to submit applications by the deadline might result in a forfeiture of funds.

Your formula amount for the Fiscal Year 2022 Program is **\$91,600.45** and your local match is **30%**. Each local government is required to match this formula amount in accordance with Code Section 48-8-244(d).

If you have any questions regarding the LMIG Program, please contact the Local Grants Office in Atlanta at (404) 347-0240. Thank you for your attention and cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Russell R. McMurry".

Russell R. McMurry, P.E.
Commissioner

cc: Mr. Paul Denard, P.E.; Mr. Robert Brown; Hon. Zulma Lopez; Hon. Kim Jackson; Chartrae Kent

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL
MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 20 22
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT INFORMATION

Date of Application: December 8, 2021

Name of local government: City of Clarkston

Address: City Annex; 1055 Rowland Street, Clarkston, GA 30012

Contact Person and Title: Shawanna Qawiy; Interim City Manager

Contact Person's Phone Number: 678-409-9683

Contact Person's Fax Number: NA

Contact Person's Email: sqawiy@cityofclarkston.com

Is the Priority List attached? YES

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Beverly H. Burks (Name), the Mayor (Title), on behalf of City of Clarkston (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL
MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 20 22**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

E-Verify Number

Beverly H. Burks (Signature)
Beverly H. Burks (Print)

Sworn to and subscribed before me,

This ____ day of _____, 20 ____.

Mayor / Commission Chairperson

In the presence of:

NOTARY PUBLIC

(Date)

My Commission Expires:

LOCAL GOVERNMENT SEAL:

NOTARY SEAL:

SCHEDULE OF VALUES
ENGINEERING ESTIMATE
OF
CONSTRUCTION COST

City of Clarkston, GA
2022 LMIG CHURCH ST. AND LOVEJOY ST. SIDEWALKS
Project Description: Provide all labor, materials, equipment and services for grading, demolition, resetting existing granite curb, new sidewalk, crosswalks, ADA ramps, driveway reconstruction and related tasks

Item Code	Item Description	Qty	Unit Item	Unit Price	Cost
150-1000	TRAFFIC CONTROL	1	LS	8000	8000
163-0232	TEMPORARY GRASSING	0.2	AC	600	120
165-0010	MAINTENANCE OF TEMPORARY SILT FENCE; TYPE A	600	LF	1.25	750
171-0010	TEMPORARY SILT FENCE; TYPE A	600	LF	2.25	1350
210-0100	GRADING COMPLETE ¹	1	LS	30,000	50,000
430-0160	PLAIN CONCRETE PVM, CL 1 CONC, 6 IN THK	6	SY	60	360
441-0018	DRIVEWAY CONCRETE, 8 IN TK W/ FIBER MESH	25	SY	80	2000
441-0104	CONC. SIDEWALK, 4 IN	340	SY	35	11,900
441-6012	CONC CURB & GUTTER, 6 IN X 24 IN, TP 2	200	LF	19	3800
441-7011	CURB CUT WHEELCHAIR RAAMP. TYPE A (includes detectable warning surface truncated domes – yellow)	4	EA	1100	4400
441-7014	CURB CUT WHEELCHAIR RAMP, TYPE D (includes detectable warning surface truncated dome - yellow)	8	EA	1200	9600
500-3201	GDOT RETAINING WALL; CLASS B	70	CY	600	4200
500-9999	CLASS B CONC. BASE (for granite curb reset)	50	CY	300	15,000
611-5280	RESET GRANITE CURB	400	LF	9	3600
643-8200	BARRIER FENCE (ORANGE), 4 FT. TREE PROTECTION FENCE	100	LF	2.10	210
653-1804	THERMO SOLID TRAF STRIPE 8 IN CROSSWALK, WHITE	300	LF	3.50	1050
668-1100	CATCH BASIN, GP 1 (includes brick riser)	1	EA	3200	3200
NA	LANDSCAPE ³	1	LS	2,000	\$2,000
700-9300	SOD (Bermuda - TiFway 419)	200	SY	10	2000
702-9025	LANDSCAPE MULCH	50	SY	18	900
754-4000	WASTE RECEPTACLE UNIT	1	EA	2800	2800
754-5000	BENCH (4 ft)	1	EA	3200	3200
NA	POROUS RUBBERIZED SIDEWALK 6 IN. (within root zone of each tree)	50	SY	60	3000
NA	CONTINGENCY	1	LS	5,000	\$5,000
TOTAL					\$138,440

LMIG 2022 Allocation - \$91,600.45
30% Match - \$27,480.14
MIN. FUNDING = \$119,080.59

Final LMIG Project Costs must be greater than \$119,080.58

PROJECT LENGTH: 600'

- SITE NOTES:
- 1. USE 4' SIDEWALK WHERE TYPICAL 5' SIDEWALK IS NOT POSSIBLE (NOTED ON PLANS)
 - 2. 18" BEAUTY STRIP WHERE POSSIBLE
 - 3. USE PERVIOUS RUBBERIZED ASPHALT AROUND TREES
 - 4. CAREFULLY REMOVE EXISTING DRIVEWAYS PRIOR TO RECONSTRUCTION
 - 5. NO GRADING AROUND TREES
 - 6. ONLY GRADING TO RESET CURB
 - 7. RELOCATE SIGNS BEHIND SIDEWALK ON LOVEJOY STREET

COLLABORATIVE
INFRASTRUCTURE
SERVICES

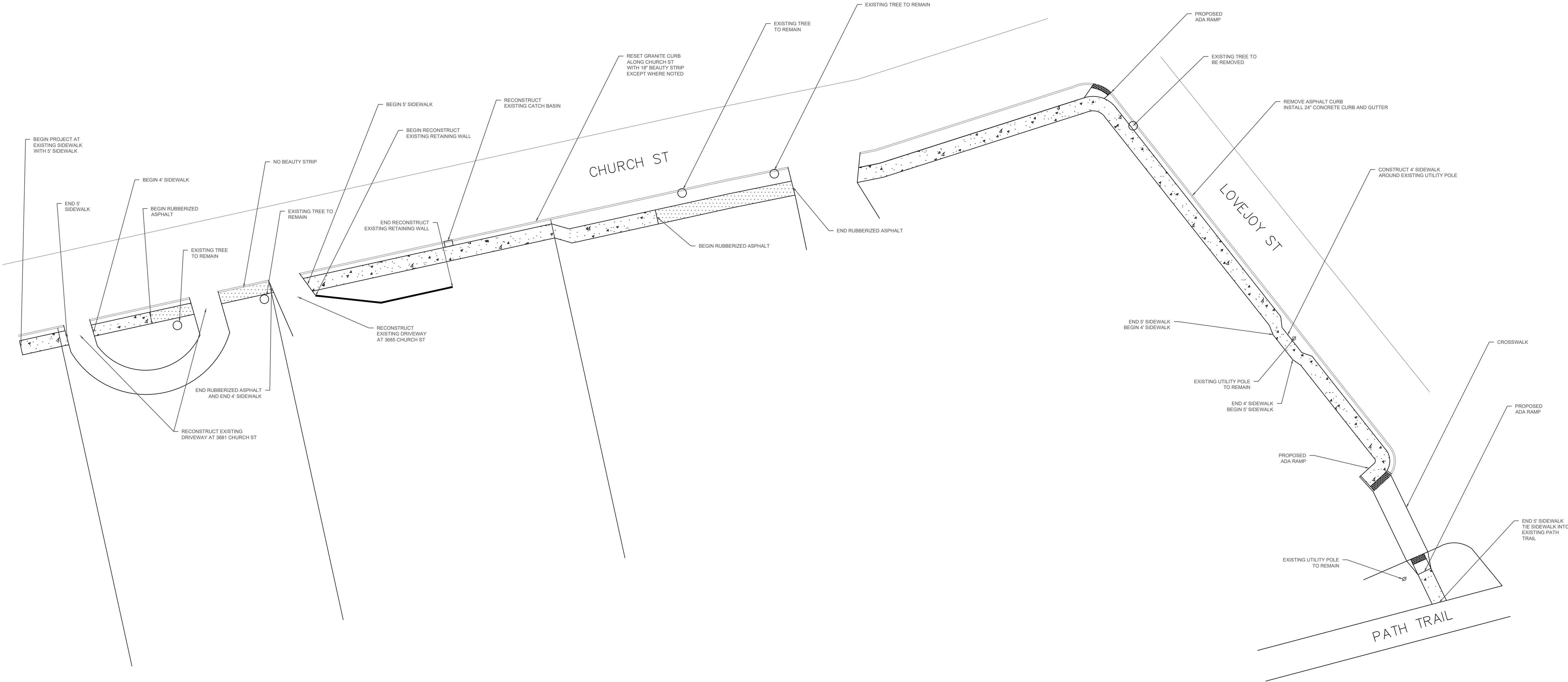
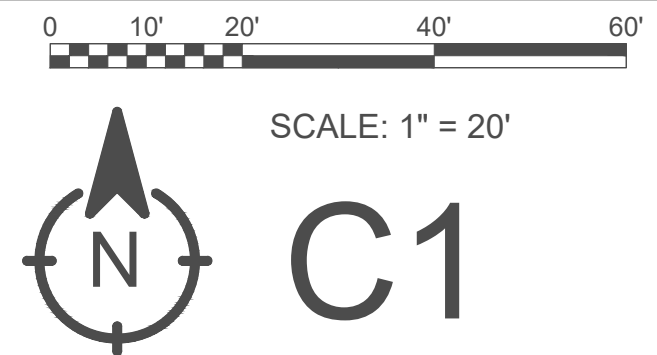
CUSTOMIZED CIVIL
ENGINEERING
SOLUTIONS



LMIG 2022
CHURCH ST AND LOVEJOY ST
SIDEWALKS

DRAWING DATE:
04/13/2022

REVISIONS:



CITY OF CLARKSTON

ITEM NO: 7D

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve a resolution to deny the claim for damages asserted by claimant Jermarcus Wheeler.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

Stephen Quinn, City Attorney

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the ante litem claim the City received for damages from legal counsel representing Jermarcus Wheeler dated November 2, 2022.

NEED/ IMPACT: The city denies Mr. Wheeler's claim for damages pursuant to O.C.G.A. Section 36-33-5.

RECOMMENDATION: The city attorney is hereby directed to communicate with Mr. Wheeler's legal counsel to inform him of this denial of his claim.

RESOLUTION NO. _____

A RESOLUTION BY THE CITY OF CLARKSTON TO DENY THE CLAIM FOR DAMAGES ASSERTED BY CLAIMANT JERMARCUS WHEELER.

WHEREAS, the City of Clarkston received an ante litem claim for damages from legal counsel representing Jermarcus Wheeler dated November 2, 2022; and

WHEREAS, Mr. Wheeler alleges that he was injured in an auto accident on May 24, 2022 and that “upon information and belief” City of Clarkston Police officers/vehicles were somehow involved in this accident, even though it occurred in unincorporated DeKalb County; and

WHEREAS, the City has thoroughly investigated the allegation, including review of GPS location for patrol cars and incident reports for the date in question, and has determined unequivocally that no Clarkston PD officers or vehicles were involved in this alleged incident in any way.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Clarkston that the City of Clarkston hereby formally denies Mr. Wheeler’s claim for damages pursuant to O.C.G.A. Section 36-33-5.

BE IT FURTHER RESOLVED that the city attorney is hereby directed to communicate with Mr. Wheeler’s legal counsel to inform him of this denial of his claim.

SO RESOLVED, this _____ day of February, 2023.

CLARKSTON CITY COUNCIL

BEVERLY H. BURKS, Mayor

ATTEST:

Tomika Mitchell
City Clerk

CITY OF CLARKSTON

ITEM NO: 7E

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve a resolution to deny the claim for damages asserted by claimant Jaque Wheeler.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

Stephen Quinn, City Attorney

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the ante litem claim the City received for damages from legal counsel representing Jaque Wheeler dated November 2, 2022.

NEED/ IMPACT: The city denies Mr. Wheeler's claim for damages pursuant to O.C.G.A. Section 36-33-5.

RECOMMENDATION: The city attorney is hereby directed to communicate with Mr. Wheeler's legal counsel to inform him of this denial of his claim.

RESOLUTION NO. _____

A RESOLUTION BY THE CITY OF CLARKSTON TO DENY THE CLAIM FOR DAMAGES ASSERTED BY CLAIMANT JAQUE WHEELER.

WHEREAS, the City of Clarkston received an ante litem claim for damages from legal counsel representing Jaque Wheeler dated September 1, 2022; and

WHEREAS, Ms. Wheeler alleges that she was injured in an auto accident on April 6, 2022 and that a City of Clarkston employee negligently caused the accident while operating a City-owned vehicle; and

WHEREAS, the City has determined that the referenced incident, which occurred in Gwinnett County, was not part of any official City business; and

WHEREAS, the City holds a policy of insurance that would cover the loss claimed by Ms. Wheeler to the extent that the City vehicle was in fact operated in a negligent fashion as alleged.

NOW, THEREFORE, BE IT RESOLVED BY THE Clarkston City Council that the City of Clarkston hereby formally denies Ms. Wheeler's claim for damages pursuant to O.C.G.A. Section 36-33-5.

BE IT FURTHER RESOLVED that the city attorney is hereby directed to communicate with Ms. Wheeler's legal counsel to inform her of this denial of her claim and to direct counsel to the City's motor vehicle insurance carrier.

SO RESOLVED, this _____ day of February, 2023.

CLARKSTON CITY COUNCIL

BEVERLY H. BURKS, Mayor

ATTEST:

Tomika Mitchell
City Clerk

CITY OF CLARKSTON

ITEM NO: 7F

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

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

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

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.

RECOMMENDATION: Staff recommends authorizing the DeKalb County Board of Registrations and Elections to conduct the City of Clarkston 2023 General Municipal Election.

RESOLUTION NO. _____

**APPOINTING DEKALB COUNTY BOARD OF REGISTRATIONS AND ELECTIONS TO
CONDUCT THE CITY OF CLARKSTON 2023 GENERAL MUNICIPAL ELECTION**

WHEREAS; The City of Clarkston, Georgia will hold a General Election on Tuesday, November 7, 2023; 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 2023; 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 I-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 2023 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 2023.

