



Mayor Beverly H. Burks

Councilmembers:

Jamie Carroll Laura Hopkins
Awet Eyasu Yterenickia Bell
Debra Johnson Susan Hood
Shawanna Qawiy, City Manager

3921 CHURCH STREET ♦ CLARKSTON, GEORGIA 30021
(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

CITY COUNCIL MEETING AGENDA

Tuesday, July 5, 2022 - 7:00PM
ZOOM

1. CALL TO ORDER

2. ROLL CALL

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

Approval of the 06/07/2022 City Council Meeting Minutes; 06/16/2022 (10:00 a.m.) Special Called City Council Meeting Minutes; 06/16/2022 (6:30 p.m.) Special Called City Council Meeting Minutes; 06/28/2022 Special Called City Council Meeting Minutes; and 06/28/2022 City Council Work Session Minutes.

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 rescind the Fresh Harvest Memorandum of Agreement vote in December 2021.
- B. A Memorandum of Understanding with Fresh Harvest.

7. CONSENT AGENDA

- A. Approval of a resolution for the issuance and sale of a Tax Anticipation Note (TAN) in the amount of \$500,000.
- B. Approval of a resolution amending the FY 2021 Operating Budget from \$12,648,463 to \$12,720,463.



8. NEW BUSINESS

A. PUBLIC HEARING - A variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1, Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit.

B. SPLOST 08 Market Street Resurfacing and Sidewalks Change Order #4.

9. ADJOURNMENT

PUBLIC PARTICIPATION BY VIDEO CONFERENCE

The City of Clarkston, Georgia will conduct the City Council Meeting at 7:00 p.m. on Tuesday, July 5, 2022. The public may participate in the meeting by using the following information below:

<https://us02web.zoom.us/j/81464789367?pwd=RFIxWTdJNFQ2RUplbEVBRFhXOERzUT09>

Dial by your location

- +1 312 626 6799 US (Chicago)
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- +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
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Meeting ID: 814 6478 9367

Find your local number: <https://us02web.zoom.us/j/81464789367?pwd=RFIxWTdJNFQ2RUplbEVBRFhXOERzUT09>

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA HELD
BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JUNE 7, 2022

On the 7th day of June 2022, 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 member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; 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

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

2. ROLL CALL

All members of Council were present.

Councilmember Hood made a motion to approve the agenda. Councilmember Bell duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

Approved the 05/03/2022 City Council Meeting Minutes and 05/31/2022 City Council Work Session Meeting Minutes.

Councilmember Johnson made a motion to approve the 05/03/2022 City Council Meeting Minutes and the 05/31/2022 City Council Work Session Minutes. Councilmember Bell 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

- The draft re-write Zoning Ordinance is available for the public's feedback.
- There will be a Variance Request for 3747 Market St. on the next Planning and Zoning Board meeting agenda.
- Update on electric vehicle chargers.
- Accepted a Grant for \$340,000 for the Clarkston Greenway study.
- Millage Rate Public Hearings and Adoption dates announced.

B. City Manager's Report

- This report was given after the Mayor's report.

C. City Attorney's Report

- No report.

D. Council Remarks

- The Council members briefly gave an overview of meetings and events they have attended, Covid-19 updates, 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.
- City Manager's Report: City Engineer, Larry Kaiser presented a SPLOST Report.

The meeting recessed due to an interruption at 7:54pm.

The meeting reconvened at 7:55pm.

- Councilmember Hopkins recommended the striping project on Rowland, Hill and Market go to the Transportation and Environment Committee.

5. PUBLIC COMMENTS

Brian Medford presented comments.

Amina Osman presented comments.

6. OLD BUSINESS

A. Approval of a resolution executing a Memorandum of Understanding with Fresh Harvest for funding.

Attorney Stephen Quinn presented a brief overview of this item and presented a few options to the City Council. Option 1 would be to approve the \$40,000 ARAPA allocation tied to the March 2022 Memorandum of Understanding (MOU); Option 2 would be to refer to the May 2022 MOU for \$40,000 in the reimbursement basis; and Option 3 would be to vote on one of the two options or the third option. The Council would also need to vote to rescind the prior appropriation from December of last year.

The Council briefly discussed this item.

Joshua Deaton stated he was unable to meet with Ms. Qawiy to draft an updated Memorandum of Understanding due to a conflict of schedules.

Mr. Quinn recommended leaving the rescinding for another meeting a month from now since it was not on the agenda.

Councilmember Hood made a motion to defer Item 6A, Approval of a resolution executing a Memorandum of Understanding with Fresh Harvest for funding to the next City Council Work Session and City Council Meeting. Councilmember Hopkins duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0-1). Vice Mayor Eyasu abstained.

7. CONSENT AGENDA

- A. Approval of a resolution adopting the 2022 Service Delivery Strategy Renewal with Dekalb County.
- B. Approval to refer the Friendship Forest Rock Removal discussion to the Transportation and Environment Committee.
- C. Approval of a resolution authorizing an agreement with the Atlanta United Football Club, LLC to host Free Youth Soccer Programs to be held at Milam Park for a fee of \$2,700.
- D. Approval of Proclamations for LGBT Pride Month; World Refugee Day; and Juneteenth
- E. Approval of three (3) Speed Tables on Rogers Street.
- F. Approval of a resolution appointing the City Manager.
- G. Approval of a resolution appointing members to the Early Learning Task Force.
- H. Approval to refer the discussion of signage on Market Street at its intersections with E. Ponce de Leon Ave. and N. Indian Creek, and the street scape on Market St. to the Transportation and Environment Committee.
- I. Approval to refer the discussion of creating an Equity and Community Empowerment Department utilizing ARPA Funds to the Equality, Inclusion, and Opportunity Committee.

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

8. NEW BUSINESS

- A. Approval of a resolution allocating \$125,000 of ARPA Funds to Empower Clarkston for one-year.

Luke Keller of Tekton Career Training presented a brief overview of the training, retrofit oversight and pre and post inspections of the Empower Clarkston Program.

The Council briefly discussed this item.

Councilmember Bell made a motion to allocate \$125,000 of ARPA Funds to Empower Clarkston for a one-year training program serving the City of Clarkston. Councilmember Carroll duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

9. ADJOURNMENT

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

The meeting adjourned at 9:21 p.m.

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA HELD
BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON THURSDAY, JUNE 16, 2022

On the 16th day of June 2022, at 10:00 a.m., the City Council of Clarkston, Georgia met in special session by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; Yterenickia Bell, and Susan Hood. Absent: Laura Hopkins. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); and Tomika R. Mitchell (City Clerk).

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 10:00 a.m.

2. ROLL CALL

Councilmember Hopkins was absent.

3. PUBLIC COMMENTS

None.

4. NEW BUSINESS

A. Presentation of Proposed 2022 Millage Rate.

City Manager, Shawanna Qawiy gave a presentation on the proposed 2022 Millage Rate of 14.89. Ms. Qawiy explained the effects if the Council decided to keep the rate the same as last year or decrease by .5 mil or 1.0 mil.

The Council briefly discussed the proposed rate.

B. Public Hearing on Proposed 2022 Millage Rate.

The Public Hearing opened at 10:22 a.m.

There were no comments from the public.

The Public Hearing closed at 10:23 a.m.

5. ADJOURNMENT

Councilmember Carroll made a motion to adjourn. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0). The meeting adjourned at 10:23 a.m.

MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA HELD
BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON THURSDAY, JUNE 16, 2022

On the 16th day of June 2022, at 6:30 p.m., the City Council of Clarkston, Georgia met in special session by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; Yterenickia Bell, and Susan Hood. Absent: Laura Hopkins. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); and Tomika R. Mitchell (City Clerk).

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 6:30 p.m.

2. ROLL CALL

Councilmember Hopkins was absent.

3. PUBLIC COMMENTS

None.

Councilmember Carroll entered the meeting at 6:33 p.m.

4. NEW BUSINESS

A. Presentation of Proposed 2022 Millage Rate.

City Manager, Shawanna Qawiy gave a presentation on the proposed 2022 Millage Rate of 14.89. Ms. Qawiy explained the effects if the Council decided to keep the rate the same as last year or decrease by .5 mil or 1.0 mil.

The Council briefly discussed the proposed rate. Councilmember Carroll stated he would like to reduce the rate by .5 mil. Councilmember Bell stated she wanted additional information to determine her proposed action on the rate. Councilmember Johnson stated she would like the rate to stay at 14.89 and smooth over the \$200,000 deficit. Vice Mayor Eyasu stated he would like to reduce the rate, roll it back and plug the gap using ARPA funding. Councilmember Hood stated she would like the rate to stay at 14.89.

B. Public Hearing on Proposed Millage Rate.

The Public Hearing opened at 7:03 p.m.

There were no comments from the public.

The Public Hearing closed at 7:04 p.m.

5. ADJOURNMENT

Vice Mayor Eyasu made a motion to adjourn. Councilmember Bell duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0). The meeting adjourned at 7:05 p.m.

MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA HELD
BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JUNE 28, 2022

On the 28th day of June 2022, at 6:31 p.m., the City Council of Clarkston, Georgia met in special session by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; Yterenickia Bell, and Susan Hood. Absent: Laura Hopkins. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); and Tomika R. Mitchell (City Clerk).

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 6:31 p.m.

2. ROLL CALL

Councilmember Hopkins was absent.

3. PUBLIC COMMENTS

None.

4. NEW BUSINESS

A. Presentation of Proposed 2022 Millage Rate.

City Manager, Shawanna Qawiy gave a presentation on the proposed 2022 Millage Rate of 14.89.

The Council briefly discussed the proposed rate.

B. Public Hearing on Proposed Millage Rate.

The Public Hearing opened.

Amy Medford, citizen of Clarkston presented comments pertaining to the proposed millage rate.

The Public Hearing closed.

C. Approve an ordinance to adopt the 2022 Millage Rate.

Councilmember Bell made a motion to adopt the 2022 Millage Rate of 14.89. Councilmember Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (4-1). Vice Mayor Eyasu voted “no”.

5. ADJOURNMENT

Councilmember Bell made a motion to adjourn. Councilmember Johnson duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0). The meeting adjourned at 7:03 p.m.

MINUTES OF A WORK SESSION
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JUNE 28, 2022

On the 31st day of May 2022, 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 member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; Yterenickia Bell, and Susan Hood. Absent: Laura Hopkins. 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

2. ROLL CALL

All members of the City Council were present.

Councilmember Laura Hopkins was absent.

3. WORK SESSION – RESIDENT COMMENT POLICY

Vice Mayor Eyasu read the Resident Comment Policy.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS

There were no presentations or administrative business.

Councilmember Johnson made a motion to amend the agenda by removing “Item 6A” and deferring it to the July 5 Work Session. Councilmember Bell seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0). Councilmember Hopkins was absent.

5. OLD BUSINESS

A. Discussion and verification of the Fresh Harvest Memorandum of Agreement vote in December 2021.

City Attorney, Stephen Quinn presented a brief overview and status of the Memorandum of Agreement discussions that were previously discussed with City Council.

The Council briefly discussed this item.

Amy Medford presented her comments on this item.

B. Discussion of an amended Memorandum of Understanding with Fresh Harvest.

Interim City Manager, Shawanna Qawiy stated she has not reviewed the memorandum due to receiving it on June 24, 2022 and being out of the office. However, Mr. Quinn stated he did have an opportunity to review the memorandum and presented the City Council with a brief overview of the latest version of the memorandum.

Joshua Deaton of Fresh Harvest presented a brief overview of the memorandum he sent to the City Manager.

The Council briefly discussed this item.

Amy Medford presented her comments on this item.

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

6. NEW BUSINESS

A. Discussion of a Memorandum of Understanding from AboutFace-USA, Incorporated to allocate \$22,100.00 in ARPA funds for the “Project GROW” program.

This item was removed from the agenda and will be placed on the July 5, 2022 City Council Work Session.

B. Discussion to consider a variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1, Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit. (*Public Hearing July 5, 2022*).

Interim City Manager, Shawanna Qawiy stated this item was to consider a variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1 , Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit. (*Public Hearing July 5, 2022*).

A variance request from the terms of the ordinance must not be contrary to the public and must be evaluated based on the six criteria points. A variance may be granted in an individual case of unnecessary hardship upon a finding by the City Council that all of the following conditions exist: there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; such conditions are peculiar to the particular piece of property involved; such conditions are not the result of the actions of the applicant; a literal interpretation of the provisions of this ordinance would create an unnecessary hardship; the variance requested will not cause substantial detriment to the public good nor impair the purposes or intent of the zoning ordinance; and the variance is not a request to permit a structure or use of land not authorized in the applicable district.

Staff recommended denying the variance requests and the Planning and Zoning Board recommended approving the variance request.

The Council briefly discussed this item.

Amy Medford presented her comments on this item.

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

C. Discussion of SPLOST 08 Market Street Resurfacing and Sidewalks Change Order #4.

Interim City Manager, Shawanna Qawiy stated this item is to discuss Change Order #4 for the Market Street Sidewalks and Resurfacing Project to determine which option for a permeable sidewalk would be beneficial for the protection of tree root zones two (2) locations on Market Street. The consultant engineering team identified several trees within the city's right of way that require the use of permeable sidewalks for protection of tree root zones at two (2) locations on Market Street. The two locations are Market Street are between Rogers Street and Rowland Street and near DeBelle at the easeabout. Permeable materials allow for transport of water to critical root zones. Concrete sidewalks restrict the movement of moisture. Two (2) material alternatives and associated specifications were presented to Ohmshiv for pricing purposes. These materials would replace the use of concrete for the sidewalks. Both options are acceptable materials for sidewalk use that will require periodic maintenance to ensure that the void spaces within the materials do not get clogged over time.

Option #1- perkEpave is recycled asphalt tires that are shredded and bound together by heat and adhesive material; similar to materials used for running tracks, walkways, and trails, etc. The material is very permeable (Over 2,000 gal per hr. per sq. ft.), its ADA compliant, slip resistant, flexible, and crack resistant. All colors are available except for concrete. The cost for the perkEpave is \$17,150.

