

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD IN-PERSON AND BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, MARCH 4, 2025

On the 4th day of March 2025, at 7:00 p.m., the City Council of Clarkston, Georgia met in regular session in-person and by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Vice Mayor Debra Johnson and Councilmembers Sharifa Adde, Yterenickia Bell (virtual); Jamie Carroll; Susan Hood; and Mark Perkins. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager); Christine Hudson (Police Chief); Xavier Todd (Assistant Police Chief); Dr. Dwight Baker (Director of Human Resources & Risk Management); Tomika R. Mitchell (City Clerk); and Stephen Quinn (City Attorney).

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

1. CALL TO ORDER

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

2. ROLL CALL

All Councilmembers were present.

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

A. Employee of the Month Recognition – February 2025

Dr. Dwight Baker, the Director of Human Resources and Risk Management recognized the Employee of the Month for February 2025, offering a brief explanation of the employees' outstanding contributions to the city. The recognition was awarded to Jacqueline Taylor, a member of the Finance Department, acknowledging her dedication and hard work.

B. Police Department Awards – March 2025

Chief Hudson and Assistant Chief Todd presented investigator awards to the Criminal Investigation Division (CID) for excellent work on an investigation of a homicide.

C. To approve the following meeting minutes:

- 2/3/2025 – Special Called City Council Meeting – 10:00 AM
- 2/3/2025 – Special Called City Council Meeting – 6:30 PM
- 2/4/2025 – City Council Meeting
- 2/11/2025 – Special Called City Council Meeting

Vice Mayor Johnson made a motion to approve the following sets of minutes: 2/3/2025 at 10:00a.m., 2/3/2025 at 6:30p.m., 2/4/2025, and 2/11/2025. Councilmember Carroll duly

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

4. REPORTS

A. Human Resources/ Risk Management Report.

- Dr. Dwight Baker provided a brief report on accomplishments and upcoming projects in the Human Resources Department.

B. City Manager's Report

Interim City Manager Tammi Saddler Jones provided a brief report covering the following updates: The City Newsletter went out on February 19th; Friends of Forty Oaks will have a Free the Trees volunteer event on March 8th; Waterway Cleanup Event at Friendship Forest on March 29th; Announced the Clarkston partnership with Dekalb Pro Bono to provide a free legal service to low-income tenants; and recognized the five inaugural C.A.R.E.S Grant Awardees.

C. City Attorney's Report

- Stephen Quinn did not have a report.

D. Council Remarks

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

E. Mayor's Report

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

5. PUBLIC COMMENTS

Mauldie Wynn, Robyn Sands, Frederick Holloman presented public comments.

6. OLD BUSINESS

- ##### A. Public Hearing – To receive comments from the public regarding a proposal to amend the text of the Zoning Ordinance to designate drive-in and drive-thru restaurants as Conditional Uses in the NC-2 Zoning District.

Matthew Coggin, the business owner of DBA Tacos and BBQ requested approval to allow a drive-thru for his business.

Public Hearing opened at 6:37pm.

Martha Brown presented comments on this item.

Public Hearing closed at 6:41pm.

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

Planning and Economic Development Director, Richard Edwards stated the city's zoning ordinance currently does not allow drive-thru/drive in establishments in any zoning district. This text amendment would allow property owners and business owners to submit a conditional use permit in the NC-2 zoning district that would have to be reviewed by the Planning & Zoning Board and City Council via three (3) public meetings. Staff recommended approval to amend the text of the zoning ordinance.

Councilmember Carroll made a motion to approve an ordinance to amend the text of the Zoning Ordinance to designate drive-in and drive-thru restaurants as Conditional Uses in the NC-2 Zoning District. Councilmember Hood 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 Ashton Walker to the Historic Preservation Commission.
- B. To approve the reappointment of Birendra Dhakal to the Planning and Zoning Board.
- C. To approve the reappointment of Lisa Williams to the Planning and Zoning Board.
- D. To approve the reappointment of Felicia Weinert to the Planning and Zoning Board.
- E. To approve a resolution pledging to practice and promote civility in the City of Clarkston.
- F. To approve a resolution authorizing a contract to the most responsive and responsible bidder, Aquatic Management, Inc. for the Milam Park Pool Management for the 2025 Swim Season in the amount of \$78,740 to be funded out of the General Fund.
- G. To approve a resolution to deny the claim for damages asserted by claimant Robel Kuma.

Councilmember Carroll made a motion to approve the Consent Agenda Items 7A through G. 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 receive comments from the public regarding a proposed resolution approving a variance request to allow a dumpster enclosure in the front yard of the property located at 3643 Market St., Parcel ID No. 18 096 05 004 at Clarkston Plaza.