PASSED, APPROVED and RESOLVED this _____ day of _____ 2023.

Beverly H. Burks, Mayor

ATTEST:

Tomika R. Mitchell, City Clerk

CITY OF CLARKSTON

ITEM NO: 7G

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve allocating \$82,800 in ARPA funding to the Amani Women Center Workforce Development Pilot Program.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE: To approve a request from the Amani Women Center to allocate \$82,800 in ARPA funding to the Amani Women Center Workforce Development Pilot Program.

NEED/ IMPACT: The Amani Women Center Workforce Development Pilot Program anticipates to train over 40 participants. The Center proposes a workforce development pilot initiative to assist newcomers who are residents of Clarkston. The purpose of the workforce development pilot program is to assist participants in gaining life skills that translate to livable wages, improvement of economic well-being and additional fundamental opportunities that meet their needs.

RECOMMENDATION: Council recommends to allocate \$82,800 in ARPA funding to the Amani Women Center Workforce Development Pilot Program.



ANNUAL ASSISTANCE FUNDING

PROPOSAL FOR THE CITY OF CLARKSTON



"Amani Women Center Workforce Development Initiative"

Introduction:

The Amani Women Center (AWC) is requesting to be added to City of Clarkston's workforce development budget. AWC's workforce development seeks to train refugee women in the sewing program by providing them a skill and employment opportunities within AWC's manufacturing hub including starting their own home business.

Overview:

Refugee women are unable to work and contribute to the household income because they face a number of barriers accessing jobs. AWC sewing program addresses these barriers in a holistic way and trains the women to be workforce ready by providing social support which helps with childcare (CAPS), Food stamps (SNAP) among others, ESL classes which addresses the language barriers, health education that focuses on their wellbeing and the ability to navigate the health system, financial literacy classes that promotes savings and self-sufficiency, and computer literacy workshops that bridges the gap in the digital divide.

Resources:

1. AWC has a team of Instructors within the program.
2. AWC Case Workers that assist with social, and human services.
3. AWC Community Ambassadors that help with interpretation, translation, outreach, mobilization and canvassing among others.
4. AWC has two locations that are less than 5miles traveling distance for most of the residents.

Need:

5. There are hardly any manufacturing jobs that cater to refugee women within the City of Clarkston. 90% of the jobs are located within the meat packing industry in Gainesville Georgia. AWC's workforce development initiative will train and employ these women within the city which leads to economic empowerment and self-sufficiency.

Solution:

Amani Women Center is requesting \$72,000 to provide training under the workforce development initiative for 20 Clarkston residents in 2023. The cost per person is \$3,200 a year. ($\$3,200 \times 20 = \$72,000$). And an additional \$10,800 in overhead. A total budget request of \$82,800.00

The program participants will also receive individualized assistance and services in all the areas mentioned above in the "Overview". We anticipate training over 40 women and potentially more.

Proposal:

Amani Women Center proposes to pilot this initiative for the City of Clarkston to assist refugee women who are residents of Clarkston gain life skills that translate to livable wages, improve their economic wellbeing, and seek further opportunities that meet their needs. This keeps residents employed and creates business within Clarkston.

20 women will be trained with sewing skills that enables them to join the workforce.

Activities include:

- a) Weekly classes. (Introduction, Intermediary, Advance)
- b) Mornings (10am – 1pm) and Afternoons (2:30pm - 5:30pm)
- c) Program to provide sewing machines
- d) Machine Knowledge – Standard, Interlocks and industrial
- e) All fabrics – needed for course work
- f) All supplies and notions
- g) Instructors
- h) Case Workers to provide social and human services / screening and applications
- i) AWC Community Ambassadors to provide interpretations and translation support
- j) ESL
- k) Financial Literacy
- l) Computer literacy
- m) Other resources to support women and their families
- n) documentation and reporting

Budget:

Item Description	Amount
Training each student per year = 3,600 x 20 students	\$72,000
Total	\$72,000
Indirect / overhead Cost = 15%	\$10,800
Grand Total	\$82,800.00

ABOUT AMANI WOMEN CENTER, INC.

501-C3 Non-Profit Organization – Clarkston Ga

- AWC's mission is to empower and educate refugee and immigrant women through culturally tailored programs that contribute to their economic security and overall wellbeing. Our programs and services are linguistically and culturally appropriate to meet the needs of the different ethnicities we serve.
- AWC operates 3 main programs using a holistic approach.
 1. Amani Sewing Academy, with emphasis on life skills, self-sufficiency, workforce development, job placement, and small-scale manufacturing.
 2. The Healthy Families Program provides refuge for refugee women to be nurtured mentally and physically and foster healthy family relationships at home including their emotional well-being. HFP addresses health inequities and provides support for program participants within the sewing academy and the community at large. The support services include assistance from AWC case workers for human and social services, domestic violence prevention, sexual assault advocacy, counseling, interpretation, and translation, including workshops/classes that teach and address financial literacy, computer literacy, ESL, and civic engagement.
 3. AWC Community Ambassadors' Leadership Program - The women receive training and skills to take on leadership roles in the community. AWC community ambassadors outreach efforts during the pandemic pivoted to aiding the community in human and social services. AWC 1-800 helpline was implemented to aid with Covid-19 emergencies,

assisting with vaccinations, screening applicants for benefits such as Medicaid, TANF, Food Stamps, Childcare. All services, including translation and interpretation are conducted in 15 languages.

Highlights Since Covid-19 Pandemic:

- Earlier this year, AWC awarded certificates of completion to 23 graduates from 8 different countries and gifted each woman with a new Singer sewing machine. The sewing program has a 98% Graduation rate. 74% started a home business. 87% say they now earn livable wages and have improved English speaking and coping skills – a powerful testimony and credit to our program instructors and ESL volunteers.
- We are proud of our manufacturing team of 12 workers from our workforce development efforts. - comprising students and alumnae who are earning income for sewing various items from contract orders: *to name just a few....*
 - * 2,000 high end pillow covers for a Marietta based company.
 - * 400 table runners for a Decatur small business owner.
 - * 100 make-up bags for an Alpharetta beauty accessories company.
- Our team has been instrumental in developing our made in Clarkston line of products including, cross body bags, eye glass cases, pillowcases, table runners, aprons, and wine totes.
- During the early stages of the pandemic, the women made over 6,000 face masks. Some were donated to the refugee community and some to essential workers. Others were sold and revenue from the initiative was able to put food on the table for many of the program participants and their families.
- AWC community mobilization and outreach efforts in partnership with Dekalb County Board of Health, City of Clarkston, Dekalb County and CORE vaccinated over 975 adults & 370 children – the highest Dekalb County vaccination data within the Clarkston zip code.
- AWC case workers have assisted over 1,800 families with covid related emergencies since the pandemic with utility and rental assistance to avoid eviction or Homelessness. They have screened over 2,600 families that were approved for Food Stamps - SNAP, Childcare-CAPS, MEDICAID, TANF, LIHEAP assistance – And this is still ongoing.
- AWC distributed over 625 pounds of food since the pandemic, over 600 test kits, over 4,200 diapers and wipes, 2,300 bottles of hand sanitizers and other PPE items. These donations benefited 300 households and over 3,100 individuals in Clarkston and surrounding cities.
- We partnered with Clarkston Community Health Center to provide over 15 workshops on health, including BP, diabetes, and breast cancer screening. Our community conversations with other partners included awareness series on dispelling myths and fears about Covid-19.
- AWC is excited to announce that despite the challenges of the pandemic, we now occupy our own property in Clarkston which houses our administrative offices, a mixed-use space for classes

and workshops and of course a showroom showcasing various items proudly made by refugee women in our program.

Conclusion:

We look forward to working with the City of Clarkston and supporting all their efforts to improve the challenges ahead. We stand ready to partner with you in delivering services to help African families, immigrants and the refugee population.

If you have questions on this proposal, feel free to contact Doris Mukangu at your convenience by email at doris@amaniwomencenter.org or by phone at 678-793-0466

Thank you for your consideration.

Doris Mukangu,
President/Executive Director
Amani Women Center, Inc.
(501(c)3 Organization)

CITY OF CLARKSTON

ITEM NO: 8A

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:

Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2023

ACTION TYPE:

Approve

SUBJECT: To approve the resolution to authorize the purchase of 3520 Montreal Creek Court.

DEPARTMENT:

Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES ☐ NO

Pages:

INFORMATION CONTACT:

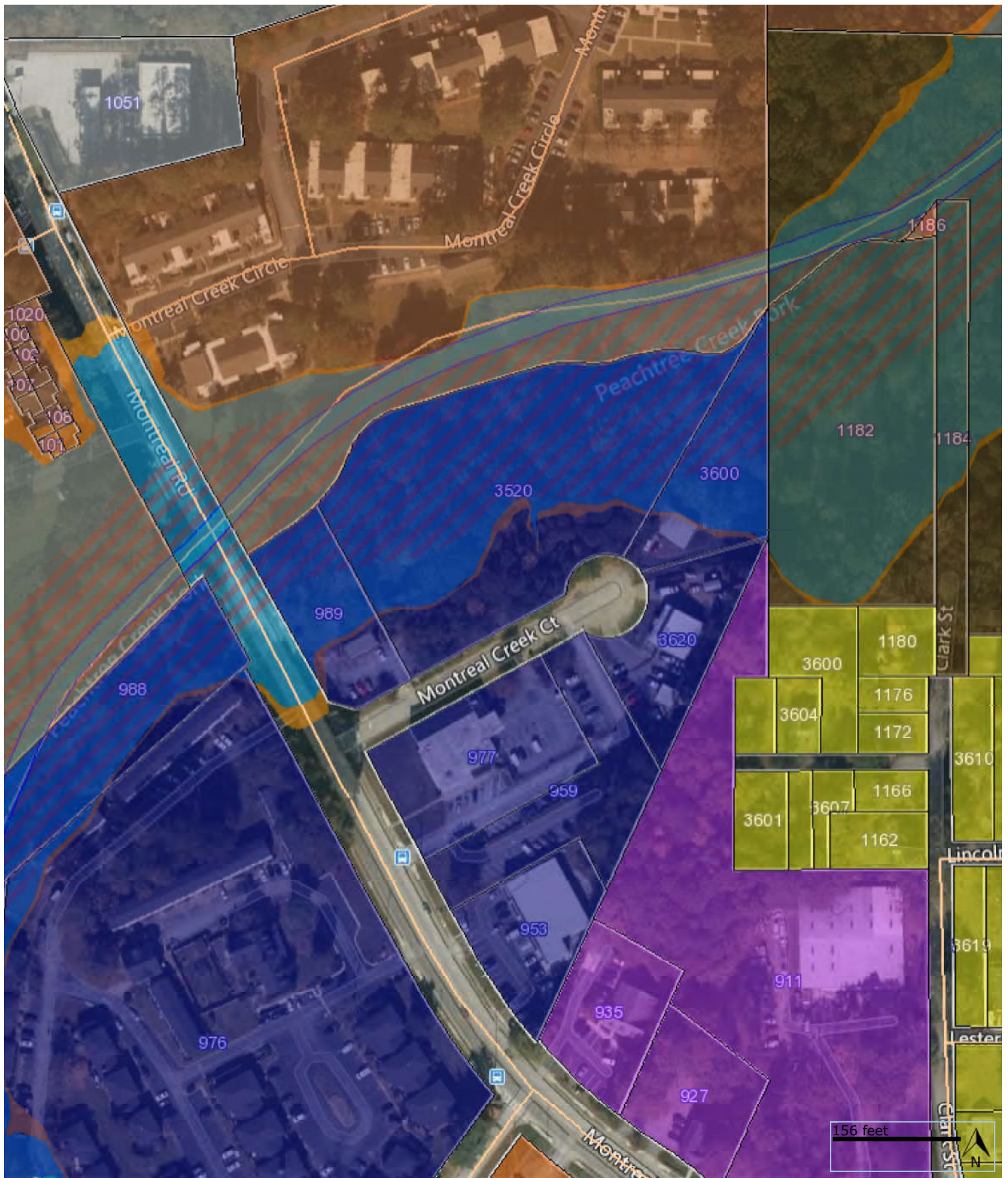
Shawanna Qawiy, City Manager

PHONE NUMBER: 404-296-6489

PURPOSE: To approve the resolution to authorize the purchase of the 3520 Montreal Creek Court property.

NEED/ IMPACT: The city has determined that it is in the public interest to acquire the +/- 2.0 acres of property known as 3520 Montreal Creek Court (Parcel ID 18 118 03 029), Clarkston, GA 30021. The property owner has offered the sell the property to the city for \$70,000.

RECOMMENDATION: N/A



RESOLUTION NO. _____

**A RESOLUTION BY THE CITY OF CLARKSTON AUTHORIZING THE
PURCHASE OF REAL PROPERTY KNOWN AS 3520 MONTREAL CREEK
COURT.**

WHEREAS, the City Council has determined that it is in the public interest to acquire the property known as 3520 Montreal Creek Ct, Clarkston, GA 30021 (DeKalb County tax parcel 18 118 03 029); and

WHEREAS, the owner of said property, Charles T. Hilton, Jr, has offered to sell said property to the City for Seventy Thousand Dollars (\$70,000).

NOW THEREFORE, BE IT RESOLVED that the Clarkston City Council hereby authorizes and directs the purchase of the real property more particularly described by Exhibit "A" hereto, for the purchase price of Seventy Thousand Dollars (\$70,000).

BE IT FURTHER RESOLVED that the City Council hereby authorizes the payment of reasonable closing costs in connection with said purchase.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a contract for the purchase of the property consistent with this Resolution and that the City Manager may execute such other documents as may be necessary to accomplish the purpose of this Resolution.

SO RESOLVED this ____ day of January, 2023.