Option #2 Porous Concrete is not as porous as the recycled tire material and is sufficient for the use as a permeable sidewalk. The color of the porous concrete is the same as regular concrete products. The cost is less than the recycled tire material at \$11,700.

The consultant city arborist indicated either product is sufficient to protect the root zone of the specimen hardwood trees at both locations.

The availability of the perkEpave product is 4-5 weeks for delivery from the notice to purchase for installation in August. The porous concrete can be available within 2-3 weeks upon notice to purchase..

Staff recommends installing porous concrete at \$11,700.

The Council briefly discussed this item.

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

D. Discussion of a resolution for the issuance and sale of a Tax Anticipation Note (TAN) in the amount of \$500,000.

Interim City Manager, Shawanna Qawiy stated this item is to consider adopting the attached Resolution Authorizing, Among Other Things, the Issuance and Sale of a Tax Anticipation Note in the Principal Amount of \$500,000

The City of Clarkston will receive approximately 60% of our total anticipated revenue for fiscal year 2022 between the months of September and December. The majority of this revenue comes from property taxes, insurance premium payments and other taxes. The bulk of this revenue; property taxes and insurance premium payments, is received during the months of September, October and November.

The City recently received the final 2022 tax digest. While we will not receive property taxes until later this year, we have to generate additional available cash flow to cover our payrolls and other budgeted expenditures over the summer months. The use and subsequent reduction in surplus available cash on hand will result in a temporary cash flow problem during the months from August through September if not addressed. (2022 tax proceeds will be remitted from Dekalb County beginning the end of September through November). We have prepared a detailed schedule of monthly cash flow projections for the remainder of 2022 and expect our deficit balance in operating cash to be approximately \$168,000 at the middle of August 2022 and topping out with a deficit balance of \$500,000 by the end of September 2022.

Given that tax proceeds are not received until the 4th quarter of the fiscal year within which they are budgeted, this fiscal reality is not unusual. Many Georgia counties and municipalities take advantage of a State Law that authorizes the issuance of a Tax Anticipation Note (TAN), which will allow borrowing funds sufficient to cover the temporary cash flow deficit. Funds borrowed must be repaid in full prior to December 31st of each year.

Staff has received a quote from Truist Bank for the issuance of a Tax Anticipation Note in the amount of \$500,000 with an interest rate of 3.47% and an anticipated closing date of July 12, 2022. This is a short-term loan with full payment due of principal and interest on December 31, 2022. The interest rate charged on the principal balance will be 3.47% annually amortized over 166 days. Accordingly, the interest payments to Truist Bank will be approximately \$8,000. Additionally, issuance of a TAN requires preparation of the TAN resolution and other associated legal documents by a bond attorney. The fee for the bond attorney will be \$5,000.

Staff recommended the City Council adopt the Tax Anticipation Note Resolution and associated documents.

The Council briefly discussed this item.

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

- E. Discussion of a resolution amending the FY 2021 Operating Budget from \$12,648,463 to \$12,720,463.

Interim City Manager, Shawanna Qawiy stated this item was to consider adopting the attached Resolution amending the FY2021 Operating Budget. The City of Clarkston approves an annual budget at the beginning of each fiscal year based on projected revenues and expenditures. Throughout the year, various factors influence the budget which impacts projected revenues being realized and which affect necessary expenditures. As part of our annual audit review, the Georgia Department of Accounts and Audits (GDAA) monitors our budget vs. actuals reports at the legal level of control, which for the City of Clarkston is by fund and departmental level. This budget amendment is needed to correct the Final FY2021 Amended budget appropriations based on actual expenditures in FY2021 in order to be in compliance with the GDAA.

Finance Director, Dan Defnall presented a brief overview of FY 2021 Operating Budget and state the City was under budget by \$355,124.

The Council briefly discussed this item.

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

Councilmember Bell inquired about Councilmember Hopkins absence of this meeting and if it was excused or not. She also requested clarity on Councilmember Hopkins excused absence.

7. ADJOURNMENT

Councilmember Hood made a motion to adjourn the meeting. Councilmember Johnson duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned (5-0). Councilmember Hopkins was absent.

The meeting adjourned at 8:34 p.m.

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

CITY OF CLARKSTON

ITEM NO: 6B

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Approval

MEETING DATE: July 5, 2022

SUBJECT: Fresh Harvest, Inc. Memorandum of Understanding

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT: City Manager,
Shawanna Qawiy
PHONE NUMBER: 404-296-6489

PURPOSE: The Memorandum of Understanding for Fresh Harvest, Inc. and allow Vendor to expand the impact of its charitable program by facilitating more market days and locations and delivering greater healthy food access to Clarkston's low income and largely vaccine-hesitant population. Some food is given for free in weekly customized baskets for high need partner-identified newly arrived Afghan refugees valued \$60 per box. Other food is distributed for free through partners such as Free99 Fridge at its Clarkston hub. The rest of the food is sold at market days within high need apartment complexes and is priced at 40-80% off wholesale value with all proceeds going towards the purchase of additional food to be donated/sold at the market.

NEED/ IMPACT: To provide such persons access to fresh fruit and vegetables at no cost. In order to provide such assistance, Vendor will use funds provided by the City to purchase and distribute wholesale produce for its Share the Harvest program that will assist with Clarkston area residents in need.

RECOMMENDATION:
N/A.

Memorandum of Understanding

Between

City of Clarkston,

Georgia and

Fresh Harvest, Inc.

This Memorandum of Understanding (MOU) sets forth the terms and understanding between the City of Clarkston, Georgia (the “City”) and Fresh Harvest, Inc. a Georgia corporation having its place of business at 735 Park North Blvd., Suite 116, Clarkston, GA, 30021 (“Vendor”) for the City to fund and Vendor to perform assistance of persons residing in Clarkston that have been adversely impacted by the Corona Virus Disease 2019 (“COVID-19”) by providing such persons access to fresh fruit and vegetables at no cost. In order to provide such assistance, Vendor will use funds provided by the City to purchase and distribute wholesale produce for its Share the Harvest program that will assist with Clarkston area residents in need.

Background

The World Health Organization declared COVID-19 a world health emergency and a global pandemic. A National Public Health Emergency was declared for the United States on March 13, 2020. And, the Governor of the State of Georgia declared a State Public Health Emergency in Georgia on March 14, 2020. The City has access to funding through the Federal American Rescue Plan Act (ARPA) to assist persons negatively impacted by COVID-19 and to prevent the further spread of COVID-19. One qualified use of ARPA funds is food assistance for persons in need.

Purpose

To allow Vendor to expand the impact of its charitable program by facilitating more market days and locations and delivering greater healthy food access to Clarkston’s low income and largely vaccine-hesitant population. Some food is given for free in weekly customized baskets for high need partner-identified newly arrived Afghan refugees valued \$60 per box. Other food is distributed for free through partners such as Free99 Fridge at its Clarkston hub. The rest of the food is sold at market days within high need apartment complexes and is priced at 40-80% off wholesale value with all proceeds going towards the purchase of additional food to be donated/sold at the market.

Funding by City

The City commits to providing Vendor with Forty Thousand Dollars (\$40,000) from its ARPA allocation to be used towards the program described in this MOU. City will deliver such funds to Vendor on a reimbursement basis or directly to a wholesale vendor of produce in response to an invoice from such a wholesaler provided by Vendor.

Duration

This MOU shall become effective upon the signature by the city manager and the appropriate authorized official(s) representing Vendor. This MOU will remain in effect until (a) Vendor delivers \$80,000 worth of produce (calculated by wholesale cost) within the 30021 zip code, (b) the City of Clarkston terminates this MOU pursuant to the Termination section of this MOU, or (c) December 31, 2023, whichever shall occur first.

Vendor's Commitments

- A) Vendor shall distribute \$80,000 worth of fresh produce (as measured by wholesale price) to persons in need of food assistance within the 30021-area code using the following deliver methods:
- a) Donated to partner-identified high-need families. These families are typically newly arrived Afghan Refugees and will receive a weekly basket of free produce valued at \$60 wholesale.
 - b) Donated via partner organizations to a pick-up hub. At such hub(s), persons in need of food can choose which produce they would like/need
 - c) Sold at 40-80% off the wholesale value at the Share the Harvest Markets geared towards high-need families.
 - d) Applicant shall submit a report documenting the distribution areas and number assisted by December 31, 2022.
 - e) Applicant shall submit two (2) reports documenting the distribution areas and number assisted by June 30, 2023 (1) and (2) December 31, 2023.
- B) Vendor shall meet the following benchmarks as part of performing its commitments as described in the preceding paragraph:
- Deliver the first \$20,000 worth of produce not later than December 31, 2022
 - Deliver another \$60,000 worth of produce not later than December 31, 2023

Documentation

Free Baskets valued at \$60 per box per week

= Average of \$1,440 per week

Weekly donations to Clarkston partner organizations such as Free 99 Fridge and Envision

= Average of \$1,150 per week

Documentation will be provided that breaks down the weekly deliveries, weekly donations to partner organizations and for any food sold at market days as follows:

<u>Quantity</u>	<u>Item</u>	<u>Price</u>	<u>Total</u>
25	Free baskets	\$60	\$1,500
25	head Green Leaf lettuce	\$2	\$50
20	lb. spinach	\$5	\$100

Termination

The city may terminate this MOU if Vendor fails to perform its commitments as set forth above. If not completed or terminated sooner, this MOU will automatically terminate on December 31, 2023.

SO, AGREED:

Fresh Harvest (“VENDOR”)

CITY OF CLARKSTON, GEORGIA

By: Zac Harrison

Title: CEO

Date: _____

By: Shawanna Qawiy

Title: City Manager

Date: _____

CITY OF CLARKSTON

ITEM NO: 7A

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Approval

MEETING DATE: July 5, 2022

SUBJECT: Adopt Resolution Authorizing, Among Other Things, the Issuance and Sale of a Tax Anticipation Note in the Principal Amount of \$500,000

DEPARTMENT: Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages: 14

INFORMATION CONTACT: Mayor Beverly H. Burks Qawiy
PHONE NUMBER: 404-296-6489

PURPOSE: To adopt the attached Resolution Authorizing, Among Other Things, the Issuance and Sale of a Tax Anticipation Note in the Principal Amount of \$500,000

NEED/ IMPACT: The City of Clarkston will receive approximately 60% of our total anticipated revenue for fiscal year 2022 between the months of September and December. The majority of this revenue comes from property taxes, insurance premium payments and other taxes. The bulk of this revenue; property taxes and insurance premium payments, is received during the months of September, October and November.

The City recently received the final 2022 tax digest. While we will not receive property taxes until later this year, we have to generate additional available cash flow to cover our payrolls and other budgeted expenditures over the summer months. The use and subsequent reduction in surplus available cash on hand will result in a temporary cash flow problem during the months from August through September if not addressed. (2022 tax proceeds will be remitted from Dekalb County beginning the end of September through November). We have prepared a detailed schedule of monthly cash flow projections for the remainder of 2022 and expect our deficit balance in operating cash to be approximately \$168,000 at the middle of August 2022 and topping out with a deficit balance of \$500,000 by the end of September 2022.

Given that tax proceeds are not received until the 4th quarter of the fiscal year within which they are budgeted, this fiscal reality is not unusual. Many Georgia counties and municipalities take advantage of a State Law that authorizes the issuance of a Tax Anticipation Note (TAN), which will allow borrowing funds sufficient to cover the temporary cash flow deficit. Funds borrowed must be repaid in full prior to December 31st of each year.

Staff has received a quote from Truist Bank for the issuance of a Tax Anticipation Note in the amount of \$500,000 with an interest rate of 3.47% and an anticipated closing date of July 12, 2022. This is a short term loan with full payment due of principal and interest on December 31, 2022. The interest rate

charged on the principal balance will be 3.47% annually amortized over 166 days. Accordingly, the interest payments to Truist Bank will be approximately \$8,000. Additionally, issuance of a TAN requires preparation of the TAN resolution and other associated legal documents by a bond attorney. The fee for the bond attorney will be \$5,000.

RECOMMENDATIONS: Staff recommends the City Council adopt the attached Tax Anticipation Note Resolution and associated documents.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING, AMONG OTHER THINGS,
THE ISSUANCE AND SALE OF A TAX ANTICIPATION NOTE
IN THE AMOUNT OF \$500,000**

WHEREAS, the City of Clarkston, Georgia (the “Issuer”) is a municipal corporation of the State of Georgia, duly created and existing under and by virtue of the Constitution and laws of the State of Georgia; and

WHEREAS, the City Council of the City of Clarkston, Georgia (the “Governing Body”) has determined that it is in the best interest of the Issuer to borrow money to pay current expenses for calendar year 2022 in anticipation of the receipt of taxes levied or to be levied for the General Fund; and

WHEREAS, the Issuer is authorized by Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated to borrow money to pay current expenses during any calendar year and to evidence such borrowing by issuing tax anticipation notes in anticipation of the receipt of taxes levied or to be levied for the General Fund for expenses payable in such calendar year; and

WHEREAS, the Issuer proposes to issue a Tax Anticipation Note in the principal amount of \$500,000 (the “Note”) to pay the current expenses of the Issuer;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer and it is hereby resolved by authority of the same, as follows:

Section 1. Findings. The Governing Body hereby finds and determines as follows: (a) the principal amount of the Note and any other outstanding temporary loans do not exceed 75% of the total gross income from taxes collected by the Issuer in calendar year 2021 for the General Fund; (b) the principal amount of the Note, together with other contracts, notes, warrants or obligations of the Issuer for current expenses payable from the General Fund, do not exceed the total anticipated tax revenues of the Issuer for the General Fund for calendar year 2022; (c) no temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2021 or any prior calendar year remains unpaid as of the date hereof; and (d) a need exists for the Issuer to borrow \$500,000 to pay current expenses of the Issuer in calendar year 2022 prior to the receipt of sufficient revenues from taxes levied or to be levied for the General Fund for 2022.