Planning and Economic Development Director, Richard Edwards stated the applicant is requesting a variance for their dumpster and enclosure due to the conditions pertaining to the location of the existing dumpster and enclosure in the rear of the building. The applicant is requesting to move the dumpster to the western side of the property towards N. Indian Creek in the center aisle, which would take up an approximate three parking spaces. Staff recommended approval with the following conditions: (1) The development shall be substantially in compliance with the site plan dated November 8, 2024; (2) The architectural design shall be substantially in compliance with the elevation renderings dated September 23, 2024; (3) The property owner shall be responsible for maintaining the structure in a state of

good repair; and (4) The City of Clarkston shall be responsible for the removal of the concrete slab, two cement bollards, and the wooden dumpster enclosure.

Public Hearing opened at 7:46pm.

There were no public comments during the public hearing.

Public Hearing closed at 7:46pm.

B. To consider for approval a variance request to allow a dumpster enclosure in the front yard of the property located at 3643 Market St., Parcel ID No. 18 096 05 004 at Clarkston Plaza.

Vice Mayor Debra Johnson made a motion to approve a variance request to allow a dumpster enclosure in the front yard of the property located at 3643 Market St., Parcel ID No. 18 096 05 004 at Clarkston Plaza with the four specified stipulations. Councilmember Bell duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

C. To consider for approval a resolution to request the Georgia General Assembly adjust the Clarkston municipal boundaries to facilitate the delivery of municipal services.

Councilmember Perkins gave a brief overview of the previous Work Session discussion pertaining to the request to adjust the Clarkston municipal boundaries to facilitate the delivery of municipal services. The original municipal boundaries were described by a radius of one mile from the railroad stop. Over the years, the original land lots in Clarkston have been subdivided into much smaller lots and developed. While the City's boundaries have changed using annexations in some areas, in other areas the original municipal boundary line remains.

Councilmember Perkins stated there were voting issues in the last election and municipal services with two residents, who then came to the city and requested property deannexation in 2024. He mentioned the places where the original city limits line remains the boundary has become problematic because this curved line does not align with current lot lines. The result is that there are several parcels that pay City taxes and receive municipal services from the City of Clarkston but are not entirely within the City according to the current legal description of the city limits. This situation has created confusion in issues ranging from voter registration and the provision of municipal services, such as the timely dispatch of emergency response services.

In Spring 2024, staff investigated the situation and identified an additional 28 parcels that were both in the city and the county that could be similarly affected. That list was then refined to 25 parcels that were in Clarkston's Tax District and found that there were at least 17 voters that are indicated to not be eligible to vote in Clarkston elections. The data used was from DeKalb County. This change will not have an impact on taxes paid by any residents, or taxes received by the city or county, and will resolve these issues moving forward. Councilmember Perkins presented a brief overview of two proposed resolution options.

City Attorney, Stephen Quinn presented the different options and brief explanations on how the city could solve this matter and stated the General Assembly granted annexation authority to cities and they have created three methods of local annexation: (1) 100% method; (2) 60/60 method; and the resolution and referendum method.

The Council discussed this matter.

City Clerk Tomika Mitchell provided a brief overview of the events surrounding the last election, specifically the issue involving two residents unable to vote. She explained that staff communicated with multiple county entities to investigate the matter.

Mr. Quinn also provided further clarity on citizens paying city taxes for their property.

Vice Mayor Debra Johnson made a motion to defer this item to the November 2025 Work Session for the 2026 Legislative Session. Councilmember Adde duly seconded the motion. Mayor Burks called for the vote, which resulted in a (3-3) tie. Councilmembers Bell, Carroll, and Perkins voted “no”. To break the tie, Mayor Burks cast the deciding vote in favor of deferring the item, thereby vetoing the failed motion.

This item will be placed on the November 2025 Work Session for the 2026 Legislative Session.

D. Consider for approval a resolution to approve the correction of certain erroneous stormwater utility fee assessments by correcting Equivalent Residential Unit calculations for certain commercial and industrial properties.

Larry Kaiser with Collaborative Infrastructure Services, LLC provided a brief overview of how stormwater utilities are assessed and how the calculations that were made back in 2006 were incorrect and what needs to be done to correct those miscalculations. Mr. Kaiser presented the analysis of the stormwater billing discrepancies and provided a recommendation for having a Stormwater Audit conducted and the steps that would need to occur.

The Council discussed this matter.

Vice Mayor Debra Johnson made a motion to approve a resolution to approve the correction of certain erroneous stormwater utility fee assessments by correcting Equivalent Residential Unit calculations for certain commercial and industrial properties. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

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

The City Council entered the Executive Session at 8:38 p.m.

E. Executive Session to discuss personnel.

The City Council discussed a personnel matter.

The City Council resumed the Council meeting in open session at 9:22 p.m.

- F. To consider for approval a resolution by the Clarkston City Council to appoint ChaQuias Miller-Thorton as City Manager and to approve an employment agreement with her.

Vice Mayor Johnson made a motion to approve a resolution by the Clarkston City Council to appoint ChaQuias Miller-Thorton as City Manager and to approve an employment agreement with her with modifications to Section 5, adding "employee's compensation will be considered and addressed in connection with each annual review." Councilmember Carroll duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

9. ADJOURNMENT

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

The meeting adjourned at 9:22 p.m.

ATTEST:


Tomika R. Mitchell
City Clerk


Beverly H. Burks
Mayor