ATTEST:

**CITY COUNCIL
CITY OF CLARKSTON, GEORGIA**

By _____
City Clerk Tomika Mitchell

Mayor Beverly H. Burks

Approved as to Form:

Stephen G. Quinn
City Attorney

EXHIBIT "A"

TRACT I

ALL that tract or parcel of land lying and being in the City of Clarkston, in Land Lot 118 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at the corner formed by the intersection of the northeasterly right-of-way line of Montreal Road (a 60-foot right-of-way) with the northwesterly right-of-way line of Montreal Creek Court (a 50-foot right-of-way); running thence north 29 degrees 51 minutes 52 seconds west along the northeasterly right-of-way line of Montreal Road, a distance of 222.40 feet to a point located in the center line of Peachtree Creek (said point also being located 1,661.30 feet southeasterly, as measured along the northeasterly right-of-way line of Montreal Road, from the point of intersection of the northeasterly right-of-way line of Montreal Road with the southerly right-of-way line of the Stone Mountain Freeway); running thence in a generally northeasterly direction along the center line of Peachtree Creek, and following the meanderings thereof, a distance of 105 feet, more or less, to a point; running thence south 29 degrees 51 minutes 52 seconds east, a distance of 244.00 feet to a point located on the northwesterly right-of-way line of Montreal Creek Court; running thence south 60 degrees 08 minutes 08 seconds west along the northwesterly right-of-way line of Montreal Creek Court, a distance of 101.39 feet to the point of beginning; and being improved property having a two-story brick office building thereon, and being more particularly shown on a plat of survey prepared for Charles T. Hilton, Jr. and Heritage Bank by Land Developing Company, and certified to by Morrison J. Simms, Georgia Registered Land Surveyor No. 1263, dated March 26, 1986.

TRACT II

ALL that tract or parcel of land lying and being in the City of Clarkston, in Land Lot 118 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point located on the northwesterly right-of-way line of Montreal Creek Court (a 50-foot right-of-way), which point is located 101.39 feet northeasterly, as measured along the northwesterly right-of-way line of Montreal Creek Court, from the corner formed by the intersection of the northwesterly right-of-way line of Montreal Creek Court with the northeasterly right-of-way line of Montreal Road (a 60-foot right-of-way); running thence north 29 degrees 51 minutes 52 seconds west, a distance of 244.00 feet to a point located on the center line of Peachtree Creek; running thence in a generally northeasterly direction along the center line of Peachtree Creek, and following the meanderings thereof, a distance of 646 feet, more or less, to a point; running thence south 30 degrees 20 minutes 50 seconds west, a distance of 344 feet, more or less, to a point located on the northeasterly right-of-way line of the terminus of the cul-de-sac of Montreal Creek Court (said cul-de-sac having a radius of 50 feet); running thence northwesterly, westerly and southwesterly along the northeasterly, northerly and northwesterly right-of-way line of the terminus of the cul-de-sac of Montreal Creek Court, a distance of 99.37 feet to a point; running thence south 60 degrees 08 minutes 08 seconds west along the northwesterly right-of-way line of Montreal Creek Court, a distance of 214.26 feet to the point of beginning; and being a tract of land containing 2.7 acres, more or less, according to a plat of survey prepared for Charles T. Hilton, Jr. and Heritage Bank by Land Developing Company, and certified to by Morrison J. Simms, Georgia Registered Land Surveyor No. 1263, dated March 26, 1986.

SUMMARY APPRAISAL REPORT

Section 1 – Project Identification

GDOT Project Number: N/A

County: DEKALB CO.

GDOT P.I. # N/A

Section 2 – Parcel Identification

Parcel Number: N/A
 Street Address: 3520 Montreal Creek Court
 City / County: Clarkston, DeKalb 30021
 Tax Parcel ID: 18 118 03 029
 Fee Owner(s) Name: Charles T. Hilton Jr.
 Telephone Number: 307.587.6658 (H)
 Fee Owner(s) Address: P.O. Box 1780, Cody, WY 82414

Unincorporated	☐
Incorporated City	☒

Section 3 – Owner Contact/ Ownership Interests

Contact

Owner Contacted	<u>Mr. Charles T. Hilton</u>	(name)
Date/Method of Contact	<u>02/19/2014</u>	(date) <u>telephone</u> (method)
Owner Agreed to On-Site Inspection	<u>yes</u>	<u>X</u> no
Unable to Contact Owner As Of	<u>n/a</u>	(date)
Attempts to Contact Owner	<u>n/a</u>	(number)
Methods of Attempted Contact	<u>n/a</u>	(phone, in person, certified letter)
Dates of Attempted Contact	<u>n/a</u>	(dates)

Inspection

Date of Inspection	<u>02/20/2014</u>	(date)
Owner/representative on Inspection	<u>None</u>	(name or none)
Appraiser Associate on Inspection	<u>N/A</u>	(name or none)
Date of Meeting with Owner	<u>N/A</u>	(date)
Location of Owner Meeting	<u>N/A</u>	(place)

Underground Items

Underground Storage Tanks	<u>None Noted or Reported</u>	(in R/W, information)
Septic System/Wells	<u>None Noted or Reported</u>	(in R/W, location)
Underground Sprinklers	<u>None Noted or Reported</u>	(in R/W, information)
Other	<u>N/A</u>	(in R/W, location)

TITLE HISTORY

ATTENTION IS DIRECTED TO WARRANTY DEED AND/OR TITLE CERTIFICATE FOUND IN **ADDENDUM** SECTION OF REPORT

Transfers of title have occurred within the past five years (yes or no): NO.

If yes, five year delineation of title to real property, source of information, include all pertinent sales data if transaction occurred:

	<u>Most Recent Sale</u>	<u>Next Most Recent Sale</u>
Grantor/Grantee	N/A	N/A
Deed Book/ Page	N/A	N/A
Sale Date	N/A	N/A
Consideration	N/A	N/A
Price/Unit	N/A	N/A
Financing	N/A	N/A
Zoning at Sale	N/A	N/A
Verification	N/A	N/A
Conditions of Sale	N/A	N/A
Highest and Best Use at Sale	N/A	N/A
Use at Sale	N/A	N/A
Total Area (Land & Building)	N/A	N/A
Remarks	N/A	N/A

PHYSICAL HISTORY

Current Use	N/A; vacant land
# of Years	N/A
Previous Use (If current use less than 5 years)	N/A
Anticipated Use (If change anticipated)	N/A

Other Property Interests

	Name	Address	Telephone
Lessee	N/A		
Lessee	N/A		
Sublessee	N/A		
Signage	N/A		
Trade Fixtures	N/A		
Easements	N/A		
Life Estate	N/A		
Other	N/A		

* No PTC supplied as of date of submittal. Warranty Deed Book 05441, Page 1, which shows transfer from Harvey C. Kennedy to Charles T. Hilton Jr., is not available via www.gsccca.org website. All Dekalb County Tax Commissioner and Tax Assessor Digest Information on record confirms Mr. Hilton is Current Owner of Subject Property.

Section 4 – Reporting Disclosure

This report is intended for use by the client only, the report cannot be properly understood without additional information contained in the General Addendum (and in the appraiser's work files), unless such information is included in this report in lieu of Addendum.

Purpose and intended use of the appraisal:

Purpose of the appraisal is to estimate the market value of the fee simple and easement rights (if applicable) interests of the whole property, the part to be acquired and the remainder property immediately after the planned acquisition. In addition, consequential damages (if any) to the remainder and special benefits (if any) to the remainder are estimated when appropriate. The function of the appraisal report is to assure that the property owner(s) is/are offered fair market value for real property and to provide support for the expenditure of funds. Appraisal reports are used by the client for negotiation and acquisition of property rights in conjunction with rights of way creation or expansion.

Intended client and intended user of the appraisal:

Intended client and user of this appraisal is the City of Clarkston. Appraisal is delivered to City of Clarkston; through, Mr. Tommy Terrell, Terrell Hundley & Carroll Right of Way Services, Inc., 777 Petty Road, Suite 201, Lawrenceville, GA 30043, (678) 376-4614.

Property rights being appraised and property rights proposed for acquisition:

Market value interests of the Fee Simple Value for the part to be acquired in fee (if any), and the market value interest of the Easement Rights to be acquired (if any).

State and reference a definition of the value to be estimated:

Market value is defined (see, Information for Appraisers, Chapter 4, Policies and Procedures) as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from buyer to seller under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and each acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in cash in U.S. Dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

This definition is in agreement with and supported by the Appraisal of Real Estate, Thirteenth Edition; Appraisal Institute, 2008.

Just compensation is an amount of compensation to be received by a party for the taking of the whole or taking of a portion of his or her property under the powers of eminent domain as granted by the Fifth Amendment to the U.S. Constitution.

Exposure Time:

Assumed to be adequate, sufficient, and reasonable. Effort for exposure is assumed to be adequate, sufficient and reasonable. Both items are assumed to precede the effective date of value. The time frame is an integral part of the appraisal analysis and is based on one or more of the following:

- ◆ Statistical information about days on the market
- ◆ Information gathered through sales verification; and
- ◆ Interviews of market participants

In the appraisal of the subject property, a reasonable exposure time is estimated to be four to twelve months, if offered for sale under the current real estate market conditions.

Easements (type, definitions):

In the appraisal of the subject property, temporary slope easement for the construction and maintenance of slopes will be acquired. Easement rights, as defined in The Dictionary of Real Estate Appraisal, Fifth Edition (Appraisal Institute, 2010), is: "An interest in real property that conveys use, but not ownership, of a portion of an owner's property."

Appraisal Type:**Total Acquisition**

☐ Residential Improved
☐ Non-residential Improved
☒ Non-Residential Vacant Land

Partial Acquisition

☐ Non Residential Improved - Impact on Remainder ☐/No Impact on Remainder ☐
☐ Land (All Types) With ☐ Without ☐ Site Improvements.
☐ Impact On Remainder ☐ No Impact On Remainder ☐
☐ Land & Residential Improvements (Single Family and Duplex Only),
☐ Impact On Remainder ☐ No Impact On Remainder ☐

Scope of Work - Extent and process of collecting, confirming and reporting all data, report:

Scope of Work

☒ Complete Appraisal
 Self-Contained ☐ Summary ☒ Restricted ☐
☐ Limited Appraisal
 Self-Contained ☐ Summary ☐ Restricted ☐

The scope of work is to prepare a summary narrative appraisal report with supporting documentation to be utilized by the client for internal decision making purposes. Historical market data of similar vacant land sales, improved sales (if applicable), and rentals of improved properties (if applicable) suitable for a comparative market value analysis will be collected, confirmed and analyzed for the purpose of estimating the market value of the fee simple interests of the subject property and the fee simple and easement rights (if any) of the part to be acquired; along with consequential damages to the remainder (if any), less any special benefits to the remainder (if any).

Describe any special limitations:

Attention is directed to the **ADDENDUM** Section of this report for the "Basic Assumptions and Limiting Conditions" affecting this appraisal. All Limiting Conditions and Assumptions which affect the analyses, opinions, and conclusions are included in the Addenda of this report. The appraiser has knowledge and expertise to complete this assignment competently or has disclosed the lack of knowledge, taken any necessary or appropriate steps to complete this assignment, and described these steps herein (if applicable).

Section 5 - Local Government Requirements

Zoning: See Addendum for Zoning Excerpts Pertaining to Property.

Classification: NC-2; Moderate Density Neighborhood Commercial District.
 Highest and Best Use (Buford): NC-2; Moderate Density Neighborhood Commercial District.
 Government Jurisdiction: City of Clarkston
 Major Permitted Uses: Retail and Personal Service uses, etc. (see, Addendum for complete list).
 Major Restrictions/Restricted Uses: City of Clarkston retains the right to approve any potential use of a commercial development for vacant land on a case by case basis. The City can refuse to permit a new planned use on a previously zoned site if the zoning department deems that it is not in keeping with the best interests of the existing neighborhood.
 Remarks: Subject property considered to be vacant commercial land. Subject is awaiting market demand causing ripeness for development to a higher and better use. Highest and Best Use is to maintain existing use until ripe for development.

	Zoning Regulations (NC-2)	Subject Before ¹	Subject After ²
area:	8,500 SF / 0.195 Acre	2.700+/-Acres (Per Tax Assessor)	0.00+/-Acres Total Take
frontage:	75'	Approximately 310'+/- along Montreal Creek Ct.	Total Take
front setback:	10'	N/A; Vacant Land	Total Take
rear setback:	10' 20'when abutting single family residential	N/A; Vacant Land	Total Take
side setback:	0' 8 ft. when abutting single family residential	N/A; Vacant Land	Total Take
parking:	N/A; Vacant Land	N/A; Vacant Land	Total Take
other conformance requirements:	Any Planned Use Must Be Approved By Zoning Officer	Subject Appears to Conform to Current Zoning or Grandfathered.	Total Take

Taxes

Year of valuation: 2013

County valuation: City of Clarkston / DeKalb County

Land	\$113,200.00
Improvements:	\$0.00
Total:	\$113,200.00

Annual taxes: \$2,691.08

Assessment factor: 40%

Current millage rate: \$59.22/ \$1,000.00 of value.

Tax liens: None noted. See Tax Statement in Addendum

Comments: It does not appear that the subject has been encumbered by a tax obligation significantly higher or lower than other similar properties within the subject market area. The subject property tax obligation appears to be typical of other similar properties within the subject market area.

¹ DOT R/W Plans and Personal Inspection
² DOT R/W Plans and Personal Inspection

Section 6 - Property Description Before Acquisition

Property Location: North side of Montreal Creek Ct., just east of intersection with Montreal Rd E, Clarkston, GA 30021.

LAND

Size: 2.700+/- Acres (Per Tax Assessor)
Shape: Somewhat Rectangular.
Frontage: Approximately 310' +/- along Montreal Creek Ct
Depth: Approximately 300' +/- maximum depth along interior.
Topography: Generally level with fronting roadway, then sloping down to a creek on northern portion of subject property and wooded.
Grade: Generally level with fronting roadway, then sloping down to a creek on northern portion of subject property and wooded.
Soil/subsoil conditions: Typical of area, and generally supportive of potential development. No subsurface contamination reported or suspected.
Drainage: Appears adequate; draining away from subject property.
FEMA Map No. /date of map: Approximately 2.000+/- Acres of Subject property along entirety of northern periphery appear to be located within Flood Plain. Subject property is traversed by a stream along entirety of northern periphery in an east to west fashion. See Addenda for FEMA Flood Panels.
Floodplain/wetlands: See Above.
Private utilities: None Noted.
Public utilities: All appear available (sewer, natural gas, water, telephone, electricity).
Access/driveways: Access available along Montreal Creek Ct.
Exposure: Average exposure along Montreal Creek Ct.
Adjoining uses: Commercial and Residential land uses adjoining subject property.
On-site considerations: Fee Simple Acquisition of 2.700+/- Acre; Permanent Easement Area of 0.000+/- Acre; Temporary Easement Area of 0.000+/- Acre; Total Take
Off-site considerations: None Noted.
Remarks/conclusions: The subject property consists of approximately 2.700+/- acres of vacant land, considered to hold Moderate Density Neighborhood Commercial District Highest and Best Use. The planned acquisition area consists of approximately 2.700+/- Acres in fee simple, 0.000+/- Acres in permanent easement area, and 0.000+/- Acres in temporary easement area. Subject property is the object of total acquisition.