Section 2. Authorization of Note; Terms and Execution. There is hereby authorized to be issued a tax anticipation note of the Issuer in the principal amount of \$500,000 which shall be designated “City of Clarkston, Georgia Tax Anticipation Note, 2022” (the “Note”). The Note shall be dated as of the date of delivery thereof to the purchaser, shall bear interest at the rate of interest set forth therein as provided in the form of the Note attached hereto as Exhibit A and shall be issued in registered form. Both principal and interest shall be payable in lawful money of the United States of America by wire transfer to the person who is the registered owner on December 15, 2022 without the presentation or surrender of the Note, except that upon written request of the

Issuer made concurrently with or reasonably promptly after payment in full of the Note, the registered owner thereof shall surrender the Note for cancellation, reasonably promptly after any such request, to the Issuer, and shall be payable as to principal and interest. The Note shall mature and together with accrued interest shall be payable on December 31, 2022. The Note may be prepaid in whole prior to maturity, without premium, in an amount equal to par plus accrued interest. The Note shall be executed by the Mayor, and shall be attested to by the City Clerk, and the seal shall be impressed thereon. In case any officer whose signature shall be affixed to the Note or who shall have sealed the Note shall cease to be such officer before the Note so signed and sealed shall have been actually delivered, the Note, nevertheless, shall be a valid Note obligation of the Issuer and may be delivered as such notwithstanding the fact that such officer or officers may have ceased to be such officer or officers of the Issuer when the Note shall be actually delivered.

Section 3. Approval of Form of Note. The Note as initially issued shall be issued in substantially the form attached hereto as Exhibit A subject to such minor changes, insertions or omissions as may be approved by the Mayor, and the execution and delivery of the Note shall be conclusive evidence of such approval.

Section 4. Tax Revenues Used to Repay Note. The Issuer agrees to use for payment of the Note and the interest thereon a sufficient portion of the revenues received by the Issuer from taxes levied or to be levied for calendar year 2022 for the General Fund and other funds available for such purpose. The indebtedness evidenced by the Note is a general obligation of the Issuer, and the full faith and credit of the Issuer have been and hereby are irrevocably pledged to secure the payment of the principal of and interest on this Note.

Section 5. Authentication of Note. The Note as originally issued and each Note issued in connection with a registration of transfer shall have endorsed thereon a certificate of authentication substantially in the form set forth in the Note. The Note shall not be deemed to be validly issued hereunder unless it contains such certificate of authentication.

Section 6. Registered Owner. The person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of either principal or interest shall be made only to or upon the order of the registered owner thereof or his duly authorized attorney. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Section 7. Tax Covenants and Representations. The Note is being issued by the Issuer for the governmental purpose of providing funds for the current expenses of the Issuer for the year 2022, in compliance with the conditions necessary for the interest income on the Note to be excludable from gross income for federal income taxation pursuant to the provisions of Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"). It is the intention of the Issuer that the interest on the Note be and remain excludable from gross income for federal income tax purposes, and, to that end, the Issuer hereby covenants with the holder of the Note, as follows:

- (a) It will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the tax-exempt status of the interest on the Note under Section 103 of the Code.

(b) It will not directly or indirectly use or permit the use of any proceeds of the Note or any other funds of the Issuer or take or omit to take any action in a way that would cause the Note to be (i) a “private activity bond” within the meaning of Section 141 of the Code, (ii) an obligation which is “federally guaranteed” within the meaning of Section 149 of the Code or (iii) a “hedge bond” within the meaning of Section 149 of the Code.

(c) It will not directly or indirectly use or permit the use of any proceeds of the Note or any other funds of the Issuer or take or omit to take any action that would cause the Note to be an “arbitrage bond” within the meaning of Section 148 of the Code.

(d) It will cause to be completed and filed with the Internal Revenue Service the information required by Section 149(e) of the Code (Treasury Form 8038-G) simultaneously with the issuance of the Note.

Section 8. General Authority. From and after the date of adoption of this Resolution, any member of the Governing Body and the officers of the Issuer are hereby authorized to do such acts and things, and to execute and deliver all such certificates or agreements as may be necessary or desirable in connection with the issuance of the Note. All actions of the Governing Body, officers or agents of the Issuer taken in connection therewith prior to the date hereof are hereby ratified and confirmed. If the City Clerk shall not be able to execute the documents herein authorized, the Assistant City Clerk is hereby authorized to execute the documents on behalf of the City.

Section 9. Sale of Note. The sale of the Note to Truist Bank, a North Carolina banking corporation, at a purchase price of par, is hereby approved.

Section 10. Tax Levy for Payment of Note. For the purpose of providing funds for the payment of the principal of and interest on the Note, there shall be and hereby is assessed and levied and there shall hereafter be collected a direct tax upon all real and personal property now or hereafter subject to taxation within the Issuer, the net proceeds of which will be in a sufficient amount to produce such sums as are required to pay the principal and interest thereon. Said sums are irrevocably pledged and appropriated to the payment of the principal and interest, when due on the Note, and the provisions to meet the requirements of this Resolution shall hereafter be made in due time and manner so that the Note, including both principal and interest, shall be fully paid at maturity.

Section 11. Bank Qualification. The Issuer hereby designates the Note as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code.

Section 12. Contract. The provisions, terms, and conditions of this Resolution will constitute a contract by and between the Issuer and the holder of the Note. After the issuance of the Note, this Resolution shall not be repealed or amended in any respect which will adversely affect the rights and interest of the holder of the Note.

Section 13. Financial Covenants. The City shall furnish the registered owner of the Note the annual audited financial statements of the City for the fiscal year ended December 31, 2021 as soon as they are available, but no later than 270 days after the end of such fiscal year.

Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption, and any and all resolutions or parts of resolutions in conflict with this Resolution shall be, and they are, to the extent of such conflict, hereby repealed.

Adopted by the Governing Body of the Issuer on 5th day of July, 2022.

CITY OF CLARKSTON, GEORGIA

(SEAL)

By: _____
Beverly H. Burks, Mayor

Attest:

Tomika R. Mitchell, City Clerk

UNITED STATES OF AMERICA
STATE OF GEORGIA

CITY OF CLARKSTON, GEORGIA
TAX ANTICIPATION NOTE,
2022

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Date of Issue</u>
December 31, 2022	\$500,000	July __, 2022

KNOW ALL MEN BY THESE PRESENTS: CITY OF CLARKSTON, GEORGIA, a municipal corporation of the State of Georgia (the “Issuer”), for value received, hereby promises to pay to Truist Bank or its successors or assigns (the “Bank”), (a) the sum of \$500,000 and (b) interest on such sum at the Stated Rate (as defined below), calculated on the basis of a 360-day year comprised of twelve 30-day months, in immediately available funds, on the Maturity Date set forth above.

Both principal hereof and interest are payable in lawful money of the United States of America. The Issuer also promises to pay any and all amounts owed by the Issuer as arbitrage rebate pursuant to Section 148 of the Internal Revenue Code of 1986, as amended and any amounts expended by any owner of this Note in connection with the collection of amounts owed hereunder, including, but not limited to attorney fees.

This Note is authorized by a resolution (the “Resolution”) duly adopted by the Mayor and City Council of the City of Clarkston, Georgia (the “Governing Body”) of the Issuer on July 5, 2022 (the “Note Resolution”), in accordance with Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated, for the purpose of making a temporary loan to pay current expenses of the Issuer in calendar year 2022.

Upon the occurrence of a Determination of Taxability, then, from and after the Date of Taxability, the interest rate used to calculate interest on the Note shall be the Taxable Rate, as defined below. After a Determination of Taxability and upon demand of the owner or any prior owner of the Note, the Issuer shall pay to such owner or prior owner such additional amount as shall be necessary to provide, together with interest received at the Stated Rate, an equivalent amount as if interest on the Note shall have been payable at the Taxable Rate from the Date of Taxability.

Upon the occurrence of a Determination of Non-Bank Qualified Status, then, from and after the Date of Non-Bank Qualified Status, the interest rate used to calculate interest on the Note shall be the Non-Bank Qualified Rate, as defined below. After a Determination of Non-Bank Qualified Status and upon demand of the owner or any prior owner of the Note, the Issuer shall pay to such owner or prior owner such additional amount as shall be necessary to provide, together

with interest received at the Stated Rate, an equivalent amount as if interest on the Note shall have been payable at the Non-Bank Qualified Rate from the Date of Non-Bank Qualified Status.

Upon a Determination of Taxability or a Determination of Non-Bank Qualified Status, the Issuer shall also pay to such owner or to any prior owner upon demand of such owner or prior owner any taxes, interest, penalties or other charges assessed against or payable by such owner or prior owner and attributable to such Determination of Taxability or such Determination of Non-Bank Qualified Status and all reasonable administrative, out-of-pocket and other expenses incurred by such owner or prior owner that are attributable to such event, including, without limitation, the costs incurred by such owner or prior owner to amend any of its tax returns, notwithstanding the repayment of the entire principal amount of the Note or any transfer or assignment of the Note.

The following terms shall have the following meanings in this Note unless the context otherwise requires:

“Date of Non-Bank Qualified Status” shall mean the earliest date as of which the Note was not a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code (or any successor provision) pursuant to a Determination of Non-Bank Qualified Status.

“Date of Taxability” shall mean the earliest date as of which interest on the Note shall have been determined to be includable in the gross income of any owner or prior owner of the Note as a result of a Determination of Taxability.

“Determination of Non-Bank Qualified Status” shall mean any determination by the Internal Revenue Service, any federal administrative agency, any court or by the owner based upon a written opinion of nationally recognized bond counsel that the Note is not a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code (or any successor provision).

“Determination of Taxability” shall mean and shall be deemed to have occurred on the first to occur of the following:

(a) on that date when the Issuer files any statement, supplemental statement or other tax schedule, return or document which discloses that an Event of Taxability shall have in fact occurred;

(b) on the date when the Issuer shall be advised in writing by the Commissioner or any District Director of Internal Revenue (or any other government official or agent exercising the same or a substantially similar function from time to time) that, based upon filings of the Issuer, or upon any review or audit of the Issuer or upon any other ground whatsoever, an Event of Taxability shall have occurred; and

(c) on that date when the Issuer shall receive notice from any owner or prior owner that the Internal Revenue Service (or any other government official or agency exercising the same or a substantially similar function from time to time) has assessed as includable in the gross income of such owner or any prior owner the interest on the Note paid to such owner or prior owner due to the occurrence of an Event of Taxability;

provided, however, that no Determination of Taxability shall occur under clauses (b) or (c) above in the definition of Determination of Taxability unless the Issuer has been afforded the opportunity, at its expense, to contest any such assessment; and provided further that no Determination of Taxability shall occur until such contest, if made, has been finally determined; and provided further that upon demand from the owner or any prior owner, the Issuer shall immediately reimburse such owner or prior owner for any payments such owner (or any prior owner) shall be obligated to make as a result of the Determination of Taxability during any such contest.

“Event of Taxability” shall mean a change in law or fact or the interpretation thereof, or the occurrence or existence of any fact, event or circumstance (including, without limitation, the taking of any action by the Issuer, or the failure to take any action by the Issuer, or the making by the Issuer of any misrepresentation herein or in any certificate required to be given in connection with the issuance, sale or delivery of the Note) which has the effect of causing interest paid or payable on the Note to become includable, in whole or in part, in the gross income of the owner or any prior owner for federal income tax purposes.

“Non-Bank Qualified Rate” shall mean a rate of interest per annum equal to 3.52%.

“Stated Rate” shall mean a rate of interest per annum equal to 3.47%.

“Taxable Rate” shall mean a rate of interest per annum equal to 4.44%.

This Note is issued in anticipation of the receipt of taxes levied or to be levied for the General Fund in calendar year 2022. The principal amount of this Note together with all other temporary loans, notes, warrants or similar obligations does not exceed 75% of the total revenues from taxes collected for the General Fund by the Issuer in calendar year 2021 and does not exceed, together with other contracts, notes, warrants and obligations of the Issuer for calendar year 2022 payable from the General Fund, the total anticipated revenues from taxes of the Issuer for the General Fund for calendar year 2022. No temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2021 or any prior calendar year remains unpaid.

This Note may be prepaid in whole prior to maturity, without premium, in an amount equal to par plus accrued interest.

The indebtedness evidenced by this Note is a general obligation of the Issuer, and the full faith, credit and taxing power of the Issuer have been pledged to secure the payment of the principal of and interest on this Note.

The Issuer hereby waives demand, protest, notice of demand, protest and nonpayment and any other notice, required by law relative hereto.

The Issuer represents and warrants to the Bank that:

(a) The Issuer is a municipal corporation duly created and existing under the laws of the State of Georgia with the power and authority to execute this Note.

(b) The proceeds of the loan evidenced by this Note will be used for the operations of the Issuer.

(c) The execution and delivery of, and the performance of the obligations and agreements of the Issuer set forth or referred to in this Note have been duly authorized by all necessary proceedings.

(d) There is no action, suit or proceeding pending or, to the best knowledge of the Issuer, threatened against or affecting the Issuer before any court, governmental department, commission, board or other federal, state, Issuer, municipal or other instrumentality, agency or authority which might adversely affect the power or authority of the Issuer or the ability of the Issuer to perform its obligations set forth or referred to in this Note.

(e) All authorizations, consents, approvals and findings of governmental bodies or agencies required of the Issuer in connection with the (i) execution and delivery of this Note, (ii) adoption of the Note Resolution and (iii) consummation of the transactions contemplated by this Note and the Note Resolution have been obtained and are in full force and effect. The Note Resolution has not been modified or rescinded and is in full force and effect.

(f) The execution and delivery of, and the performance of the obligations and agreements set forth or referred to in this Note, will not conflict with or constitute a violation or a default under any constitutional provision, statute, indenture, mortgage, lease, resolution, or other agreement or instrument, to which the Issuer is a party or by which it is bound, or any order, rule or regulation of any court or governmental agency or body having jurisdiction over the Issuer or its activities or properties.

(g) The adoption of the Note Resolution occurred at a meeting held after due and reasonable public notice given in accordance with the Issuer's procedures and the provisions of law, which was open to the public and at which a quorum was present and acting throughout, and said actions appear of public record in the minute books of the Issuer.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and laws of the State of Georgia to be done precedent to or as a condition to the issuance of this Note have been properly done, have happened and have been performed in the manner required by the Constitution and laws of the State of Georgia; that the tax levies in anticipation of which this Note is issued are or will be valid and legal levies; that the Issuer will use a sufficient amount of the proceeds of such tax levies and other available funds for the payment of this Note and the interest hereon; and that this Note, together with all other indebtedness of the Issuer, is within every debt or other limit provided by the Constitution and laws of the State of Georgia.

All capitalized terms used but not defined herein shall have the meanings assigned to them in the Note Resolution.

IN WITNESS WHEREOF, the Issuer acting by and through its Governing Body, has caused this Note to be executed in its name by the manual signature of the Mayor, and attested by the manual signature of the City Clerk and the seal of the Issuer to be impressed or imprinted hereon, all as of the date of original issue as shown above.

CITY OF CLARKSTON, GEORGIA

(SEAL)

By: _____
Beverly H. Burks, Mayor

Attest:

Tomika R. Mitchell, City Clerk

CERTIFICATE OF AUTHENTICATION

This is the Note described in the within mentioned authorizing resolution of the Mayor and City Council of the City of Clarkston, Georgia adopted on July 5, 2022, and is hereby authenticated.

CITY OF CLARKSTON, GEORGIA

By: _____
Beverly H. Burks, Mayor

Date of Authentication: July 5, 2022

* * * * *

CITY CLERK'S CERTIFICATE

The undersigned does hereby certify that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution pertaining to the City of Clarkston, Georgia Tax Anticipation Note, 2022 in the principal amount of \$500,000, which resolution was duly adopted at a meeting of the governing body (the "Governing Body") of the City of Clarkston, Georgia which was duly called and assembled on July 5, 2022, which was open to the public, and at which a quorum was present and acting throughout and that the original of said resolution appears of record in the minute book of the Governing Body which is in my custody and control, and that said resolution has not been amended, repealed, revoked or rescinded as of the date hereof.

Given under my hand and the seal of the Governing Body, this 5th day of July, 2022.

(SEAL)

Tomika R. Mitchell, City Clerk



Truist Financial Corporation

Governmental Finance

2320 Cascade Pointe Blvd. Suite 600
Charlotte, North Carolina 28208
Phone (704) 954-1700
Fax (704) 954-1799

June 16, 2022

Mr. Dan Defnall
City of Clarkston, Georgia

Terri Finister, Esq.
Murray Barnes Finister

Via Electronic Mail: DDefnall@cityofclarkston.com; TFinister@murraybarneslaw.com;

Re: City of Clarkson, Georgia

Dear Dan and Terri:

Truist Bank ("Lender") is pleased to offer this proposal for the financing requested by the City of Clarkston, Georgia ("Borrower").

PROJECT:	Tax Anticipation Note, Series 2022 (one term note, the "Note")
AMOUNT:	\$500,000.00
MATURITY DATE:	December 31, 2022
INTEREST RATE:	3.47%
TAX STATUS:	Tax Exempt-BQ
PAYMENTS:	<u>Interest:</u> At Maturity <u>Principal:</u> At Maturity
INTEREST RATE CALCULATION:	30/360
SECURITY:	The Note will be secured by the Borrower's full faith and credit and unlimited tax authority.
PREPAYMENT TERMS:	Callable in whole at par at any time
RATE EXPIRATION:	08/01/22
DOCUMENTATION/ LEGAL REVIEW FEE:	\$0

FUNDING: The financing will be fully funded at closing and allow for a maximum of four (4) funding disbursements in the form of wires or checks.

DOCUMENTATION: It will be the responsibility of the Borrower to retain and compensate counsel to appropriately structure the financing documents according to federal and state statutes. Documents will include provisions that outline appropriate changes to be implemented in the event that this transaction is determined to be taxable or non-bank qualified in accordance with the Internal Revenue Code. These provisions must be acceptable to Lender.

Lender will also require the Borrower to provide an unqualified bond counsel opinion addressed to the Lender (or a reliance letter), a no litigation certificate dated as of the date of funding, and evidence of IRS Form 8038 filing. Additionally, the Borrower will be required to execute a wire transfer agreement. Lender reserves the right to review and approve all documentation before closing. Lender will not be required to present the Note in order to receive payment.

REPORTING REQUIREMENTS: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year end throughout the term of the financing or in accordance with state requirements.

Lender will have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow less than \$10,000,000 in the current calendar year and that the financing will be bank qualified and tax exempt under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not bank qualified and tax exempt.

We appreciate the opportunity to offer this financing proposal. Please call me at (704) 607-6985 with your questions and comments. We look forward to hearing from you.

Sincerely,

Truist Bank

A handwritten signature in cursive script that reads "Mary Parrish Coley".

Mary Parrish Coley
Director

CITY OF CLARKSTON

ITEM NO: 7B

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Approval

MEETING DATE: July 5, 2022

SUBJECT: Adopt Resolution Authorizing, Among Other Things, Amending the FY2021 Operating Budget from \$12,648,463 to \$12,720,463

DEPARTMENT: Administration

PUBLIC HEARING: ☐ YES ☒ NOATTACHMENT: ☒ YES ☐ NO
Pages: 3INFORMATION CONTACT: Mayor Beverly M. Burks
PHONE NUMBER: 404-296-6489

PURPOSE: To adopt the attached Resolution amending the FY2021 Operating Budget

NEED/ IMPACT: The City of Clarkston approves an annual budget at the beginning of each fiscal year based on projected revenues and expenditures. Throughout the year, various factors influence the budget which impacts projected revenues being realized and which affect necessary expenditures. As part of our annual audit review, the Georgia Department of Accounts and Audits (GDAA) monitors our budget vs. actuals reports at the legal level of control, which for the City of Clarkston is by fund and departmental level. This budget amendment is needed to correct the Final FY2021 Amended budget appropriations based on actual expenditures in FY2021 in order to be in compliance with the GDAA. The specific amendments are as follows:

GENERAL FUND

For the final Fiscal Year 2021 General Fund Budget total budgeted expenditures were \$6,790,423 with actual General Fund Expenditures of \$6,435,299 meaning that overall we were under budget by \$355,124. Currently we are working on the 2021 financial audit and we estimate a net increase to our general fund balance as of 12/31/2021 to be \$537,097. The following budget amendments were made to the following General Fund expenditure budget line items to amend the budgeted amounts between departments:

Administration

100-1500-10-511100	\$152,000	Payouts City Clerk Retirement, City Manager Contract
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Buildings & Grounds

100-1565-15-521215	\$4,600	Lawn Treatment CHA/City Hall and roof repair City Hall
100-1565-15-522200	\$10,600	Plumbing Repairs \$6K and Signage \$4.6K
100-1565-15-523100	\$4,000	Increase in Building liability Insurance coverage
100-1565-15-523200	\$10,000	Communications Telephone/Cable
100-1565-15-523910	\$5,000	Streetscape Pole Banners and Signage
100-1565-15-531100	\$12,000	Streetscape Pole Banners and Signage
	<u>\$46,200</u>	

Planning & Development

100-7400-74-521215	\$ (50,000)	Reduced Professional Services-Zoning Rewrite rolled to 2022
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Community Development

100-7600-10-521200	\$(60,000)	Urban Agriculture not spent
100-7600-10-521215	\$(10,000)	Public Art not spent
100-7600-10-573025	\$(10,000)	Senior Programs not spent
100-7600-10-573055	\$(10,000)	Health Task Force not spent
100-7600-10-573065	\$(10,000)	Youth Task Force not spent
100-7600-10-573040	\$(7,500)	Clarkston Community Festival cancelled
100-7600-10-573020	\$(3,500)	Sagal Radio not spent
100-7600-10-573060	\$(9,000)	Recreational Programs not spent
	\$(120,000)	

Municipal Court

100-2650-20-521300	\$(35,000.00)	Savings in Court IT Fees not spent
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Police

100-3200-30-511100	\$(50,000)	Police Salaries Savings Unfilled positions
100-3200-30-512100	\$(30,000)	Police Benefits Savings Unfilled positions
	\$(80,000.00)	

Public Works

100-4000-40-511100	\$30,000	Salaries originally allocated to Stormwater Prof Services-CIS \$17.5K, Tree Removal storms @ Mauck St \$8K
100-4000-40-521215	\$25,500	ROW Landscape Maintenance EPDL/Market and Brockett Triangle
100-4000-40-522140	\$10,250	Vehicle Maint-Trash Truck \$15K other vehicles major repairs \$7.5K
100-4000-40-522210	\$22,500	
	\$88,250	

Capital Projects

100-1565-15-541200	\$28,200	\$28,200 City Hall Repairs from sewer flood
100-1565-15-541200	\$6,600	\$6,600 Furnace for Woman's Club Building
100-1565-15-541200	\$(36,250.00)	Unspent budget 40 Oaks House
	\$(1,450.00)	

Total General Fund	\$	--0-	Net General Fund Budget Change
--------------------	----	------	--------------------------------

POLICE FEDERAL SEIZURES FUND

210-3200-30 542200	\$70,000	Increase Capital Equipment for Vehicle Purchases
210-351320	\$(70,000)	Increase Confiscated Assets Revenue

SANITATION FUND

540-4600-40-522210	\$2,000	Increase Sanitation Collection Services for new homes
540-34415	\$(2,000)	Increase Sanitation Fees for new homes added

RECOMMENDATIONS: Staff recommends the City Council adopt the attached Resolution to amend the Final FY2021 City of Clarkston Operating Budget.

RESOLUTION NO. _____

A RESOLUTION TO ADOPT THE FISCAL YEAR 2021 FINAL AMENDED BUDGET FOR EACH FUND OF THE CITY OF CLARKSTON, GEORGIA, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES/EXPENSES, ADOPTING THE SEVERAL ITEMS OF REVENUE ANTICIPATIONS, AND PROHIBITING EXPENDITURES OR EXPENSES FROM EXCEEDING THE ACTUAL FUNDING AVAILABLE, AND FOR VARIOUS OTHER REASONS.

WHEREAS, sound governmental operations require a budget in order to plan the financing of services for the residents of the City of Clarkston; and

WHEREAS, Title 36, Chapter 81, Article 1 of the Official Code of Georgia Annotated (OCGA) requires a balanced budget for the City's fiscal year, which runs from January 1st to December 31st of each year; and

WHEREAS, the Mayor and City Council of the City of Clarkston have reviewed the Proposed FY 2021 budget which includes the FINAL FY2021 AMENDED BUDGET data as presented by the City Manager; and

WHEREAS, each of these funds is a balanced budget, so that anticipated revenues and other financial resources for each fund equal the proposed expenditures or expenses; and

WHEREAS, the Mayor and City Council wishes to adopt this proposal as the Final Amended Fiscal Year 2021 Annual Budget, effective from January 1, 2021 through December 31, 2021.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Clarkston, Georgia, as follows:

Section 1. That the Amended Fiscal Year 2021 Budget, attached hereto and incorporated herein as a part of this Resolution is hereby adopted as the Amended Budget for the City of Clarkston, Georgia for Fiscal Year 2021, which begins January 1, 2021 and ends on December 31, 2021.

Section 2. That the several items of revenues, other financial resources, and sources of cash shown in the budget for each fund in the amounts shown anticipated are hereby adopted, and that the several amounts shown in the budget for each fund as proposed expenditures or expenses, and uses of cash are hereby appropriated to the departments named in each fund.

Section 3. That the "legal level of control" as defined in OCGA §36-81 is set at the department level, meaning that the City Manager in his capacity is authorized to move appropriations from one line item to another within a fund, but under no circumstances may expenditures or expenses exceed the amount appropriated for a fund without a further budget amendment approved by the Mayor and City Council.

Section 4. That all appropriations shall lapse at the end of the fiscal year.