MAJOR IMPROVEMENTS - {not affected by proposed acquisition but generally described as follows including information from tax card, exterior observation, and discussions with the owner (interior inspection not required)}:

IMPROVEMENTS – N/A; Vacant Land.

General Description: N/A; Vacant Land

Construction Details:

Improvement Specifics:

Vacant land

Age:	N/A; Vacant Land
Construction quality:	N/A; Vacant Land
Condition of improvements:	N/A; Vacant Land
Functional utility:	N/A; Vacant Land

A detailed description of the main building(s) or structure(s) is/are outlined below:

Present Use:	N/A; Vacant Land
Distance From Existing R/W:	N/A; Vacant Land
Distance from Existing Pavement:	N/A; Vacant Land
Number of Parking Spaces:	N/A; Vacant Land
Size:	N/A; Vacant Land
Room count:	N/A; Vacant Land
Foundation:	N/A; Vacant Land
Roof:	N/A; Vacant Land
Exterior:	N/A; Vacant Land
Interior:	N/A; Vacant Land
Floors:	N/A; Vacant Land
Electrical:	N/A; Vacant Land
Heating and A/C:	N/A; Vacant Land
Plumbing:	N/A; Vacant Land
Additional Features:	N/A; Vacant Land
Remarks:	N/A; Vacant Land

Site Improvements:

<u>Site Improvements</u>	<u>Description</u>	<u>Age</u>	<u>Condition</u>	<u>Quantity</u>
Outbuildings	N/A			
Asphalt	N/A			
Concrete	N/A			
Curbing	N/A			
Lighting	N/A			
Signs	N/A			
Fencing	N/A			
Swimming Pool	N/A			
Landscaping	N/A			
Septic System	N/A			
Well	N/A			
Other	N/A			

***Subject Property is vacant land with no site improvements.**

Section 7 - Description of the Part to be Acquired

Fee Simple and/or Temporary Easement and/or Temporary Easement and/or Access Rights

LAND

Size: 2.700+/-Acre.
 General shape: Somewhat Rectangular.
 Approximate dimensions: Approximately 310'+/- along southern periphery, 240'+/- along western periphery, 640'+/- along northern periphery, and 350'+/- along eastern periphery with a maximum depth of approximately 300'+/- along interior.
 Topography: Generally level with fronting roadway, then sloping down to a creek on northern portion of subject property and wooded.
 Flood plain/wetlands: Approximately 2.000+/- Acres of Subject property along entirety of northern periphery appear to be located within Flood Plain. Subject property is traversed by a stream along entirety of northern periphery in an east to west fashion. See Addenda for FEMA Flood Panels.
 Access/driveways: Access available along Montreal Creek Ct.
 Remarks/conclusions: The planned acquisition area consists of approximately 2.700+/-Acres in fee simple, 0.000+/- Acres in permanent easement area, and 0.000+/- Acres in temporary easement area. Subject property is the object of total acquisition.

PERMANENT EASEMENT: (N/A; None Noted)

Size: N/A; None Noted.
 General shape: N/A; None Noted.
 Approximate dimensions: N/A; None Noted.
 Topography: N/A; None Noted.
 Flood plain/wetlands: N/A; None Noted.
 Access/driveways: N/A; None Noted.
 Remarks/conclusions: N/A; None Noted

TEMPORARY EASEMENT: (N/A; None Noted)

Size: N/A; None Noted.
 General shape: N/A; None Noted.
 Approximate dimensions: N/A; None Noted.
 Topography: N/A; None Noted.
 Flood plain/wetlands: N/A; None Noted.
 Access/driveways: N/A; None Noted.
 Remarks/conclusions: N/A; None Noted.

Utilities: All utilities available in "before" situation appear to be available in "after" situation. Should utilities be placed within permanent or temporary easement acquisition area, appearing in subsequent plans, no negative impact on remainder land is anticipated

IMPROVEMENTS: N/A; Vacant Land

Section 8 - Impact of the Acquisition on the Remaining Property

Size:	N/A; Total Take.
Shape:	N/A; Total Take.
Topography:	N/A; Total Take.
Grade:	N/A; Total Take.
Access/driveways:	N/A; Total Take.
Exposure:	N/A; Total Take.
From main structure, distance to new R/W:	N/A; Total Take.
From main structure, distance from new pavement:	N/A; Total Take.
Parking:	N/A; Total Take.
Describe cross sections:	N/A; Total Take.
Other:	N/A; Total Take.
On-site considerations:	N/A; Total Take.
Off-site considerations:	N/A; Total Take.
Remarks/conclusions:	N/A; Total Take.

IMPROVEMENTS	N/A; Total Take.
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Section 9 - Highest and Best Use

BEFORE AS VACANT

Highest and best use is defined in *The Appraisal of Real Estate, Thirteenth Edition*, (Appraisal Institute, Chicago: 2008), as: *"The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value."*

The questions to be answered in analysis are: *"If the land is, or were vacant, what use should be made of it? What type of building or other improvement, if any, should be constructed on the land, and when?"*

First, all those uses deemed legally permissible are selected and gleaned; generally determined by zoning regulations and/or deed restrictions. From among the legally permissible, those found to be physically possible, i.e. capable of being located on the site given the existing size, frontage, depth and terrain features. From these, those considered financially feasible, i.e. capable of generating a positive benefit (usually measured in terms of dollars) are selected. Finally, that use which is capable of generating the greatest income stream is selected as the highest and best use. From *Appraising Real Property*, Society of Real Estate Appraisers, the procedural sequence can be outlined as follows (*Appraising Real Property*, Boyce, B.N. & Kinnard, W.N., Jr., 1984, Lexington Books: Toronto. This same concept is enumerated in *The Appraisal of Real Estate, Thirteenth Edition*, (Appraisal Institute, Chicago: 2008).

1. Permissible Use (Legal). What uses are permitted under existing zoning and other land use regulations and controls and under existing deed restrictions, for the subject property?
2. Possible Use (Physical). What uses are physically possible on the subject site or in the subject improvements, given the physical characteristics revealed by property analysis?
3. Feasible Use (Appropriate Use). Among legally permitted and physically possible uses for the subject property, which are appropriate given the characteristics revealed by market, neighborhood and property analysis? Which uses produce any net return to the owner or a positive net present value?
4. Highest and Best Use. Among appropriate or feasible uses for the subject property, which use will produce the highest present value?

DISCUSSED PREVIOUSLY, THE SUBJECT PROPERTY APPRAISAL WILL BE FOCUSED ON THE SUBJECT PROPERTY, "AS IS." AFTER A HIGHEST AND BEST USE ANALYSIS OF THE SUBJECT, AS VACANT, IS PERFORMED IN ACCORDANCE WITH THE PRECEDING CRITERIA, IT IS APPARENT THAT:

The Subject Property is considered to be located adjacent the Town Center District of Clarkston, Georgia. It is adjacent to developments which include residential, commercial, and light industrial use improvements. The locational aspect of the Subject Property suggest that a highest and best use with commercial zoning offers the best prospect for financial feasibility in the foreseeable future. The Subject is located near the city's heaviest trafficked roadway corridor, Ponce De Leon Ave, connecting to surrounding municipalities of Atlanta, Decatur, and Stone Mountain by way of I-285 and Hwy 78. The City of Atlanta is the largest catalyst for development in the subject market neighborhood, drawing local residential improvement users and patrons to local retail and restaurant business owners. Clarkston, Georgia is a relatively small municipality within the large scale Metro-Atlanta Area, with professional business people, students and tourists. The subject property specific location is adjacent the northern fringe of the Town Center District, which has been the object of the most recent development due to the lack of vacant land. The subject is a vacant tract of land which is considered to be Moderate Density Neighborhood Commercial highest and best use. The locational aspects of the subject property suggest that the existing land use with commercial Highest and Best Use offers the best prospect for financial feasibility in the foreseeable future. Within the immediate subject area along Montreal Creek Court, land uses tend to be stabilized with predominantly commercial uses. Most existing improvements along Montreal Creek Court include office, and service related buildings. Easy accessibility to the surrounding areas of employment, commercial activity/retail centers, and places of interest via I-285, Hwy. 78 appears to be the major development catalyst within the subject market area and within the project route, notwithstanding the previously mentioned influence of Atlanta. The subject is located along a spur of off a major traffic corridor and the aforementioned roadway(s), and benefits from the high traffic flow, good exposure and easy accessibility to same.

Currently, most local residents that own land immediate to the subject, wait for a time in the future when potential development will appear to be most probable and feasible. Therefore, the most feasible and maximally productive use for the subject property, *as if vacant and in the "near-term,"* would be to hold for future development in line with future market demands and needs. Current market demand and the investor's/consumer's ability to pay for real estate properties does suggest that the market is potentially strong enough to support a development of a "speculative nature," (but typically on a limited basis), designed to today's market standards, and meeting contemporary environmental regulations. Most new construction observed is commercial. As the demand for land, such as the subject property, improves it is feasible to assume that the subject property would be purchased for 'speculative' development in the near term future, with the "proviso" that the

general economy continues to improve; provided the end use would utilize the subject for transit uses only, per the limit of use in the addenda. The competitive vacant properties adjacent to the subject are being held and/ or marketed and/ or developed for potential commercial development. Even though an aura of speculation surrounds the subject property, those individuals making speculative purchases of same readily admit that their investments in land today are for the long-term at a time in the future. Market data and observations indicate that the most probable use of the subject property, as if vacant and as it relates to the highest and best use concept as of the date of this study, is a use maximizing the return to the specific investor. "Holding the subject land vacant" to a time in the future when it is ripe for development to a feasible and most profitable use (similar to those commercial uses adjacent to the subject property, in conformance with current zoning and the "Future Land Plans" for the area, and supported by market demand) tends to achieve these objectives and goals. **Therefore, the most feasible and maximally productive use for the subject property (as if vacant and considering the size, topography and location; as well as zoning classification) would be to hold for future speculation with the potential for commercial land use development, until the subject becomes ripe for redevelopment in line with future market demands and needs.**

BEFORE AS IMPROVED

N/A; VACANT LAND

AFTER AS VACANT

N/A; TOTAL TAKE

AFTER AS IMPROVED

N/A; TOTAL TAKE

Section 10 – Valuation, Before Acquisition

Appraisal Procedure

There are three traditionally accepted methods by which the value of real estate can be estimated. They are classically referred to as the Cost Approach, the Sales Comparison Approach, and the Income Approach.

The Cost Approach is based on the theory of substitution, i.e., no rational market participant is justified in paying more for any property than it would cost to reproduce a similar property in the open market. The approach entails the estimation of the replacement or reproduction cost new of all improvements. Estimates of depreciation (physical, functional and locational) are deducted from the replacement estimate. Any contributory value of site improvements and the estimated market value of the land are then added to arrive at a value estimate for an improved parcel via the Cost Approach. This approach is most helpful when the improvements are new, or nearly new, or when appraising a special use property that has few alternative use options or competitive market comparisons. *The Cost Approach will be most helpful in supporting an estimation of depreciated contributing worth for the site improvements (if any), deemed compensable, as they contribute to the overall value of the property within the planned acquisition.* The Cost Approach use to estimate the value of the subject as improved is deemed not applicable, since the subject property is considered vacant land.

The Sales Comparison Approach is also based on the theory of substitution, i.e., a rational participant is justified in paying no more than the price of a similar property with similar attributes. The Sales Comparison Approach entails the discovery of similar and/or competitive properties which have sold under open market circumstances. These sales are then examined and relationships to sales prices are determined and compared. Within the sales comparison analysis, financial aspects of the competitive properties are quantified and a comparative relationship to the subject property is assessed. Typically, the Sales Comparison Approach is deemed most helpful in indicating a worth to the property under appraisal both in the "before" and "after" scenarios; as well as indicating a worth of the underlying land in the planned acquisition area. The Sales Comparison Approach is deemed most helpful in indicating a worth to the property under appraisal as vacant. Generally, greatest emphasis is placed on this approach. This approach will be most appropriate in arriving at an indication for the subject "as vacant" but not "as improved," since the subject property is considered vacant land.

The basic premise of the Income Approach is that a property's market value is the present worth of future benefits. From a commercial property perspective, the Income Approach views the market from the investor's eyes, i.e., the income-generating capacities of the property are observed. An estimate of gross income is derived from the market and attributed to the subject property. The anticipated benefits to be derived by a potential investor are estimated from the perspective of the quality and quantity of the forecasted "net" income stream projected over a typical holding period. A present worth estimate of the subject property is then suggested via the Income Approach. The use of this approach to estimate the value of the subject as vacant is deemed not applicable due to the fact that few "pure" land leases and sales of leased land suitable for comparison to the subject as vacant were observed or shared with the appraiser. Within the City of Clarkston marketplace, buyers and sellers typically base their transacting decisions on the value of a property based on suitable similar land sales, rather than land rents. This approach will not be used to estimate the subject's value as improved since the subject property is considered vacant land.

For the purposes of this appraisal, a reasonable exposure period is estimated to be 12+ months; based on observations of properties zoned to a marketable zoning similar to that of the subject or capable of being put to a use similar to the subject; and if offered for sale within the surrounding market area. Talks with Realtors and other market participants knowledgeable of the buying and selling patterns of real estate within the City of Clarkston locale confirm this supposition. Market sales transactions of comparable properties, deemed helpful in the appraisal analysis of the assigned parcel are introduced and analyzed following this discussion.

LAND VALUATION

LAND VALUATION SECTION (Market/Sales Comparison-Land Only):

When appropriate, and when no quantitative adjustment are available, upward and downward adjustments are performed "qualitatively" to lead the reader to a better understanding of how the value estimate was concluded. "Quantitative" adjustments are applied when appropriate data exists to do a paired sales analysis. In the specific case, percentage adjustments will be applied to the elements of comparison of each comparable property as they are compared to the subject property. The overall amount and upward/downward direction of the adjustments will be used to indicate a market value for the subject, as vacant. The unit of comparison will be price per acre, since the subject is an approximate 2.700+/-Acre site improved with infrastructure and ready for development that has been surveyed and recorded as same (see, Addendum for detailed *Sales Data Sheets* describing the sales utilized in the valuation of the subject).

Vacant Commercial Land Sale No. 1 took place in June of 2011, and is located at 3993 Glenwood Rd., Decatur, GA 30032. It is located within the subject market area, approximately 5-6 +/- miles south of the subject property. The 0.2757+/- acre site sold for \$22,750.00/ total sales price or \$82,518.00 / Acre (Rnd), and was purchased for future commercial development; this property is currently vacant commercial land. Consideration for the following elements of comparison is reflected on the adjustment grid following this page: location, exposure, size, zoning, frontage, access, topography, functional utility, and utilities. **Attention is directed to the adjustment grid following this discussion, depicting the size and direction of the value adjustments for this comparable when compared to the subject.**

Vacant Commercial Land Sale No. 2 took place in June of 2013, and is located at 1125 N. Indian Creek Dr., Clarkston, GA 30021. It is located within the subject market area, approximately 0.2-0.3 +/- miles south of the subject property. The 0.800+/- acre site sold for \$420,000.00/ total sales price or \$525,000.00 / Acre (Rnd), and was purchased for future commercial development; this property is currently improved with a free standing retail building (Family Dollar). Consideration for the following elements of comparison is reflected on the adjustment grid following this page: location, exposure, size, zoning, frontage, access, topography, functional utility, and utilities. **Attention is directed to the adjustment grid following this discussion, depicting the size and direction of the value adjustments for this comparable when compared to the subject.**

Vacant Commercial Land Sale No. 3 took place in October of 2011, and is located at 2712 Clairmont Rd., Atlanta, GA 30329. It is located within the subject market area, approximately 4-5+/- miles northwest of the subject property. The 1.123+/- acre site sold for \$100,000.00/ total sales price or \$89,048.00/Acre / Acre (Rnd), and was purchased for future commercial development buffer; this property is currently vacant commercial land. Consideration for the following elements of comparison is reflected on the adjustment grid following this page: location, exposure, size, zoning, frontage, access, topography, functional utility, and utilities. **Attention is directed to the adjustment grid following this discussion, depicting the size and direction of the value adjustments for this comparable when compared to the subject.**

*It is hereby acknowledged that The City of Clarkston sold 0.6+/- Acre opposite the Subject Property (Tax ID: 18 118 03 025) in March of 2013 for \$51,800.00 or \$86,334.00/ Acre. This transaction is reportedly less than Arm's Length and not reflective of fair market value. City of Clarkston Manager Keith Barker disclosed that the City sold the land to Georgia Municipal Association (GMA) with the agreement that GMA would loan the City funds for the construction of a City Occupied and Operated Building and lease the building upon construction to the City with the agreement that the "lease-back" will be an amortized lease purchase. At the end of the term of the lease, the City would again be the owner of the land and building, for which GMA funded the construction. It does not appear that any credible market data regarding the value of the underlying land can be drawn from this transaction. The above referenced Comparable Sales 1, 2 & 3 appear to be the most accurate and reasonable value indications of the subject property.

Price per Acre is deemed to be the most appropriate Unit of Comparison.

LAND SALE ADJUSTMENT GRID
Commercial Land Sales (0.75 AC Developable Portion)

Item	Subject	Vacant Commercial Land Sale 1		Vacant Commercial Land Sale 2		Vacant Commercial Land Sale 3	
Address	3520 Montreal Creek Ct., Clarkston, GA 30021 (0.75 AC Developable Portion)	3993 Glenwood Rd, Decatur, GA 30032		1125 N. Indian Creek Dr., Clarkston, GA 30021		2712 Clairmont Rd., Atlanta, GA 30329	
Proximity to Subject		5-6+/- Miles South	0%	0.2-0.3+/- Miles West	0%	4-5+/- Miles Northwest	0%
Sales Price	N/A	\$22,750.00 (Rnd)		\$420,000.00 (Rnd)		\$100,000.00 (Rnd)	
Price Per Acre	N/A	\$82,518.00 (Rnd)		\$525,000.00 (Rnd)		\$89,048.00.00 (Rnd)	
Data Source	N/A	PT-61	0%	Deed & Grantor	0%	Deed & Grantor	0%
VALUE ADJSTMNTS	N/A	N/A	0%	N/A	0%	N/A	0%
Rights Conveyed	Fee Simple	Fee Simple	0%	Fee Simple	0%	Fee Simple	0%
Sales or Financing Concessions	None	None	0%	None	0%	None	0%
Conditions of Sale	Arm's Length	Arm's Length	0%	Arm's Length	0%	Arm's Length	0%
Market Conditions/Time	February, 2014	June, 2011	0%	June, 2013	0%	October, 2013	0%
Adjusted Price/Unit		\$82,518.00 (Rnd)		\$525,000.00 (Rnd)		\$89,048.00.00 (Rnd)	
Location	3520 Montreal Creek Ct., Clarkston, GA 30021	3993 Glenwood Rd, Decatur, GA 30032	0%	1125 N. Indian Creek Dr., Clarkston, GA 30021; Superior	-50%	2712 Clairmont Rd., Atlanta, GA 30329	0%
Site/View/ Exposure	Montreal Creek Ct.	Glenwood Rd.	0%	N. Indian Creek Dr., Vaughan St.	0%	Clairmont Rd.	0%
Size	*0.75+/- Acres	0.2757+/- Acre	0%	1.19+/- Acre	0%	1.123+/- Acre	0%
Zoning/Use	Commercial	Commercial; Similar	0%	Commercial; Similar	0%	Commercial; Similar	0%
Frontage	Montreal Creek Ct.	Glenwood Rd.	0%	N. Indian Creek Dr., Vaughan St.; Superior	-25%	No direct frontage; "Land- locked".	0%
Access	Montreal Creek Ct.	Glenwood Rd.	0%	N. Indian Creek Dr., Vaughan St.	0%	Clairmont Rd.	0%
Topography	Generally level w/ roadway and sloping down; Wooded	Similar	0%	Similar	0%	Sloping Steeply and Wooded	0%
Shape	Somewhat Rectangular	Similar	0%	Similar	0%	Similar	0%
Utilities	All Available	Similar	0%	Similar	0%	Similar	0%
Functional Utility	Average	Average	0%	Similar	0%	Similar	0%
Other	No Other Spec. Features	Similar	0%	Similar	0%	Similar	0%
Gross Adjustments:			0%		75%		0%
Net Adjustments:			0%		-75%		0%
Indicated Market Value of Subject Property: Per Ac		\$82,518.00 (Rnd)		\$131,250.00 (Rnd)		\$89,048.00.00 (Rnd)	

Explanation of adjustments (may refer to Sales Data Sheets in Addendum for discussion below):

It is reasonable to assume that:

- No Market Conditions adjustment appears reasonable.

- Comparable Sales 2 (-50%) location along Indian Creek Drive deemed superior due to high volume traffic flow and (-25%) frontage deemed superior due to frontage along two roadways; adjustments shown deemed appropriate and reasonable.

It is acknowledged that the value adjustments for Comparable Sale 2 are greater than desirable. However, Comparable Sale 2 is located approximately 0.25+/- Mile from the subject property in a same socio-economic demographic neighborhood. The greatest difference between the subject and Comparable Sale 2 is the development potential of Comparable Sale 2 being retail versus office. It is not deemed prudent to ignore this sale since it is recent and within visual distance of Montreal Creek Court.

Comparable Sale 2 is deemed to be similar to the subject property in terms of functional utility and overall value, as the vast majority of this property holds the highest and best use of a Buffer and/or Density.

*Approximately 0.75+/- acres of subject property appears to be developable (High and Dry) based on appraiser's calculations derived from flood maps and DeKalb County GIS.

CITY OF CLARKSTON
ACQUISITION OF PARCEL 18 118 03 029

M.K. GOTTSCHALK, L.L.C.
Real Property Appraisal Co.

LAND SALE ADJUSTMENT GRID
Commercial Land Sales (1.95 AC Floodplain Portion)

Item	Subject	Vacant Commercial Land Sale 1		Vacant Commercial Land Sale 2		Vacant Commercial Land Sale 3	
Address	3520 Montreal Creek Ct., Clarkston, GA 30021 (1.95 AC Floodplain Portion)	3993 Glenwood Rd, Decatur, GA 30032		1125 N. Indian Creek Dr., Clarkston, GA 30021		2712 Clairmont Rd., Atlanta, GA 30329	
Proximity to Subject		5-6+/- Miles South	0%	0.2-0.3+/- Miles West	0%	4-5+/- Miles Northwest	0%
Sales Price	N/A	\$22,750.00 (Rnd)		\$420,000.00 (Rnd)		\$100,000.00 (Rnd)	
Price Per Acre	N/A	\$82,518.00 (Rnd)		\$525,000.00 (Rnd)		\$89,048.00.00 (Rnd)	
Data Source	N/A	PT-61	0%	Deed & Grantor	0%	Deed & Grantor	0%
VALUE ADJUSTMENTS	N/A	N/A	0%	N/A	0%	N/A	0%
Rights Conveyed	Fee Simple	Fee Simple	0%	Fee Simple	0%	Fee Simple	0%
Sales or Financing Concessions	None	None	0%	None	0%	None	0%
Conditions of Sale	Arm's Length	Arm's Length	0%	Arm's Length	0%	Arm's Length	0%
Market Conditions/Time	February, 2014	June, 2011	0%	June, 2013	0%	October, 2013	0%
Adjusted Price/Unit		\$82,518.00 (Rnd)		\$525,000.00 (Rnd)		\$89,048.00.00 (Rnd)	
Location	3520 Montreal Creek Ct., Clarkston, GA 30021	3993 Glenwood Rd, Decatur, GA 30032	0%	1125 N. Indian Creek Dr., Clarkston, GA 30021; Superior	-50%	2712 Clairmont Rd., Atlanta, GA 30329	0%
Site/View/ Exposure	Montreal Creek Ct.	Glenwood Rd.	0%	N. Indian Creek Dr., Vaughan St.	0%	Clairmont Rd.	0%
Size	*1.95+/- Acres	0.2757+/- Acre	0%	1.19+/- Acre	0%	1.123+/- Acre	0%
Zoning/Use	Commercial	Commercial; Similar	0%	Commercial; Similar	0%	Commercial; Similar	0%
Frontage	Montreal Creek Ct.	Glenwood Rd.	0%	N. Indian Creek Dr., Vaughan St.	-25%	No direct frontage; "Land-locked".	0%
Access	Montreal Creek Ct.	Glenwood Rd.	0%	N. Indian Creek Dr., Vaughan St.	0%	Clairmont Rd.	0%
Topography	Generally sloping down; Wooded	Similar	0%	Similar	0%	Sloping Steeply	0%
Shape	Somewhat Rectangular	Similar	0%	Similar	0%	Similar	0%
Utilities	All Available	Similar	0%	Similar	0%	Similar	0%
Functional Utility	Poor (Flood Zone)	Average; Superior	-75%	Average; Superior	*-15%	Average; Superior	-75%
Other	No Other Spec. Features	Similar	0%	Similar	0%	Similar	0%
Gross Adjustments:			75%		90%		75%
Net Adjustments:			-75%		-90%		-75%
Indicated Market Value of Subject Property: Per Ac		\$20,630.00 (Rnd)		\$52,500.00 (Rnd)		\$22,262.00.00 (Rnd)	

Explanation of adjustments (may refer to Sales Data Sheets in Addendum for discussion below):

It is reasonable to assume that:

- No Market Conditions adjustment appears reasonable.
- Comparable Sales 2 (-50%) location deemed superior and (-25%) frontage deemed superior; adjustments shown deemed appropriate and reasonable.
- Comparable Sales 1 & 2 (-75%) and 3 (-15%) downward adjustment for superior functional utility, as the subject property is encumbered by flood zone area is deemed appropriate and reasonable.

*The above referenced downward adjustment of 15% for Comparable Sale 2 functional utility is deemed appropriate based on a total downward adjustment of 90% due to flood plain, location and frontage.

*Approximately 1.95+/- acres of subject property appears to be located within flood plain based on appraiser's calculations derived from flood maps and DeKalb County GIS.

CITY OF CLARKSTON
ACQUISITION OF PARCEL 18 118 03 029

M.K. GOTTSCHALK, L.L.C.
Real Property Appraisal Co.

Land Value Estimate for Developable Portion (0.75+/- Acre)

After adjusting the competitive sales, the prices per acre value indications range from \$82,518.00 /Acre to \$131,250.00/Acre. All sales are deemed good indicators for the subject's suggested market value, adjusted to that indication of value that doesn't exhibit a degree of exactness too precise to attain from the employment of current appraisal methodology. All sales are near the subject, within the City of Clarkston marketplace, and expanded market area, and suggest that it is reasonable to assume that the value of the subject would fall within the value range indicated by the land sale observations analyzed. This range must be further adjusted to narrow the value limits of these observations to an appropriate indication of worth for the subject property, in conformance with market actions and attitudes.