Section 5. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

RESOLVED this _____ day of July 2022

Beverly H. Burks, Mayor

ATTEST:

Tomika R. Mitchell, City Clerk

CITY OF CLARKSTON FISCAL YEAR 2021 AMENDED BUDGET									
As of June 3, 2022	2020 Actual	2021 ADOPTED BUDGET	2021 ACTUAL AS OF DECEMBER 31, 2021	Over / (Under) 2021 Adopted Budget	% OF BUDGET	FINAL BUDGET AMENDMENT FY2021	Explanation of Budget Amendment	FINAL 2021 AMENDED BUDGET	% OF 2021 AMENDED BUDGET
REVENUES									
General Fund	5,659,119	6,790,423	6,972,396	181,973	102.7%			6,790,423	102.7%
								-	
Federal Seizures Fund	45,556	80,000	73,051	(6,949)	91.3%	70,000	Adjust Federal Seizures Revenue by \$70,000	150,000	48.7%
City Seizures Fund	-	-	3,211	3,211				-	
Grants Fund	1,077,344	104,000	88,600	(15,400)	85.2%			104,000	85.2%
CARES Act Fund	1,434,314	-	-	-				-	
American Rescue Plan Act	-	1,140,000	2,359,649	1,219,649				1,140,000	
HOST Fund	-	71,194	-	(71,194)	0.0%			71,194	0.0%
SPLOST Fund	5,395,384	3,918,756	2,147,672	(1,771,084)	54.8%			3,918,756	54.8%
Stormwater Fund	315,622	326,190	640,586	314,396	196.4%			326,190	196.4%
Sanitation Fund	217,353	217,900	219,938	2,038	100.9%	2,000	Adjust Sanitation Service by \$2,000	219,900	100.0%
Total Revenue - All Funds	14,144,693	12,648,463	12,505,104		98.9%	72,000		12,720,463	98.3%
EXPENDITURES									
Administration-City Council	113,662	139,936	118,892	(21,044)	85.0%			139,936	85.0%
Administration-Mayor	15,961	31,630	26,773	(4,857)	84.6%			31,630	84.6%
Administration-General Government	949,115	932,870	1,076,314	143,444	115.4%	152,000	\$90,000 Sick time payout, \$62,000 City Manager settlement (511100)	1,084,870	99.2%
Buildings and Grounds	127,619	117,224	149,894	32,670	127.9%	46,200	\$4,600 Prof Services for lawn maintenance, security & roof repair (521215), \$6,000 plumbing repairs and \$4,600 signage (522200), \$4,000 increase in liability insurance (523100), \$10,000 communications expense (523200), \$5,000 banners & signage (523910), \$12,000 banners & signage (531100)	163,424	91.7%
Planning and Development	344,153	440,601	383,645	(56,956)	87.1%	(50,000)	Reduce \$50,000 Prof Service (521215) for Zoning rewrite rolled to FY2022	390,601	98.2%
Community Action Projects	29,768	171,500	48,460	(123,040)	28.3%	(120,000)	Reduce \$120,000 for unspent project funds	51,500	94.1%
Municipal Court	437,973	489,805	440,328	(49,477)	89.9%	(35,000)	Reduce \$35,000 for IT Services (521300)	454,805	96.8%
Police	2,035,980	2,258,713	2,163,035	(95,678)	95.8%	(80,000)	Reduce \$50,000 Salaries (511100) and \$30,000 Benefits (512100) savings from unfilled positions	2,178,713	99.3%
Public Works	863,902	904,982	969,684	64,702	107.1%	88,250	\$30,000 Salaries (511100) not charged to Stormwater Fund, \$17,500 Professional Services (521215) for CIS projects and \$8,000 tree removal Mauck St due to storm, \$10,250 Lawn Care ROW (522140) Shades of Green maintenance Streetscape landscaping EPDL/Market & Brockett Triangle, \$22,500 Vehicle Maintenance for Trash Truck Repairs of \$15,000 and other vehicle major repairs \$7,500	993,232	97.6%

FISCAL YEAR 2021 AMENDED BUDGET

As of June 3, 2022	2020 Actual	2021 ADOPTED BUDGET	2021 ACTUAL AS OF DECEMBER 31, 2021	Over / (Under) 2021 Adopted Budget	% OF BUDGET	FINAL BUDGET AMENDMENT FY2021	Explanation of Budget Amendment	FINAL 2021 AMENDED BUDGET	% OF 2021 AMENDED BUDGET
REVENUES									
Parks	77,457	142,350	131,176	(11,174)	92.2%			142,350	92.2%
Debt Service	671,059	840,812	744,408	(96,404)	88.5%			840,812	88.5%
Capital Projects Fund	28,558	320,000	182,690	(137,310)	0.0%	(\$1,450)	Increase \$6,600 furnace Woman's Club, \$28,200 City Hall repairs from sewer flooding covered by insurance (1565-541200), Reduce Parks Capital by (\$36,250) for unspent budget allocation not used for 40 Oaks House	318,550	57.4%
Total General Fund Expenditures	5,695,208	6,790,423	6,435,299	(355,124)	94.8%	-		6,790,423	94.8%
								-	
Federal Seizures Fund	163,261	80,000	136,376	56,376	170.5%	70,000	\$70,000 Vehicle Purchases from Federal Seizures (542200)	150,000	90.9%
City Seizures Fund	-	-	250	250				-	
Grants Fund	973,603	104,000	2,376	(101,624)	2.3%			104,000	2.3%
Cares Act Fund	1,434,311	-	-					-	
American Rescue Plan Act		1,140,000	1,012,864					1,140,000	
HOST Fund	-	71,194	-	(71,194)	0.0%			71,194	0.0%
SPLOST Fund	3,120,094	3,918,756	3,466,696	(452,060)	88.5%			3,918,756	88.5%
Stormwater Fund	247,203	326,190	309,343	(16,847)	94.8%			326,190	94.8%
Sanitation Fund	142,079	217,900	219,064	1,164	100.5%	2,000	\$2,000 Collection Services (522210)	219,900	99.6%
								-	
Total Expenditures - ALL FUNDS	11,775,759	12,648,463	11,582,269	(939,058)	91.6%	72,000		12,720,463	91.1%
General Fund Reserve / (Deficit)	(36,089)	-	537,097			-		-	
Total All Funds Reserve / (Deficit)	2,368,934	-	922,835			-		-	

FY2021 Budget Amendments by General Ledger Code**GENERAL FUND - All General Fund Budget Amendments are between Department Expenditure Line Items -No Adjustments to Revenues Need****Administration**

100-1500-10-511100 \$ 152,000.00 Payouts City Clerk Retirement, City Manager Contract

Buildings & Grounds

100-1565-15-521215 \$ 4,600.00 Lawn Treatment CHA/City Hall and roof repair City Hall
100-1565-15-522200 \$ 10,600.00 Plumbing Repairs \$6K and Signage \$4.6K
100-1565-15-523100 \$ 4,000.00 Increase in Building liability Insurance coverage
100-1565-15-523200 \$ 10,000.00 Communications Telephone/Cable
100-1565-15-523910 \$ 5,000.00 Streetscape Pole Banners and Signage
100-1565-15-531100 \$ 12,000.00 Streetscape Pole Banners and Signage
 \$ 46,200.00

Planning & Development

100-7400-740-521215 \$ (50,000.00) Reduced Professional Services-Zoning Rewrite rolled to 2022

Community Development

100-7600-10-521200 \$ (60,000.00) Urban Agriculture not spent
100-7600-10-521215 \$ (10,000.00) Public Art not spent
100-7600-10-573025 \$ (10,000.00) Senior Programs not spent
100-7600-10-573055 \$ (10,000.00) Health Task Force not spent
100-7600-10-573065 \$ (10,000.00) Youth Task Force not spent
100-7600-10-573040 \$ (7,500.00) Clarkston Community Festival cancelled
100-7600-10-573020 \$ (3,500.00) Sagal Radio not spent
100-7600-10-573060 \$ (9,000.00) Recreational Programs not spent
 \$ (120,000.00)

Municipal Court

100-2650-20-521300 \$ (35,000.00) Savings in Court IT Fees not spent

Police

100-3200-30-511100 \$ (50,000.00) Police Salaries Savings Unfilled positions
100-3200-30-512100 \$ (30,000.00) Police Benefits Savings Unfilled positions
 \$ (80,000.00)

Public Works

100-4000-40-511100 \$ 30,000.00 Salaries originally allocated to Stormwater
100-4000-40-521215 \$ 25,500.00 Prof Services-CIS \$17.5K, Tree Removal storms @ Mauck St \$8K
100-4000-40-522140 \$ 10,250.00 ROW Landscape Maintenance EPDL/Market and Brockett Triangle
100-4000-40-522210 \$ 22,500.00 Vehicle Maint-Trash Truck \$15K other vehicles major repairs \$7.5K
 \$ 88,250.00

Capital Projects

100-1565-15-541200 \$ 28,200.00 \$28,200 City Hall Repairs from sewer flood
100-1565-15-541200 \$ 6,600.00 \$6,600 Furnace for Woman's Club Building
100-1565-15-541200 \$ (36,250.00) Unspent budget 40 Oaks House
 \$ (1,450.00)

Total General Fund \$ -

Federal Seizures Fund

210-3200-30-542200 \$ 70,000.00 Police Vehicle purchases from Seizures Fund
210-351320 \$ (70,000.00) Police Vehicle Revenues

Sanitation Fund

540-522210 \$ 2,000.00 Sanitation Collection Services
540-344115 \$ (2,000.00) Sanitation Services Revenues

CITY OF CLARKSTON - FY2021 GENERAL FUNDS REVENUES BY CATEGORY

ACCOUNT CODE	2020 ACTUAL REVENUE	2020 REVENUE REPORTING CATEGORIES		2021 ACTUAL REVENUE	2021 REVENUE REPORTING CATEGORIES	AMOUNT 2021	OVER/	ACCOUNT DESCRIPTION
		2020	BUDGET 2021			OVER/ (UNDER)	(UNDER)	
100-311110	496		113,431	182,886		182,390	69,455	PUBLIC UTILITY R/E TAXES-CURRENT YEAR
100-311190	2,897,322		3,351,801	3,005,339		108,017	(346,462)	OTHER REAL PROPERTY TAXES-CURRENT YEAR
100-311200	(374,999)		-	142,509		517,508	142,509	REAL PROPERTY TAXES-PRIOR YEAR
100-311210	-		-	(24)		(24)	(24)	PUBLIC UTILITY R/E TAXES-PRIOR YEAR
100-311390	141,522		177,311	136,324		(5,198)	(40,987)	OTHER PERSONAL PROP TAXES-CURRENT YEAR
100-311400	(1,370)	2,662,971	-	23	3,467,057	1,393	23	PERSONAL PROPERTY TAXES-PRIOR YEAR
100-311310	148,898		127,841	225,018		76,119	97,177	MOTOR VEHICLE TAXES-CURRENT YEAR
100-311340	41,053		20,000	62,215		21,162	42,215	INTANGIBLE TAX (REGULAR AND RECORDING)
100-311350	912		886	934		22	48	RAILROAD EQUIPMENT TAX-CURRENT YEAR
100-311600	5,714		3,000	49,250		43,536	46,250	REAL ESTATE TRANSFER TAX (INTANGIBLE)
100-311710	309,131		275,282	349,873		40,743	74,591	FRANCHISE TAXES-ELECTRIC
100-311730	44,128		43,826	47,459		3,331	3,633	FRANCHISE TAXES-GAS
100-311750	44,686		51,608	62,482		17,796	10,874	FRANCHISE TAXES-TV/CABLE
100-311760	1,897		3,000	1,787		(110)	(1,213)	FRANCHISE TAXES-TELEPHONE
100-314200	125,315		103,221	127,514		2,199	24,293	ALCOHOLIC BEVERAGE EXCISE TAXES
100-314300	44,720		17,727	71,804		27,084	54,077	LOCAL OPTION MIXED DRINK TAXES
100-316100	173,167		228,000	220,925		47,758	(7,075)	BUSINESS AND OCCUPATION TAXES
100-316200	972,010	1,911,631	970,000	1,006,157	2,225,417	34,147	36,157	INSURANCE PREMIUM TAXES
100-319110	2,531		2,030	16,996		14,465	14,966	PENALTIES/INTEREST - REAL TAXES
100-319400	2,685		4,653	3,784		1,099	(869)	PENALTIES/INTEREST-BUSINESS TAXES
100-321105	5,800		5,200	8,160		2,360	2,960	ALCOHOL INVESTIGATION FEE
100-321110	10,000		9,000	9,000		(1,000)	-	BEER RETAIL LICENSE
100-321115	4,000		4,000	4,000		-	-	BEER RETAIL LICENSE BY DRINK
100-321120	10,000		9,000	9,000		(1,000)	-	RETAIL WINE LICENSE
100-321125	4,000		4,000	4,000		-	-	RETAIL WINE LICENSE BY DRINK
100-321130	12,500		10,000	10,000		(2,500)	-	RETAIL LIQUOR LICENSE
100-321135	20,000		20,000	20,000		-	-	RETAIL LIQUOR LICENSE BY DRINK
100-321150	3,341		6,000	6,495		3,154	495	WORK PERMIT & ID CARD-ALCOHOL SALES
100-321151	16,504		100,000	102,144		85,640	2,144	Work Permit ID-Entertainment
100-321152	-		4,100	-		-	(4,100)	PAWN SHOP PERMITS
100-321153	2,000		2,000	2,000		-	-	HOOKAH PERMIT
100-321220	19,150		21,000	19,075		(75)	(1,925)	INSURANCE COMPANY BUSINESS LICENSES
100-322210	996		3,000	1,860		864	(1,140)	ZONING AND LAND USE PERMIT
100-322230	2,875		1,500	2,252		(623)	752	SIGN PERMITS
100-322240	263,968		107,000	176,225		(87,744)	69,225	BUILDING PERMIT
100-322245	320		600	1,093		773	493	TREE SERVICE PERMIT FEES
100-322250	203		1,000	12,800		12,597	11,800	CERTIFICATE OF OCCUPANCY
100-322900	2,840		4,000	13,774		10,934	9,774	NON-BUSINESS LICENSES/PERMITS-OTHER
100-323120	3,621	387,334	1,000	2,489	425,146	(1,132)	1,489	BUILDING INSPECTION
100-341390	1,600		-	76,806		75,206	76,806	TREE REPLACEMENT/PRESERVATON FEE
100-341400	1,722		1,800	911		(812)	(889)	PRINTING AND DUPLICATING SERVICES
100-341910	900		630	4,050		3,150	3,420	ELECTION QUALIFYING FEES
100-342120	6,668		8,900	6,497		(171)	(2,403)	ACCIDENT REPORTS
100-344111	100		400	100		-	(300)	SPECIAL PICKUPS
100-346410	2,105		13,000	4,200		2,095	(8,800)	BACKGROUND CHECK FEES (CRIMINAL)
100-347200	3,901		20,000	-		(3,901)	(20,000)	WOMAN'S CLUB RESERVATION FEES
100-347201	-		24,000	21,371		21,371	(2,629)	PARKS-POOL ADMISSIONS
100-347203	1,883		12,000	2,338		455	(9,662)	MILAM PARK RESERVATION FEES
100-349900	-	18,880	6	23,380	139,653	23,380	23,374	OTHER FEES/CHARGES FOR SERVICES
100-351170	333,131		525,000	372,932		39,801	(152,068)	MUNICIPAL COURT FINES AND FORFEITURES
100-351180	9,263	342,395	14,000	11,172	384,104	1,908	(2,828)	POLICE ADMIN IT FEE
100-361000	6	6	40	9	9	2	(31)	INTEREST REVENUES
100-371000	6,700		-	1,950		(4,750)	1,950	CONTRIBUTIONS AND DONATIONS-PRIVATE
100-381000	76,892		86,000	85,087		8,196	(913)	RENTS AND ROYALTIES
100-383000	38,488		4,930	75,808		37,320	70,878	REIMBURSEMENT FOR DAMAGED PROPERTY
100-389000	74		700	72		(2)	(628)	OTHER MISCELLANEOUS REVENUE
100-389005	11,689		18,000	28,480		16,791	10,480	REIM DEA O/T
100-389010	14,874	148,716	34,000	16,966	208,364	2,092	(17,034)	BUS SHELTER REVENUE
	5,471,934	5,471,934	6,569,423	6,849,749	6,849,749	1,377,815	280,326	
100-392100	187,185	187,185	-	1,446	1,446	(185,739)	1,446	PROCEEDS-SALE OF GENERAL FIXED ASSETS
100-393600		-	221,000	121,201	121,201	121,201	(99,799)	PROCEEDS-CAPITAL LEASES
	5,659,119	5,659,119	6,790,423	6,972,396	6,972,396	1,313,277	181,973	

FISCAL YEAR

Davenport & Company Financial Advisors recommends a minimum fund balance level of 25% to in line with State and National 'A' medians

CITY OF CLARKSTON

ITEM NO: 8B

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Approval

MEETING DATE: July 5, 2022

SUBJECT: A variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1 , Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit. (*Public Hearing July 5, 2022*).