Based on the market observations, most emphasis is placed on Comparable Sale 1, that sale most similar to the subject in terms of development potential. This adjusted value indication is enhanced by Comparable Sales 2 & 3. Thus, a per acre value of \$100,000.00/Acre is considered reasonable for the subject's underlying land, "as vacant." Based upon a 12+/- month exposure period and the preceding analysis, the price per acre for the 0.750+/- acre site of the subject property, as vacant, is estimated to be \$100,000.00 per acre. Estimated Market Value of the subject property underlying land is calculated as follows:

$$\text{\$100,000.00/ Acre} \times \text{0.750+/-Acres} = \text{\$75,000.00(rnd)} \text{ for Subject Tract (Developable Portion) as Vacant}$$

Land Value Estimate for Floodplain Portion

After adjusting the competitive sales, the prices per acre value indications range from \$20,630.00 /Acre to \$52,500.00/Acre. All sales are deemed good indicators for the subject's suggested market value, adjusted to that indication of value that doesn't exhibit a degree of exactness too precise to attain from the employment of current appraisal methodology. All sales are near the subject, within the City of Clarkston marketplace, and suggest that it is reasonable to assume that the value of the subject would fall within the value range indicated by the land sale observations analyzed. This range must be further adjusted to narrow the value limits of these observations to an appropriate indication of worth for the subject property, in conformance with market actions and attitudes.

Based on the market observations, most emphasis is placed on the lower end of the value range due to the Subject Property inferior functional utility and development potential. This portion of the subject property's value appears to lie in its ability to add to density for future commercial development along Montreal Creek Court and/ or setback/ buffer requirements. Thus, a per acre value of \$25,000.00/Acre is considered reasonable for the subject's underlying land, "as vacant." Based upon a 4-12 month exposure period and the preceding analysis, the price per acre for the 1.950+/- acre site of the subject property, as vacant, is estimated to be \$25,000.00 per acre. Estimated Market Value of the subject property underlying land is calculated as follows:

$$\text{\$25,000.00/ Acre} \times \text{1.950+/-Acres} = \text{\$48,750.00(rnd)} \text{ for Subject Tract (Floodplain Portion) as Vacant}$$

Developable Portion:	\$75,000.00 (rnd)
Floodplain Portion:	+ 48,750.00 (rnd)
	\$123,750.00 (rnd)

The previously analyzed sales are given greatest credence, and are the most reasonable comparable sales that would be suggestive of a value for the subject as vacant. The above value includes no value enhancement for the subject's site beautification efforts of the subject property owner; No landscaping enhancement was noted. It is reasonable to assume that prospective purchasers would base their buying opinions of "value added landscaping" upon the average cost to replicate a somewhat similar landscaping design from a competitive perspective. ALL OF THE COMPARABLES WERE UN-LANDSCAPED VACANT LAND AT TIME OF PURCHASE, THEREBY MAKING AN UPWARD ADJUSTMENT FOR LANDSCAPING ATTRIBUTED TO THE SUBJECT UNREASONABLE. However, landscaping will be handled as a separate site improvement:

Clearing/Landscaping Value Enhancement ¹⁾	\$ 0.00 ¹⁾
Underlying Land Value As Vacant	<u>+123,750.00</u>
Total Land Value	\$123,750.00 ²⁾

The reasonableness of this valuation estimate is based on the analytical premise of the "*larger parcel*;" a fundamental concept in the field of eminent domain valuation. Real Estate Terminology defines the "*larger parcel*" as: "*In condemnation, that portion of a property which has unity of ownership, contiguity, and unity of use. These are the three conditions which must be present to establish the larger parcel for the purpose of considering the extent of severance damage, if any, in most states.*" ¹⁾ The value estimate indicated above, and that for the part to be acquired, is based on the total area of the subject property, North side of Montreal Creek Ct., just east of intersection with Montreal Rd E; delineated in ADDENDUM Section of this report Tax Map (Parcel 18 118 03 029).

This procedure is also in conformance with, and supported by Georgia procedures for appraising property for condemnation (Source: Eminent Domain, Hinkle).

¹⁾ Site improvements based on contributory value to prospective purchaser (see, DESCRIPTION OF THE IMPROVEMENTS Section of this report)

²⁾ Indication offered is reasonable in view of subject's quality, condition and future marketability potential.

FINAL VALUE ESTIMATE, BEFORE ACQUISITIONTotal Value of Land Before Acquisition:

(Developable Portion) Land Only 0.750+/-acre @ \$100,000/ Acre):

\$75,000.00(rnd)

(Floodplain Portion) Land Only 1.950+/-acre @ \$25,000/ Acre):

+48,750.00(rnd)

Total:

\$123,750.00(rnd)

Section 11 – Estimate of Value, Part to be Acquired**Fee Simple Land (Developable Portion):**

Value of Land to be Acquired - Fee Simple:

\$75,000.00(rnd)

<u>0.750+/-acre</u>	@	<u>\$100,000.00/ Acre</u>
Land Area		Value Per SF or Per Acre

Fee Simple Land (Floodplain Portion):

Value of Land to be Acquired - Fee Simple:

\$48,750.00(rnd)

<u>1.950+/-acre</u>	@	<u>\$25,000.00/ Acre</u>
Land Area		Value Per SF or Per Acre

Total:

\$123,750.00(rnd)

Easement Valuation:

Define Easement Type: N/A; None Noted

Value/% of Fee Basis: 50% Easement Impact on Fee Value

Market Value of Easement:

<u>0.000+/- Acre</u>	@	<u>\$0.00 per Acre</u>	@	<u>50%</u>	
Land Area		Value Per SF or Per Acre		% of Fee	\$0.00 (rnd)

Easement Valuation:

Conceptually, easement acquisition consists of certain property rights which are less than fee simple ownership; necessary for the construction and maintenance of roadway slopes, or required for a temporary construction easement. The bundle of rights theory..... is a concept that compares property ownership to a bundle of sticks with each stick representing a distinct and separate right of the property owner, e.g., the right to use real estate, to sell it, to lease it, to give it away, or to choose to exercise all or none of these rights. State of Georgia Case Law reveals the following: "A public body may condemn an easement allowing a particular public use of private property upon the payment of just and adequate compensation for the value of the easement. An easement is an interest in land, taking of which grants the condemnor the right to use the land for a special purpose of the property. The condemnor acquires all rights required for the use of the easement, but the owner of the property retain full domain and use of the land, except to the extent that a limitation is essential to the reasonable enjoyment of the easement." In the specific case a compensable temporary easement will be acquired. Attention is directed to the Part to be Acquired Section of this report for a detailed description of the easement area to be acquired and the effect on its subject property remainder.

No Permanent Easement Noted.

¹⁾ The Dictionary of Real Estate Appraisal, 4th Edition, Appraisal Institute, Chicago 2002.

²⁾ Georgia Eminent Domain, Hinkel, Easements, 2009.

Improvements:

Improvement	Size/Area			Value*
	Fee Simple Area	Permanent Easement	Temporary Easement	
Outbuildings				
Asphalt				
Concrete				
Curbing				
Fencing				
Landscaping				
Underground Sprinklers				
Septic System				
Water Well				
Other:				
Totals				

Explanation of basis for Amounts

All Figures above rounded upward to nearest one dollar.

- Site improvement values discussed in Addendum.

Total Value of Part to be Acquired:

Fee Simple Land:	\$ 123,750.00
Permanent Easements:	0.00
Site Improvements:	+ 0.00
Total:	\$123,750.00

Section 12 – Cost to Cure

N/A

Section 13 – Other Compensation

Signage: N/A

Damages to Trade Fixtures

Fee Owned: N/A

Tenant Owned: N/A

Temporary Easement Valuation

Value of Easement(s)

<u>0.000 ac</u>	<u>\$0.00/ac</u>	<u>10%</u>	<u>2 yrs.</u>	<u>10% Disc. Rate</u>	
Land Area	Value Per Unit	% Rent	Term	Pmt. Begin Term	\$0.00(Rnd)

Easement Type: N/A; None Noted

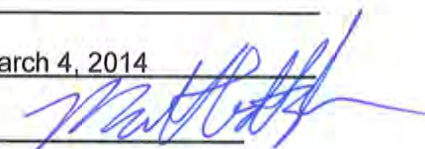
Supporting Data – Attachments

See ADDENDUM

Basic Assumptions & Limiting Conditions / Qualifications of Appraiser
Photographs of the Subject/ Sketch of Improvements (If Applicable)
Sketch of the Building Improvements
Survey/ Tax Map Excerpt of subject
Preliminary Title Certificate/ Warranty Deed
ACC Plans of Subject
Cross Sections of the Subject (If Supplied)
Cost to Cure Report (N/A); Specialty Reports (If Supplied)

General Addendum

This appraisal contains all data and information to be considered as an independent valuation analysis when used with the **ADDENDUM**. **ADDENDUM** contains County Overview/ Neighborhood Data, Comparable Sales, and Market Analysis.

COMPENSATION SUMMARY – 388CProject: N/A Parcel: 2County: DeKalb GDOT PI#: N/ADate Signed: March 4, 2014 Date of Value: February 20, 2014Appraiser/Signature:  Certification #: CG 241572Appraiser's Name: Matthew K. Gottschalk Address: 1592 Mars Hill Rd, Suite C, Watkinsville, GA 30677Telephone Number: (706) 310-9922 Fax No.: (706) 310-9923 E-Mail: mkgottschalk3000@gmail.com

Value of the Land to be Acquired, Fee Simple:			
Land/Area	Price/Acre		\$123,750.00
0.750+/- Acre	\$100,000.00	\$75,000.00	
1.950+/- Acre	\$25,000.00	\$48,750.00	
Value of Permanent Easements(s):			
Land/Area	Price/Acre	% of Fee Value	\$0.00
0.000+/- Acre	\$0.00	50%	
Value of Improvements to be Acquired			
Main Structure	\$0.00		
Site Improvements	\$0.00		
Total Improvements			\$0.00
Market Value of the Acquisition			\$123,750.00
Impact/Damages to the Remainder (not offset by specific benefits)			\$0.00
Damages to Trade Fixtures/ Sign Relocation			\$0.00
Temporary Easement			\$0.00
Other: Cost to Cure			\$0.00
Recommended Compensation, As Rounded:			\$123,750.00

Summary of Compensation for Ownership Interests

	Name	Compensation	Items Included
Owner/ Leased Fee	Charles T. Hilton Jr.	\$123,750.00	Fee Simple Land
Other Interests			
Other Interests			

No ownership interests other than those noted above appear evident.

CERTIFICATE OF THE APPRAISERSTATE OF Georgia
COUNTY OF DeKalbPROJECT NO. N/A
PARCEL NO. 18 118 03 029
P.I. NO. N/A**I hereby certify:**

That I have personally inspected the property appraised herein and that I have also made a personal field inspection of the comparable sales relied upon in making said appraisal. The subject and the comparable sales relied upon in making said appraisal were as represented in said appraisal or in the Addenda or report which supplements said appraisal. That (no one / or the name of the person or persons) provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief, the statements contained in the appraisal herein set forth are true and correct, the report analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions. That our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The appraiser is currently certified under the continuing education program of the State of Georgia through November 30, 2014. The appraiser is currently certified under the voluntary continuing education program of N/A.

That I understand that such appraisal may be used in connection with the acquisition of right-of-way for a project to be constructed by the State of Georgia with the assistance of Federal-Aid highway funds, and other Federal Funds.

That such appraisal has been made in conformity with the appropriate State Laws, regulations and policies and procedures applicable to appraisal of right-of-way for such purposes; and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State.

That my compensation is not contingent on the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. That I have no (or the specified) personal interest in or bias with respect to the parties involved, and that I have no (or the specified) present or prospective interest in the property that is the subject of this report.

That I have not revealed the findings and results of such appraisal to anyone other than the property officials of the acquiring agency of said State or officials of the Federal Highway Administration and I will not do so until so authorized by said officials, or until we are required to do so by due process of law, or until we are released from this obligation by having publicly testified as to such findings.

That my opinion of just compensation for the acquisition as of the 20th day of February, 2014, is \$123,750.00 based upon my independent appraisal and the exercise of my professional judgment.

Name: Matthew K. GottschalkDate: December 18, 2013Telephone Number: (706) 310-9922Appraiser's Signature: 

Matthew K. Gottschalk

GA Certified General Real Property Appraiser # 241572

Address: 1592 Mars Hill Rd
Suite C
Watkinsville, Georgia 30677

BASIC ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is made subject to the following limiting conditions:

In accordance with the client's directives, this appraisal is reported in narrative format, and in accordance with in the ACC Transportation and Public Works, **APPRAISER AGREEMENT** and **INFORMATION FOR APPRAISERS**. It should be recognized that this appraisal is to be construed as a full narrative report. Further, notes, calculations and research data concerning the subject property and used in the analyses and value calculations communicated in this report, are located in the appraiser's files and are available for the client's review upon request.

The legal descriptions and area calculations of project parcels have been furnished and they are assumed to be correct; however, the appraiser assumes no responsibility for their accuracy.

The appraiser assumes no responsibility for legal matters, especially those affecting title to the property. This includes historical title searches and tax assessments supplied in part by the client and the City of Clarkston Tax Commissioner's/Assessor's Offices.

Title to the property under appraisement are assumed to be marketable, and free and clear of any liens or encumbrances.

The maps, plats, and/or sketches in the report are included to assist the reader in visualizing the property. The appraiser has made no survey of the property and assumes no responsibility in connection with such matters. Right-of-way maps and parcel surveys have been provided the appraiser. It is assumed that the metes, bounds, area calculations (both of the project parcel in the "before" situation, the planned acquisition area and the remainder area) and road frontages depicted on said maps and surveys are essentially correct.

All information and data referred to in the preparation of this report are from sources believed to be reliable; however, the appraiser does not warrant their accuracy and assumes no responsibility for the reliance thereon.

The appraiser did not find any unusual soil conditions that would adversely affect the development of the site under a program consistent with it's highest and best use; however, no test borings or subsurface investigation was made. The appraiser assumes no responsibility for underlying adverse soil conditions or for structural defects in the improvements (if any) not readily apparent during the course of site inspection and which would not have been possible to determine.

Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the properties within the project area, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in said properties. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials (including Radon Gas) may affect the value of the property. The value estimates in the appraisal report of the project parcel is predicated on the assumption that there are no such materials on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. This limiting condition also applies to soil and or ground water contamination that may have occurred as a result of pollutants, either site specific, or migrating to the subject from adjacent areas. The client is urged to retain an expert in this field, such as an environmental engineer, if desired.

Expert court testimony is implied by preparation of this report; outlined by appraisal contract, a copy of which is in the appraiser's files, herein referenced and made part of this report.