DEPARTMENT:
Planning/Economic &
Development

PUBLIC HEARING: ☐ YES ☐ NO

ATTACHMENTS: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT:
Shawanna Qawiy, Planning/ Economic and
Dev. Director
PHONE NUMBER: 404-296-6489

PURPOSE: A variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1 , Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit. (*Public Hearing July 5, 2022*).

NEED/ IMPACT:

A variance request from the terms of the ordinance must not be contrary to the public and must be evaluated based on the 6 criteria points. A variance may be granted in an individual case of unnecessary hardship upon a finding by the city council that all of the following conditions exist (*Article III, Sec. 308*);

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
2. Such conditions are peculiar to the particular piece of property involved.
3. Such conditions are not the result of the actions of the applicant.
4. A literal interpretation of the provisions of this ordinance would create an unnecessary hardship.
5. The variance requested will not cause substantial detriment to the public good nor impair the purposes or intent of the zoning ordinance.
6. The variance is not a request to permit a structure or use of land not authorized in the applicable district.

STAFF RECOMMENDATION:

Staff recommends denying the variance requests.

PLANNING AND ZONING BOARD RECOMMENDATION: 06/22/2022

The Planning and Zoning Board recommends approving the variance request.



PLANNING & ZONING BOARD MEETING

AGENDA

June 21, 2022, 7:00 PM
ZOOM

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF APRIL 2022 MEETING MINUTES.

PUBLIC HEARING:

Any member of the public may address the Planning and Zoning Board, during the time allotted for public hearing. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please provide those questions to staff in writing on the Public Comment Card (Staff) prior to the meeting. This will facilitate follow-up by the Board or Staff. The Planning and Zoning Board desires to allow an opportunity for public comment; however, the business of the Board must proceed in an orderly and timely manner.

D. OLD BUSINESS

E. NEW BUSINESS

1. **PUBLIC HEARING:** To consider a variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1 , Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit.

F. OTHER BUSINESS

G. ADJOURNMENT

Join Zoom Meeting

<https://us02web.zoom.us/j/87129352968?pwd=MWkzMtVhRkFk2UHpgNFoxQW5LSUpRQT09>

Meeting ID: 871 2935 2968

Passcode: 956262

Dial by your location

+1 301 715 8592 US (Washington DC)

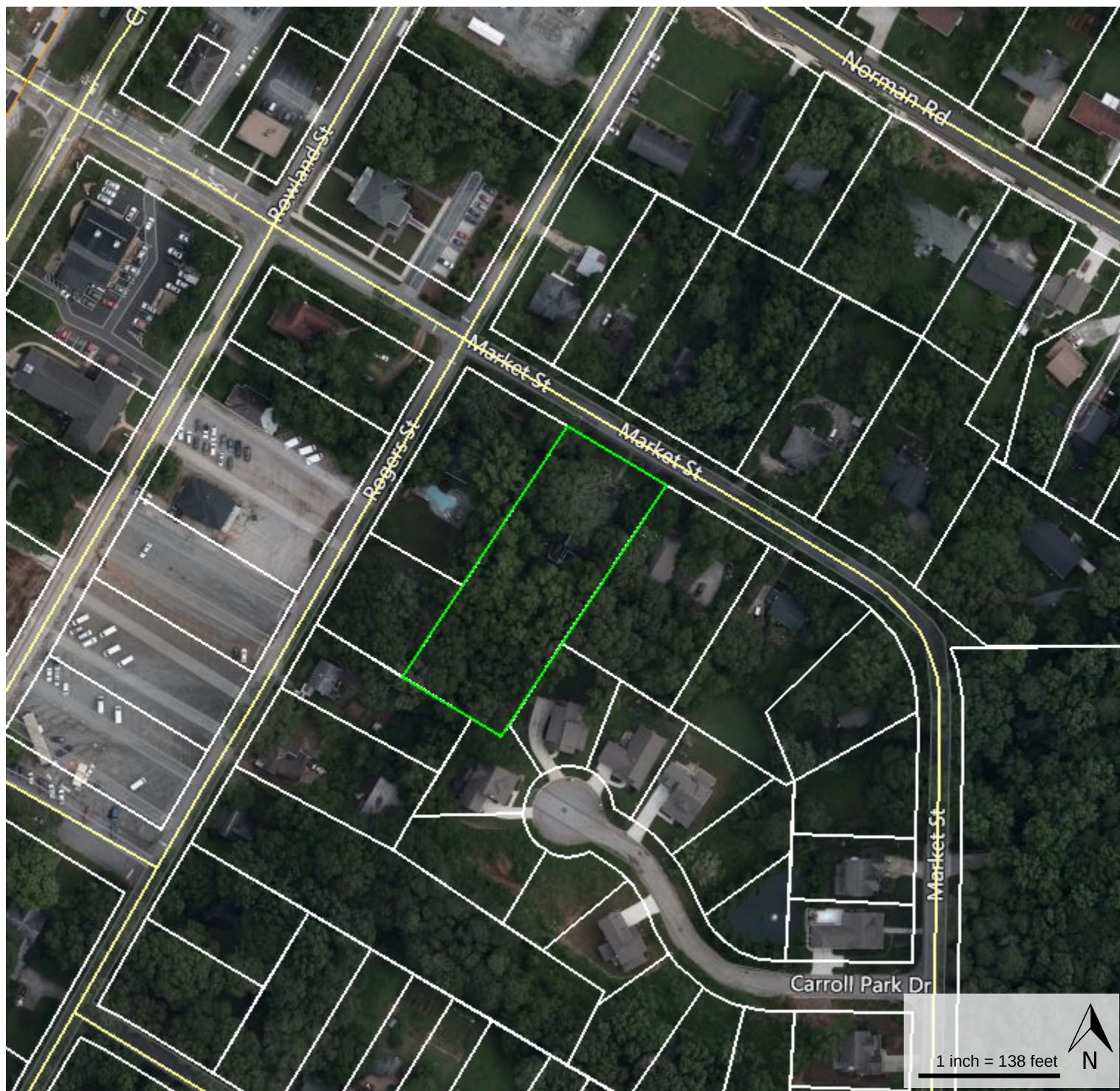
+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

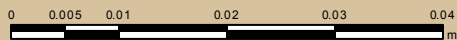
+1 669 900 9128 US (San Jose)







3747 Market Street - VAR REQUEST



Date Printed: 6/1/2022



DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



3747 Market Street - VAR REQUEST MAP 2



Date Printed: 6/1/2022



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18 096
14 025

3747

3750

18 096 14 024

18 096 14 021

340'
216'



3747 Market Street - VAR REQUEST MAP 3

0 0.001 0.002 0.004 0.006 0.008
mi

Date Printed: 6/1/2022



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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.
 - (4) Accessory dwellings in compliance with section 603(n).
- (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 the principal structure.
 - (6) Swimming pools must be enclosed by a fence not less than six (6) feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
 - (7) Heating and air conditioning units may encroach five (5) feet into the required rear or side setback.
- (e) *Use limitations:*
- (1) All outdoor storage must be stored in a side or rear yard and screened from all streets and adjacent properties by a wood fence at least six (6) feet in height. The city planner may approve the substitution of plantings for the required fence.
 - (2) Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
- (f) *Bulk and area regulations:*

Floor Area Ratio (FAR) (Max.)	0.4
-------------------------------	-----

Min. Residential Unit Size (finished, heated floor area)	1,000 sq. ft.
Building Coverage (Max, a % of lot area)	50%
Min. Open Space	N/A
Max. Building Height	35'
Min. Lot Size	10,000 sq. ft.
Min. Lot Width	75'
Minimum Front Yard Setback	30'
Minimum Side Yard Setback	10'
Minimum Rear Yard Setback	25'

(g) *Buffer requirements:* Not applicable in this district.

(Ord. No. 375, § 8(Attach.), 10-1-13; [Ord. No. 417](#), § 3, 12-5-17)



CITY of CLARKSTON
VARIANCE ANALYSIS

Report Prepared by: Shawanna N. Qawiy, MPA, MSCM
Planning/Economic and Development Director

Applicant: Zachary Harrison/Lauren Harrison

Location: 3747 Market Street, Clarkston, GA 30021

Parcel ID(s): 18 096 14 024

Lot Size: 0.96 acres

Current Land Use: Single Family Residential.

Proposed Use: To construct an accessory dwelling unit.

Zoning: NR-1 Low Density Residential

Zoning and Use of Surrounding Properties:

Current Zoning		Current Land Use
Northeast	NR-1 Low Density Residential	Single Family Residential
East	NR-1 Low Density Residential	Single Family Residential
South	NR-1 Low Density Residential	Single Family Residential
West	NR-1 Low Density Residential	Single Family Residential

Request: A variance request to reduce the side setback requirement of 10 feet to 2 feet to construct (add on) an accessory dwelling unit over an existing garage.

Signs Posted: June 6, 2022
Planning and Zoning: June 21, 2022
City Council Work Session: June 28, 2022
City Council Meeting: July 5, 2022

Analysis:

The applicant is proposing to construct an accessory dwelling unit over an existing garage. The property is zoned NR-1, Low Density Residential which requires that all accessory structures have a 10 feet side back. According to *Section 701(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.

Currently the NR-1 zoning district requires that each minimum lot size is 10,000SF with a minimum lot width of 75', with side setbacks of 10 feet. The applicant is requesting to reduce the

side setback requirement to 2 feet to enlarge a current accessory structure (garage) and enlarge into an accessory dwelling unit.

Criteria for Granting a Variance (Article III, Sec. 308):

Criteria 1: *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.*

There are no extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.

Criteria 2: *Such conditions are peculiar to the particular piece of property involved.*

The applicant has requested that the required setback of 10 feet be reduced to 2 feet due to the current location of the foundation for an existing non-conforming detached garage. The applicant is requesting to keep the foundation in place in lieu of moving/relocating the concrete foundation for the accessory dwelling unit to a location on the property that will meet the setback requirements of the zoning district and accessory dwellings.

Criteria 3: *Such conditions are not a result of the actions of the applicant.*

The home was purchased with the legal non-conforming structure (garage) in the current location. Such conditions are not a result of the actions of the applicant.

Criteria 4: *A literal interpretation of the provisions of this ordinance would create an unnecessary hardship.*

A literal interpretation of the provision of this ordinance would not create an undue hardship for the applicant to construct an accessory dwelling unit on the property.

Criteria 5: *The variance requested will not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.*

The request would not cause a substantial detriment to the public good nor impair the purposes or intent of this zoning district. Accessory dwelling units are permitted in the NR-1 zoning district, when all conditions are met pertaining to the construction of an accessory dwelling unit.

Criteria 6: *The variance is not a request to permit a structure or use of land not authorized in the applicable district.*

This variance is not a request to permit structures or land uses that are not authorized in the NR-1 zoning district. In the NR-1 zoning district, in Section 701 (b) (4), accessory dwellings (are permitted) when in compliance with Section 603 (n).

Staff Recommendation(s):

Staff recommends DENIAL of the variance request.

Attachments:

- Application package
- Survey
- Maps



CITY of CLARKSTON

PLANNING AND DEVELOPMENT DEPARTMENT

VARIANCE APPLICATION

1055 ROWLAND STREET
CLARKSTON, GA 30021
404.296.6489

This page must be completed by the Applicant. Please see Applicant Instructions for full requirements.

SUBMITTAL CHECKLIST

Your application must include the following items, or it will not be considered complete:

- ☒ Plan(s) to scale demonstrating variance requested
- ☒ Survey
- ☒ Property Deed
- ☒ Recorded Plat of Property (seven (7) copies)
- ☒ Campaign Contribution Disclosure Form
- ☒ Filing Fee (payable to The City of Clarkston)

FOR OFFICE USE/DETERMINATION

Review determination and fee: Review fee (payable to *The City of Clarkston*) depends on type of review(s). (See Fee Schedule):

X Variance -N/A- (Fee) \$500 -
Please indicate if this is an Administrative Variance

APPLICANT INFORMATION

Zac Harrison
Applicant Name
404.226.6847
Primary Phone # Company
zac@freshharvestga.com
Email Address

PROJECT SUMMARY

3747 MARKET STREET
Name of Project

Detailed Description of Variance. Include: Variance needed (code section, square footage or other dimension); Proposed use(s) and square footage of floor area for each use; and written explanation of hardship involved with need for variance (see checklist).

In an effort to salvage & revitalize the current garage
we hope to be able to renovate on the current foundation
and be grandfathered in to the current location although it

*pd
stem
5/4/22*



CITY of CLARKSTON
PLANNING AND DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION

1055 ROWLAND STREET
CLARKSTON, GA 30021
404.296.6489

it is closer to the property line than updated codes would
allow for set backs since it was originally built in the 40s.