No one other than the person or persons signing the report prepared the analyses, conclusions, and opinions concerning real estate set forth in the report.

Disclosure of the contents of this report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute) can be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication, without the prior written consent and approval of the author. The use of this report is subject to the requirements of the Appraisal Institute, the Uniform Standards of Professional Appraisal Practice and the Georgia Real Estate Appraiser Licensing and Certification Act

relating to review by its duly authorized representatives.

The valuation and analyses of the properties within the subject project market area are predicated upon the most recent and verifiable market data available the appraiser with regard to the project parcel assigned, the subject project market area and the four forces affecting value (social, economic, government and environmental) as they relate to the property discussed within this report. Should new or additional data be supplied the appraiser, or conditions within the marketplace change subsequent to the date of this study, the appraiser reserves right to review said data and change in conditions, and amend findings if necessary.

This appraisal report was not conducted to a specific banking regulation requirement such as Title XI of FIRREA (and subsequent banking regulations). This property is the subject of a federally related transaction and conforms to the State of Georgia Condemnation laws and regulations. This appraisal is based on, and conducted in accordance with, the laws and regulations governing the acquisition of privately owned property, or property owned by other governmental entities, by and through the provisions of eminent domain; which powers are granted to the State of Georgia and the Department of Transportation by and through the provisions of, and contained in, the Georgia (State) and Federal (United States) Constitutions.

The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.

MATTHEW K. GOTTSCHALK

- Georgia Certified General Real Property Appraiser # 241572
- Appraisal Institute Candidate for Designation Member # 443911
- International Right of Way Association Active Member # 7879568

"CURRICULUM VITAE"

Formal Education

Bachelor of Arts, (Business Administration) Piedmont College, Demorest, GA (2006).

Professional Education, Real Estate

Construction Details and Trends, McKissock Real Estate Education (Online Program), Atlanta, GA (2013)
Valuation Litigation and the Appraiser as the Expert Witness, Georgia Appraiser School, Lawrenceville, GA (2013)
GA Real Estate Licensing & Appraiser Laws & Regulations, Bramlett School of Real Estate, Athens, GA (2012)
USPAP (7 Hrs), Bramlett School of Real Estate, Athens, GA (2012)
Online Cool Tools: New Technology for Real Estate Appraisers, Appraisal Institute, Chicago, IL (2011)
The Deed's The Boss, The Real Estate Information Management School, Atlanta, GA (2011)
USPAP (7 Hrs), Georgia Appraiser School, Athens, GA (2010)
Market Analysis and Reporting in Recovering Markets, Georgia Appraiser School, Athens, GA (2010)
Eminent Domain and Condemnation, Appraisal Institute, Atlanta, GA (2009)
Appraising Convenience Stores, Appraisal Institute, Atlanta, GA (2009)
Appraisal Institute Comprehensive Exam Review Course; Ted Whitmer; Newark, NJ (2009)
USPAP (7 Hrs), Knoblock Real Estate School; Commerce, GA, (2008)
Demonstration Appraisal Seminar & Workshop, Appraisal Institute, Las Vegas, NV (2008)
Advanced Applications, Course 550, Appraisal Institute, Richmond, TX (2008)
Report Writing and Valuation Analysis, Course 540, Appraisal Institute, Atlanta, GA (2008)
Advanced Sales Comparison & Cost Approaches, Course 530, Appraisal Institute, Atlanta, GA (2008)
Advanced Income Capitalization, Course 510, Appraisal Institute, Atlanta, GA (2008)
USPAP (7 Hrs), Knoblock Real Estate School; Commerce, GA, (2006)
Eminent Domain and Condemnation, Appraisal Institute, Atlanta, GA (2006)
Engineering Plan Development and Application, Course 901, International Right of Way Association, Atlanta, GA (2006)
An FHA Single Family Appraisal, GA MLS Continuing Education, Atlanta, GA (2005)
CompuTaughts National USPAP Course Equivalent, GA MLS Continuing Education, Atlanta, GA (2004)
Highest & Best Use/ Marketability Analysis, Course 520, Appraisal Institute, Atlanta, GA (2003)
General Applications, Course 320, Appraisal Institute, Atlanta, GA (2003)
Basic Income Capitalization, Course 310, Appraisal Institute, Atlanta, GA (2003)
Land Valuation, Depreciation, and The Cost Approach to Value, Lee & Grant Company, Atlanta, GA (2002)
Appraisal Prep. Coarse, Barney Fletcher Enterprises, Atlanta, GA (2002)
Appraisal Basics, Beal & Associates, Atlanta, GA (2001)
Appraising Real Estate, Direct Application of Real Estate Appraisal (URAR), Amer. Soc. of Real Est. Appraisers, Atl, GA (2001)

Professional Education, Non-Real Estate

Emergency Medical Technician Certification, Hillsborough Community College EMS Programs, Tampa, FL (1998)

Experience

M.K.Gottschalk, LLC (2000-current), Independent Fee Appraiser and Consultant Specializing in Eminent Domain and Condemnation and Responsible for fee appraisals of commercial & residential properties in the Metro Atlanta Area and surrounding communities, Statewide. Responsible for training, supervision and review of staff appraisers.

Expert Valuation Witness Gwinnett County Georgia.

Expert Valuation Witness Superior Court of Newton County.

Affiliations

Appraisal Institute

International Right of Way Association

Other

Previously Licensed Emergency Medical Technician (Florida)..... 1 of 1

ADDENDUM SECTION

SUBJECT PHOTOGRAPHS 1



Subject Photos: 1) View east; subject property fronting Montreal Creek Ct.
2) View west; subject property fronting Montreal Creek Ct.

Date: 02/20/2014

Project: N/A

Parcel 18 118 03 029

County: DeKalb County

Photos Taken By: M.K. Gottschalk

Address: 1592 Mars Hill Rd, Ste. C, Watkinsville, GA 30677

CITY OF CLARKSTON
ACQUISITION OF PARCEL 18 118 03 029

M.K. GOTTSCHALK, L.L.C.
Real Property Appraisal Co.



DeKalb County
The Greenest Urban County in America

Property Appraisal

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Owner and Parcel Information

Owner Name	HILTON CHARLES T JR	Today's Date	February 19, 2014
Mailing Address	PO BOX 1780	Parcel Number	18 118 03 029
	CODY, WY 82414-1780	Tax District	Clarkston (District 34)
Location Address	3520 MONTREAL CREEK CT	2013 Millage Rate	59.22
Legal Description		Approximate/Computed Acreage	2.6
Property Class	C3-C3	Parcel Map	Show Parcel Map
Neighborhood	9170-	Homestead	
Legal Description			

Assessment Information [Show Historical Assessments](#)

Year	LUC	CLASS	Land Value	Building Value	Total Value	Assessed Value
2013		C3	\$ 113,200	\$ 0	\$ 113,200	\$ 45,280

Land Information

Land Type	Land Code	Description	Square Feet	Acreage	Price
S	944		117,612	2.7	\$ 115,260

Improvement Information

No improvement information available for this parcel

Accessory Information

Description	Year Built	Area	Grade	Value
No accessory information associated with this parcel.				

Sale Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Sales Validity	Owner	Previous Owner
1986-03-28	\$ 237,500	WARRANTY DEED	05441	1	Unqualified	L-Land Only Asmt has Bldg	HILTON CHARLES T JR	KENNEDY HARVEY C

[Recent Sales In Neighborhood](#)
[Recent Sales In Area](#)

[Previous Parcel](#)

[Next Parcel](#)

[Field Definitions](#)

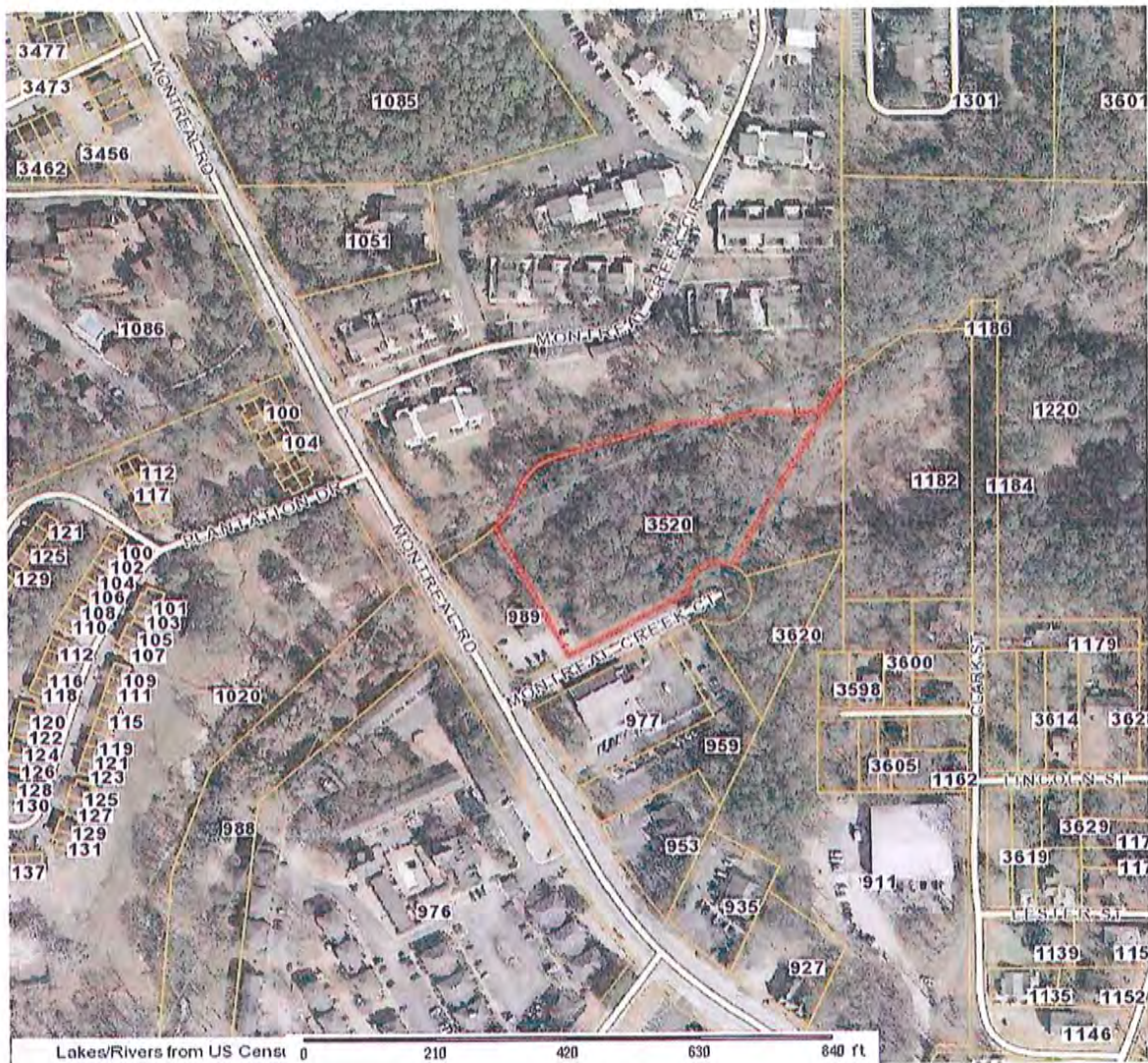
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DeKalb County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Assessment information for all tax parcels included in this data is for the 2012 tax year and does not reflect any changes due to documents recorded after January 1, 2012. These changes may include but is not limited to ownership or property characteristics. Website Updated: January 27, 2014

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DeKalb County Assessor			
Parcel: 18 118 03 029 Acres: 2.6			
Name	HILTON CHARLES T JR	Land Value	\$ 113,200
Site	3520 MONTREAL CREEK CT	Building Value	0
Sale	\$237,500 on 1986-03-28 Reason=U Qual=L	Misc Value	0
Map	PO BOX 1780	Total Value	\$ 113,200
	CODY, WY 82414-1780		



The DeKalb County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER DEKALB COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
Date printed: 02/19/14 : 13:36:12



2013 DEKALB COUNTY REAL ESTATE TAX STATEMENT

PAY ONLINE AT www.yourdekalb.com/taxcommissioner
OR BY PHONE AT 404-298-4000

CLAUDIA G. LAWSON
TAX COMMISSIONER

OWNER	HILTON CHARLES T JR	APPRaisal VALUES AND EXEMPTION INFORMATION
CO-OWNER		
PARCEL I.D. \ PIN	18 118 03 029 \ 1969816	TOTAL APPRAISAL 113,200 EXEMPTION CODE
PROPERTY ADDRESS	3520 MONTREAL CREEK CT	40% ASSESSMENT 45,280 BASE ASSESSMENT FREEZE
TAX DISTRICT	34 CLARKSTON	APPEAL ASSESSMENT NET FROZEN EXEMPTION

THIS YEAR THE STATE PORTION OF YOUR TAX BILL IS BEING REDUCED AND WILL GRADUALLY BE ELIMINATED FROM YOUR TAX BILL. THIS TAX RELIEF WAS PASSED BY THE GOVERNOR AND THE HOUSE OF REPRESENTATIVES AND THE GEORGIA STATE SENATE.