Total Number of Parcels Involved:	<u>1</u>	Total Project Area (acre/sf):	<u>50 sq ft</u>	Total Disturbed Area:	<u>50 sq ft</u>
Total Number of Buildings:	<u>1</u>	Total Estimated Construction Cost:	<u>\$100 k</u>		

☒ Project Submittal Checklist and all documents, plans, written analysis, and fees required therein accompany this application form.

I hereby certify that all information provided herein and in the accompanying documents is true and correct.

Applicant Signature
☒ Property Owner

☐ Owner's Agent

Date



CITY of CLARKSTON

PLANNING AND DEVELOPMENT DEPARTMENT

VARIANCE APPLICATION

1055 ROWLAND STREET
CLARKSTON, GA 30021
404.296.6489

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on additional page attachments; authorized agent-applicants must complete this page for EACH parcel.

PARCEL (PROPERTY) INFORMATION

3747 Market St.		Clarkston, GA	30021
Property Address/Location	Suite/Apt. #	City, State	Zip Code
Und Lot 96 (B 096 17 024)		1	
Parcel ID/Property Tax Identification Number		Total Acreage	
Residential		NR-1	
Present Use(s)		Present Zoning (Official Zoning Map)	
Residential			
Proposed Use(s)			

☐ Indicate here if there are more than one subject parcels (attach information accordingly)

Legal description includes:

Or: ☒ Indicate here that an exhibit identifying property location is attached.

	Lot # 96	
Subdivision Name	Lot #	Block #

PROPERTY OWNER

Zachary Harrison			
Owner (Person, Firm, Corporation, or Agency)		Company Name	
3785 Market St.		Clarkston, GA	30021
Mailing Address	Suite/Apt. #	City, State	Zip Code
404 2265847		zac@freshharvestga.com	
Primary Phone #	Fax #	Email Address	

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)

N/A			
Name and Company (Owner's Agent or Attorney)			
Mailing Address	Suite/Apt. #	City, State	Zip Code
Primary Phone #	Fax #	Email Address #	

AUTHORIZATION FOR AGENT (If applicable)

N/A	
Owner Signature	Date
Print Name	

Subscribed and sworn before me this _____

NOTARY SEAL



CITY of CLARKSTON
PLANNING AND DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION

1055 ROWLAND STREET
CLARKSTON, GA 30021
404.296.6489

day of _____, 20_____.

Signature of Notary Public in the State of Georgia

**CITY OF CLARKSTON:
Disclosure of Campaign Contributions**

Disclosure of Campaign Contributions

City of Clarkston

Pursuant to OCGA, Section 36-67A-3(a), the following disclosure is mandatory when an applicant or any representative has made campaign contributions aggregating \$250.00 or more to a local government within two (2) years immediately preceding the filing of this application.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government. The following questions **must** be answered:

Have you, the applicant, made \$250.00 or more in campaign contributions to a **local** government official within two years immediately preceding the filing of this application?

Yes ☐ No ☒

If the answer is **yes**, you must file a disclosure report with the governing authority of City of Clarkston showing:

1. The name and official position of the local governing authority in City of Clarkston to whom the campaign contribution was made.

Name and official position of the applicant/representative (Please Print)

2. The dollar amount and description of each campaign contribution made during the two (2) years immediately preceding the filing of this application and the date of each such contribution was made.

Description of Campaign Contribution
(Please Print)

\$ _____
Dollar Amount

This disclosure must be filed within ten (10) days after the application is first filed and must be submitted to the City of Clarkston, 3921 Church Street, Clarkston, GA 30021.

Signature (choose one) Applicant ☒ Owner ☒

Notary Signature

5/4/22

Date

5/4/2022

Date and Seal

TOMIKA R LEWIS
Notary Public - State of Georgia
Gwinnett County
My Commission Expires Sep 13, 2025

April 4th, 2022

I am writing to seek a variance for the garage at my home (3747 Market Street Clarkston, Georgia 30021). Zoning rules state that a structure must be not within 3 feet of the property line of a side yard. I am asking to keep the structure where it is and grandfather in the current placement to enable us to restore the garage and maintain the integrity of the lay out of the property. This would include repairing the structure and including a second story living space. I have spoken with my neighbor, Josie Donahoo, and she approves of this structure. Her signature and address are attached below.

Thank you for your consideration,

Zac Harrison

A handwritten signature in black ink, appearing to be 'Zac Harrison', written over a horizontal line.

Signature of home owner

Signature of neighbor

A handwritten signature in blue ink, appearing to be 'Josie Donahoo', written over a horizontal line.

Address of neighbor

3759 Market St.
Clarkston, GA 30021

Filed and Recorded: 11/9/2020 10:29:00 AM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$275.00
Prepared By:
7339863107
7067927936

After Recording Return To:
McMichael & Gray, P.C.
3490 Piedmont Road NE, Ste 1000, 10th Floor
Atlanta, GA 30305

Order No.: BKH-200493-PUR

Property Appraiser's Parcel I.D. Number:
18 096 14 024

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made this 29th day of October, 2020, between

Rita Willis Thomas

of the County of Dekalb, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and
Zachary Harrison and Lauren Harrison
as Joint Tenants with Rights of Survivorship and not as Tenants in Common

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 96 of the 18th District of DeKalb County, Georgia, and being part of Lot No. 1 of the Kittredge Range Survey of 1881, and being more particularly described as follows: Beginning at an point on the southwesterly side of Market Street 123.0 feet southeasterly from the intersection of the southwesterly side of Market Street and the southerly side of Rogers Street; thence running southeasterly 127.0 feet along the southwesterly side of Market Street to an iron pin found; thence running south 29 degrees 08 minutes 00 seconds west 340.0 feet to an iron pin found; thence running north 60 degrees 14 minutes 30 seconds west 127.0 feet to an iron pin found; thence running north 29 degrees 08 minutes 30 seconds east 335.0 feet to an iron pin set and the point of beginning, as shown on survey by James H. Carter, R.L.S., dated May 30, 1990.

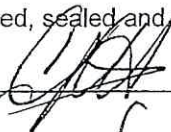
SUBJECT to all zoning ordinances, easements and restrictions of record affecting said premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

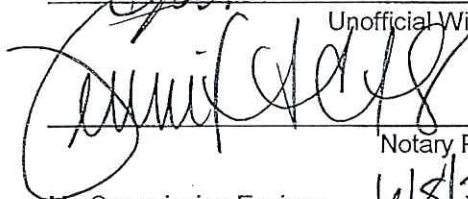
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

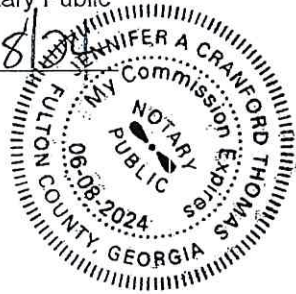


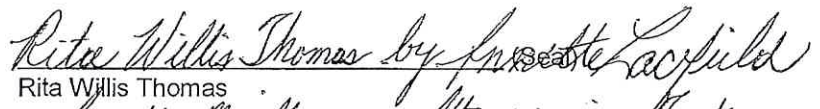
Unofficial Witness



Notary Public

My Commission Expires: 6/8/24
[Notary Seal]




Rita Willis Thomas


ALA Innette Jwilling as Attorney in Fact

ACKNOWLEDGMENT AND RECEIPT OF SETTLEMENT STATEMENT

Date: October 29, 2020
Settlement Agent: McMichael & Gray, P.C.
Lender: Loan Number:
Purchaser: Zachary Harrison and Lauren Harrison
Seller: Rita Willis Thomas
Property Address: 3747 Market St, Clarkston, GA 30021
Parcel: 18 096 14 024
Subdivision Lot: , Lot

Purchaser and Seller acknowledge they have received, reviewed and approved all entries appearing on the ALTA Settlement Statement.

Purchaser acknowledges they have received, reviewed and approved all entries appearing on the Closing Disclosure, within the applicable time periods required by Federal law.

Purchaser acknowledges receipt and disbursement on his/her/their behalf of the loan proceeds from Lender in full as shown on the ALTA Settlement Statement.

Purchaser acknowledges they have received, reviewed and approved all entries appearing on the Loan Estimate, within the applicable time periods required by Federal law.

Seller acknowledges receipt in full of the proceeds due Seller from the settlement. Seller warrants the correctness or all payoff amounts for outstanding liens, security deeds and encumbrances; if any deficiency occurs, Seller agrees to promptly remit the same to the Settlement Agent. Seller acknowledges such payoff amounts shall be delivered via wire transfer or overnight delivery.

Purchaser and Seller acknowledge they have either reviewed or waived the right to review the ALTA Settlement Statement prior to settlement.

Purchaser acknowledges that a real property tax return and application for homestead exemption are required by Georgia law to be filed with the county tax collector of the county in which the property lies and that such filings are the sole responsibility of Purchaser.

Purchaser acknowledges Settlement Agent makes no representations as to the status of any outstanding or past due water, sewage or other utility services which are lienable to the property. The status of such items shall be determined by and are the responsibility of the Purchaser and Seller.

The Purchaser and Seller acknowledge that if the subject property is not the principal residence of Seller as defined in O.C.G.A. §48-7-128, there may be liability for withholding taxes in the State of Georgia; the parties release and hold harmless McMichael & Gray, P.C. from any liability or obligation concerning such withholding. If the undersigned Seller is subject to IRS Form 1099 reporting requirements, then this form shall serve as a substitute form 1099 in compliance with 26 C.F.R. §1.6045-4(m). This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this item is required to be reported and the IRS determines that this has not been reported.

Purchaser and Seller agree should any inadvertent errors or omissions later be discovered in any documents executed at settlement, they shall promptly execute such corrective documents and remit such sums as may be required to adjust or correct such errors or omissions.

Purchaser and Seller acknowledge where real estate taxes and other assessments are not paid in full at settlement based on current actual bills, such amounts are prorated based on estimates using the prior year's tax bill or, if recently improved property, using estimated value of improvements in place as of January 1 of the current tax year. If the proration of taxes and assessments was made based on estimate amounts prior to receipt of current actual bills, Purchaser and Seller agree to adjust the prorations shown on the ALTA Settlement Statement between themselves outside of closing. The payment of all outstanding taxes and assessments and re-assessments not paid at settlement shall be paid in accordance with the Sales Contract. The tax digest for some counties and municipalities has not been approved by the State. Purchaser and Seller understand and acknowledge there may be additional real property taxes resulting from increased or amended assessments and agree to adjust the proration of taxes between themselves

upon rebilling as per the terms of the Sales Contract. Purchaser and Seller hereby release McMichael & Gray, P.C. from any liability or obligation relating thereto.

The Purchaser and Seller acknowledge the recording/cancellation fees collected on the ALTA Settlement Statement are reasonable estimates of actual fees and expenses which shall be required to record the documents executed by Purchaser and Seller, as well as any additional documents related to the transaction. The actual fees may be higher or lower than those charged on the ALTA Settlement Statement, and that any overage shall be retained by Settlement Agent, and that any shortage, if any, shall not be the responsibility of Purchaser and Seller. Estimates may also reflect expenses incurred by McMichael & Gray, P.C. in delivering, couriering, processing, recording and cancelling these documents to complete the transaction.

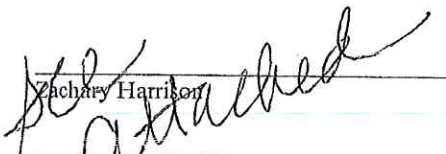
As part of the consideration of this sale, if any, the contract between the parties is by reference incorporated herein and made a part hereof; unless otherwise provided for in the contract, the terms and conditions of the contract shall survive the settlement and shall not merge upon delivery of the deed by Seller to Purchaser.

PURCHASER ACKNOWLEDGES THE TITLE INSURANCE PREMIUMS ON THE ALTA SETTLEMENT STATEMENT MAY DIFFER FROM THE PREMIUMS ON THE CLOSING DISCLOSURE. GEORGIA LAW REQUIRES SETTLEMENT AGENT TO ISSUE INSURANCE IN CONFORMITY WITH THE RATES PUBLISHED WITH THE INSURANCE COMMISSIONER OF THE STATE OF GEORGIA. PURCHASER ACKNOWLEDGES AND ACCEPTS ALL FEES ASSOCIATED WITH THE TITLE INSURANCE AS PUBLISHED WITH THE STATE OF GEORGIA.

PURCHASER ACKNOWLEDGES THE CLOSING DISCLOSURE WAS ASSEMBLED FROM THE BEST INFORMATION AVAILABLE FROM OTHER SOURCES. McMichael & Gray, P.C. CANNOT GUARANTEE THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.

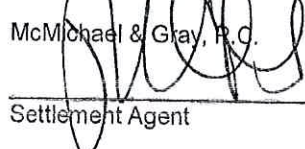
I have carefully reviewed the ALTA Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the ALTA Settlement Statement.

Further I/we hereby authorize the Settlement Agent to distribute a copy of the combined ALTA Settlement Statement containing my/our transactional information to real estate professionals, attorneys, lender, CPAs and other third parties involved in the above referenced transaction at the time of closing or prior thereto.


Zachary Harrison

Lauren Harrison


Rita Willis Thomas by Annette Lacefield AKA Annette
Zwilling as Attorney in Fact

AKA Annette Zwilling as Attorney in Fact

McMichael & Gray, P.C.
Settlement Agent

GOVERNMENT INSURED OR GUARANTEED LOANS WARNING: It is a crime to knowingly make false statements to the United States Government on this or any other similar forms. Penalties upon conviction may include a fine and imprisonment. For details see Title 18 U.S. Code § 1001 and § 1010.

THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY OR OTHER SANCTION WILL BE IMPOSED ON YOU IF THIS ITEM IS REQUIRED TO BE REPORTED AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED.