COUNTY GOVERNMENT TAXES									
Levied by the Board of Commissioners: representing 28.84% of your tax statement									
TAXING AUTHORITIES	TAXABLE ASSESSMENT	X	MILLAGE	=	GROSS TAX AMOUNT	-	FROZEN EXEMPTION	-	NET TAX DUE
COUNTY OPNS	45,280		.0107100		484.94		0.00		484.94
HOSPITALS	45,280		.0008000		36.22		0.00		36.22
FIRE	45,280		.0028200		127.70		0.00		127.70
CLRK TAXDIST	45,280		.0001900		8.60		0.00		8.60
POLICE SERVC	45,280		.0026200		118.64		0.00		118.64
TOTAL COUNTY TAXES									\$776.10
BOARD OF EDUCATION - SCHOOL TAXES									
Levied by Board of Education: representing 10.35% of your tax statement									
TAXING AUTHORITIES	TAXABLE ASSESSMENT	X	MILLAGE	=	GROSS TAX AMOUNT	-	FROZEN EXEMPTION	-	NET TAX DUE
SCHOOL OPNS	45,280		.0239800		1,085.80		0.00		1,085.80
TOTAL SCHOOL TAX									\$1,085.80
STATE & CITY TAXES, AND OTHER CHARGES									
Levied as applicable by State, City, or County: representing 30.81% of your tax statement									
TAXING AUTHORITIES	TAXABLE ASSESSMENT	X	MILLAGE	=	GROSS TAX AMOUNT	-	FROZEN EXEMPTION	-	NET TAX DUE
STATE TAXES	45,280		.0001500		6.80		0.00		6.80
CITY TAXES	45,280		.0179500		812.78		0.00		812.78
STORM WATER	.2 UNIT(S)		48		9.60		0.00		9.60
TOTAL STATE, CITY AND OTHER ASSESSMENTS									\$829.18
TOTAL PROPERTY TAXES									
TOTAL	MILLAGE				GROSS TAX AMOUNT	-	FROZEN EXEMPTION	-	NET TAX DUE
TOTAL DUE	0.059220				2,691.08		0.00		\$2,691.08

MAKE YOUR CHECK PAYABLE TO:

DEKALB COUNTY TAX COMMISSIONER
P.O. BOX 100004
DECATUR, GA 30031-7004
PAY BY PHONE - (404)298-4000 or
online at www.yourdekalb.com/taxcommissioner

DUE DATE

NOVEMBER 15, 2013

5% PENALTY FOR LATE PAYMENT
RETURN COUPON WITH PAYMENT

PARCEL I.D.	18 118 03 029
TOTAL ANNUAL TAX	\$2,691.08
INSTALLMENT AMOUNT DUE	\$1,345.54
ENTER AMOUNT PAID	

SECOND INSTALLMENT

*****AUTO**MIXED AADC 300

HILTON CHARLES T JR

PO BOX 1780

CODY WY 82414-1780



1 of 1
188440/78/849/1



PIN: 1969816

02196981690000013455460000026910898

IF MAKING FULL PAYMENT, TAXES MUST BE PAID ON OR BEFORE September 30, 2013

MAKE YOUR CHECK PAYABLE TO:

DEKALB COUNTY TAX COMMISSIONER
P.O. BOX 100004
DECATUR, GA 30031-7004
PAY BY PHONE - (404)298-4000 or
online at www.yourdekalb.com/taxcommissioner

DUE DATE

SEPTEMBER 30, 2013

5% PENALTY FOR LATE PAYMENT
RETURN COUPON WITH PAYMENT

PARCEL I.D.	18 118 03 029
TOTAL ANNUAL TAX	\$2,691.08
INSTALLMENT AMOUNT DUE	\$1,345.54
ENTER AMOUNT PAID	

FIRST INSTALLMENT

HILTON CHARLES T JR

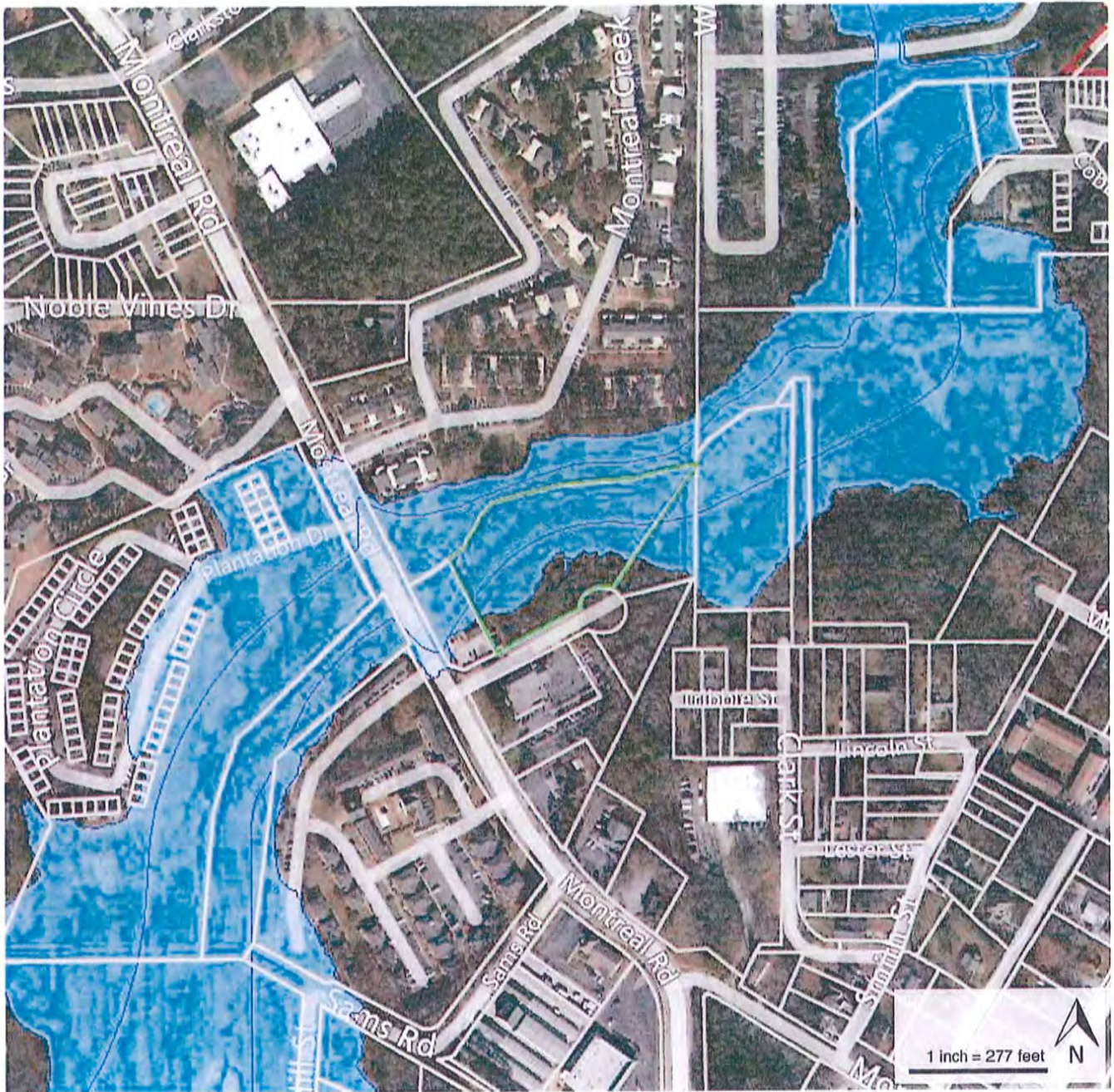
PO BOX 1780

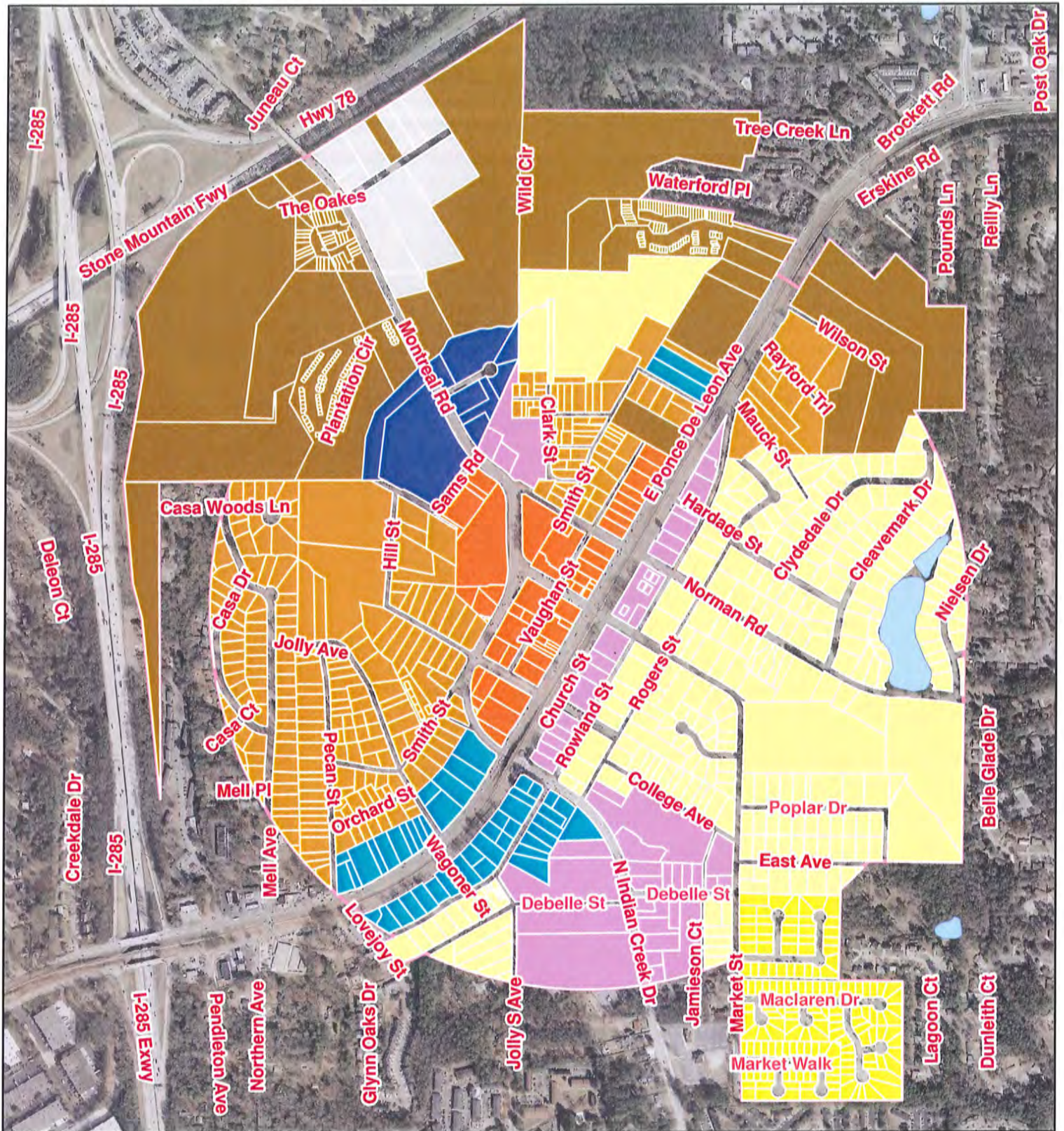
CODY WY 82414-1780



PIN: 1969816

02196981690000013455460000026910898





City of Clarkston Zoning Map

- Lakes
- Light Industrial
- Low Density Neighborhood Commercial
- Moderate Density Neighborhood Commercial
- Neighborhood Residential - Community Development

- Neighborhood Residential 1
- Neighborhood Residential 2
- Neighborhood Residential 3
- Residential Commercial
- Town Center
- Clarkston



0 0.125 0.25 Miles



Clarkston, Georgia, Code of Ordinances >> **CODE OF ORDINANCES CITY OF CLARKSTON, GEORGIA >>**

CODE OF ORDINANCES
CITY OF
CLARKSTON, GEORGIA

THE CHARTER
AND
GENERAL ORDINANCES OF THE CITY

Adopted, May 4, 1981
Effective, July 1, 1981

Published by Order of the City Council, 1981
Republished by Order of the City Council, 2004



municode

Municipal Code Corporation • PO Box 2235 Tallahassee, FL 32316
info@municode.com • 800.262.2633
fax 850.575.8852 • www.municode.com

CURRENT OFFICIALS
OF THE
CITY OF CLARKSTON, GEORGIA

Lee Swaney
Mayor

William (Bill) Kemp
Vice-Mayor

Pat Davis-Morris
Wayne Foster
William (Bill) Kemp
Rosemarie Nelson
Hien Nguyen
Joyce Wade
City Council

Carole Keys
City Clerk

Jack Rhodes
City Attorney
OFFICIALS
OF THE

Clarkston, Georgia, Code of Ordinances >> **PART II - CODE OF ORDINANCES >> APPENDIX A - ZONING >> ARTICLE VII. ZONING DISTRICT STANDARDS >>**

ARTICLE VII. ZONING DISTRICT STANDARDS [\[7\]](#)

[Sec. 701. NR-1, low-density neighborhood residential district.](#)

[Sec. 702. NR-2, medium-density neighborhood residential district.](#)

[Sec. 703. NR-3, high-density neighborhood residential district.](#)

[Sec. 704. NR-CD, neighborhood residential-community development district.](#)

[Sec. 705. RC, residential/commercial district.](#)

[Sec. 706. NC-1, low-density neighborhood commercial district.](#)

[Sec. 707. NC-2, moderate-density neighborhood commercial district.](#)

[Sec. 708. TC, town center district.](#)

[Sec. 709. I, light industrial district.](#)

Sec. 701. NR-1, low-density neighborhood residential district.

- (a) *Purpose and intent:* The NR-1 zoning district is intended primarily for single-family detached residences and residentially-compatible requiring greater amounts of open space.
- (b) *Permitted uses:*
 - (1) Single-family detached residential dwellings.
 - (2) Non-commercial horticulture and agriculture, outside of front-and-side-yard setbacks.
 - (3) Accessory structures and uses incidental to any legal permitted use, including home occupations.
- (c) *Conditional uses:*
 - (1) Places of assembly, including religious institutions, provided:
 - a. Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.
 - b. Any building or structure established in connection with such use must be set back no less than fifty (50) feet from any property line.
- (d) *Accessory structures/uses:*
 - (1) All such structures shall be located upon the same lot and to the side or rear of the principal use at least ten (10) feet from side or rear lot lines or within the side-or-rear-yard setback, whichever is greater. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
 - (2) When an accessory structure is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
 - (3) No accessory structure shall be constructed upon a lot before the principal building.
 - (4) Accessory structures greater than fifteen (15) feet in height, but less than thirty-five (35) feet in height, must be set back at least ten (10) feet from the side property line, and must be set back from the rear property line a distance of thirty (30) feet, or a distance equal to the height of the structure, whichever is less.
 - (5) The area of the accessory building's footprint may not exceed fifty (50) percent that of