MAGNETIC

123.0' TO S.E. R/W
OF ROGERS STREET

LEGEND

B	DENOTES BUILDING LINE
P	DENOTES PROPERTY LINE
R/W	DENOTES RIGHT-OF-WAY
C	DENOTES CENTERLINE
BC	DENOTES BACK OF CURB
G	DENOTES GUTTER
EP	DENOTES EDGE OF PAVING
TW	DENOTES TOP OF WALL
BW	DENOTES BOTTOM OF WALL
X	DENOTES FENCE
RCP	DENOTES REINFORCED CONCRETE PIPE
CMP	DENOTES CORRUGATED METAL PIPE
PP	DENOTES POWER POLE
LP	DENOTES LIGHT POLE
GW	DENOTES GUY WIRE
P	DENOTES POWER LINE
PM	DENOTES POWER METER
PB	DENOTES POWER BOX
FO	DENOTES FIBER OPTIC
A/C	DENOTES AIR CONDITION
CB	DENOTES CABLE BOX
TB	DENOTES TELEPHONE BOX
GM	DENOTES GAS METER
GV	DENOTES GAS VALVE
GLM	DENOTES GAS LINE MARKER
WM	DENOTES WATER METER
WV	DENOTES WATER VALVE
FH	DENOTES FIRE HYDRANT
HW	DENOTES MONITORING WELL
JB	DENOTES JUNCTION BOX
DI	DENOTES DROP INLET
S	DENOTES SANITARY SEWER LINE
SSMH	DENOTES SANITARY SEWER MANHOLE
CO	DENOTES CLEAN OUT
P.O.B.	DENOTES POINT OF BEGINNING
P.O.C.	DENOTES POINT OF COMMENCEMENT

IMPERVIOUS CALCULATIONS

HOUSE:	2,699.6± SQUARE FEET
GARAGE:	711.2± SQUARE FEET
FRAME SHED:	179.8± SQUARE FEET
ASPHALT DRIVE:	339.7± SQUARE FEET
CONCRETE DRIVE:	59.6± SQUARE FEET
WALLS:	269.9± SQUARE FEET
PERCOLA:	39.6± SQUARE FEET
CONC. PADS:	30.4± SQUARE FEET
WOOD DECK:	414.9± SQUARE FEET
COLUMNS:	14.6± SQUARE FEET
BRICK PATIO:	1,078.8± SQUARE FEET
GRAVEL DRIVE:	1,720.5± SQUARE FEET
STEPS:	115.4± SQUARE FEET
WOOD BORDERS:	41.7± SQUARE FEET
BRICKS:	238.1± SQUARE FEET
LANDING:	55.3± SQUARE FEET
WOOD PORCH:	340.7± SQUARE FEET
CONC. WALK:	220.8± SQUARE FEET
BRICK BORDER:	334.7± SQUARE FEET
BRICK WALK:	79.8± SQUARE FEET
TOTAL:	8,982.1± SQUARE FEET OR 21.0% COVERED UP.

NOTE: SOME IMPERVIOUS AREAS MAY BE BURIED OR COVERED UP.

ZONING INFORMATION

CITY OF CLARKSTON - NR-1	
MINIMUM LOT AREA:	10,000 SQUARE FEET
MINIMUM LOT WIDTH:	75 FEET
MINIMUM FRONT SETBACK:	30 FEET
MINIMUM SIDE SETBACK:	10 FEET
MINIMUM REAR SETBACK:	25 FEET
MAXIMUM LOT COVERAGE:	50%

MUST BE VERIFIED BY CITY OF CLARKSTON PRIOR TO CONSTRUCTION.

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PLACED OVER THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES. UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. PLEASE CALL ALL LOCAL UTILITY PROVIDERS AND OR 811 FOR FURTHER INFORMATION.



2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE. FOR NEW PERMITS THE LOCAL ISSUING AUTHORITY MAY REQUIRE ADDITIONAL EASEMENTS NOT SHOWN.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE AND HAS A CALCULATED POSITIONAL TOLERANCE OF 0.03 FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 116,178 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.
8. THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

SURVEYOR'S CERTIFICATE

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Michael R. Noles
Georgia RLS No. 2646

3-11-22



Michael R. Noles
Georgia RLS No. 2646
Member SAMSOG

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF ZACHARY HARRISON AND LAUREN HARRISON DEED BOOK 28794 PAGE 443 DEKALB COUNTY, GEORGIA RECORDS

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. FOR MORE ACCURATE INFORMATION, A SECOND OPINION OF THE APPLICABLE FLOOD HAZARD AREA IS RECOMMENDED. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.

NO.	REVISIONS	DATE



McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR
LAUREN HARRISON
ZAC HARRISON

3747 MARKET STREET
CLARKSTON, GEORGIA

TOTAL AREA= 0.980± ACRES
OR 42,685± SQ. FT.



PART OF LOT 1
KITTRIDGE RANGE SURVEY - 1881

LAND LOT 96
8TH DISTRICT
JEKALB COUNTY, GEORGIA
PLAT PREPARED: 3-11-22
FIELD: 3-4-22 SCALE: 1"=30'
JOB#258038

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Approval

MEETING DATE: JULY 5, 2022

SUBJECT: Change Order #4 Market Street Sidewalks and Resurfacing Project.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT: Shawanna Qawiy
City Manager
Larry Kaiser, Consultant Engineer
PHONE NUMBER: 404-296-6489

PURPOSE: Change Order #4 for the Market Street Sidewalks and Resurfacing Project to determine which option for a permeable sidewalk would be beneficial for the protection of tree root zones two (2) locations on Market Street.

NEED/ IMPACT: The consultant engineering team identified several trees within the city's right of way that require the use of permeable sidewalks for protection of tree root zones at two (2) locations on Market Street. The two locations are Market Street are between Rogers Street and Rowland Street and near DeBelle at the easeabout.

Permeable materials allow for transport of water to critical root zones. Concrete sidewalks restrict the movement of moisture.

Two (2) material alternatives and associated specifications were presented to Ohmshiv for pricing purposes. These materials would replace the use of concrete for the sidewalks. Both options are acceptable materials for sidewalk use that will require periodic maintenance to ensure that the void spaces within the materials do not get clogged over time.

Option #1-perkEpave is recycled asphalt tires that are shredded and bound together by heat and adhesive material; similar to materials used for running tracks, walkways, and trails, etc. The material is very permeable (Over 2,000 gal per hr. per sq. ft.), its ADA compliant, slip resistant, flexible, and crack resistant. All colors are available except for concrete. **The cost for the perkEpave is \$17,150.**

Option #2 Porous Concrete is not as porous as the recycled tire material and is sufficient for the use as a permeable sidewalk. The color of the porous concrete is the same as regular concrete products. **The cost is less than the recycled tire material at \$11,700.**

The consultant city arborist indicated either product is sufficient to protect the root zone of the specimen hardwood trees at both locations.

The availability of the perkEpave product is 4-5 weeks for delivery from the notice to purchase for installation in August. The porous concrete can be available within 2-3 weeks upon notice to purchase..

RECOMMENDATION: Staff recommends installing porous concrete at \$11,700.



805 Progress Court, Suite A, Lawrenceville, GA 30043.

CITY OF CLARKSTON

PROJECT #: SPLOST 08

PROJECT: Market Street Resurfacing and Sidewalks

LOCATION: Between Rowland St. to Rogers St.- Clarkston

CONTACT: Mr. Larry Kaiser (kaiser@co-infra-services.com)

CONTRACTOR:

OHMSHIV CONSTRUCTION, LLC

805 PROGRESS CT, STE A

LAWRENCEVILLE, GA 30043

P: 678-832-9351 FAX: 404 410 4936

RE: CHANGE ORDER PROPOSAL #4 FOR INSTALLATION OF perEpave POROUS MATERIALS AT TWO LOCATIONS ON MARKET STREET. AS BELOW

06/10/22

Item #	GDOT #	Description	Qty.	Unit	Price per unit	Amount
	150-1000	TRAFFIC CONTROL	1.00	LS	\$ 500.00	\$ 500.00
		perEpave- 11 MIX- 1.5" THICK- COLOR TBD	320.00	SF	\$ 50.00	\$ 16,000.00
		INSTALLATION TRAINING WEBINAR PLUS	1.00	LS	\$ 650.00	\$ 650.00
TOTAL AMOUNT FOR CHANGE ORDER #6						\$ 17,150.00

SEVENTEEN THOUSAND ONE HUNDRED FIFTY DOLLARS AND 00/100 CENTS

GENERAL NOTES:

1	THE ABOVE CHANGE ORDER REQUEST IS BASED ON EMAIL DATED 06/09/2022 FROM MR. KAISER.
2	CONTRACTOR IS REQUESTING FIVE WEEKS FOR THIS CHANGE ORDER WORK
3	



805 Progress Court, Suite A, Lawrenceville, GA 30043.

CITY OF CLARKSTON

CONTRACTOR:

PROJECT #: SPLOST 08

OHMSHIV CONSTRUCTION, LLC

PROJECT: Market Street Resurfacing and Sidewalks

805 PROGRESS CT, STE A

LOCATION: Between Rowland St. to Rogers St.- Clarkston

LAWRENCEVILLE, GA 30043

CONTACT: Mr. Larry Kaiser (kaiser@co-infra-services.com)

P: 678-832-9351 FAX: 404 410 4936

RE: CHANGE ORDER PROPOSAL #6-A FOR INSTALLATION OF PERVIOUS CONCRETE AT TWO LOCATIONS ON MARKET STREET. AS BELOW

06/10/22

Item #	GDOT #	Description	Qty.	Unit	Price per unit	Amount
	150-1000	TRAFFIC CONTROL	1.00	LS	\$ 500.00	\$ 500.00
		PERVIOUS CONCRETE	320.00	SF	\$ 35.00	\$ 11,200.00
						\$ -
TOTAL AMOUNT FOR CHANGE ORDER #6-A						\$ 11,700.00

ELEVEN THOUSAND SEVEN HUNDRED DOLLARS AND 00/100 CENTS

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LAWRENCEVILLE, GA 30043

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TRY OUR PRODUCTS AND LEARN HOW QUALITY AND CUSTOMER SERVICE MAKE THE
DIFFERENCE.



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Walking and Running Trails and Paths



Restoring Tree Damaged Sidewalks



Replacing Raised Metal Tree Grates

Relieve pain and prevent joint damage from walking and running on hard surfaces.

Eliminate cracked and broken sidewalks caused by tree roots.

End tripping hazards associated with raised metal grates.

perkEpave[®] Walk, Run, Tree Surrounds
ECO friendly porous paving made with recycled tires

A poured in place, flexible porous paving; consisting of recycled tire chips, triple washed and kiln dried stone aggregate and a specially formulated polyurethane binder; **perkEpave Walk, Run, Tree Surrounds** is ADA compliant, slip resistance and non-cracking through freeze thaw.

SPECIFIED BY DOT IN WASHINGTON DC FOR SAFE ROUTES TO SCHOOL

Request a FREE Sample

A permeability flow rate of over 3,000 gallons per square foot per hour and over a 40% void capacity, perkEpave Walk, Run, Tree Surrounds is the perfect storm water management tool. Made in the USA from recycled tires, perkEpave is an environmentally friendly product that repurposes scrap tires and eliminates carbon from being exhausted into the atmosphere when burned as fuel in cement plants. It is durable; able to support 22,000 pounds per square foot (over a properly installed subbase) and it will not crack or heave during the freeze thaw cycle.

See our *Color Page* to see the available color choices

Request Pricing

perkEpave Walk, Run, Tree Surrounds is sold by the sq. ft. Contact us with the sq. ft. required for the project and we'll send out a proposal.

Also Contact Us to request samples, and additional information.

CONTACT US



Project: SPLOST 08 - Market Street/Carroll park Dr Sidewalks/Resurfacing (Clarkston)

Date: 3/3 12.06.2022

Modification Log

Proposal of Change #	Item	Received	Submitted	Amount Submitted	Status	Amount	Approval Date
01	Project Scope increase - Unincorporated DeKalb - DeKalb to reimburse City for work	Yes	1/10/2021	\$136,750 (county reimbursement)	Approved	\$136,750.00	01.11.2021
02	Drainage correction front yards, Carroll Park C&G and drainage repairs, grading, etc.	Yes	6/2/2022	\$64,805.00	Approved	\$64,805.00	01.03.2022
03	Market Street Sidewalks - Rogers St to Rowland Street	Yes	29/3/2022	\$66,701.45	Approved	66,701.45	01.05.2022
04	Pervious Sidewalk at 2 locations on Market Street	TBD	12/6/2022	\$17,150 vs. \$11,700	TBD		

Pending Review	Comments
	Original proposal from Ohmshiv - \$75,330. CIS negotiated fee to \$64,805. Council removed retaining wall on market for free removal -

DATE

1/15/2022

1/16/2022

1/28/2022

1/28/2022

2/3/2022

2/15/2022

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2/15/2022

2/18/2022

2/20/2022

2/22/2022

2/22/2022

3/7/2022

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PROJECT STATUS UPDATES

DESCRIPTION OF EVENT

COMMENTS

City to address chicanes/traffic calming on Rogers St.
Street resurfacing to commence in March 2022

Rowland St from Market St to Norman to be closed
beginning 2/16 to 3/18

Ga Power pole relocation on Rowland at Wagoner
anticipated to begin week of Feb 14. AT&T and Comcast
line relocation schedules unknown on Rogers and
Rowland at Wagoner. Tentative relocation schedules for
both streets spring 2022

Market St from Rogers St to Rowland not included in
either SPLOST 08 or 04 contracts. CIS recommends
milling, granite curb reset and resurfacing to be added as
a CO to either project - need decision by March

WQ device for methodist Parking lot - device specified
not able to work due to inlet elevation to high - need to
find another device

Resurfacing for SPLOST 04 B&C to commence first
week of March if council approves in Feb work
session/March council meeting

Add LMIG projects (Vaughan (Montreal to dead end)
and Clarkston Ind Bld to SPLOST 04 - change order
forthcoming for March work session

GA Power delay with pole relocation at Wagoner - GA
Power forgot to send city invoice

Trail Interpretative Panels to be installed in March - do a
council ceremony at trail head

Rowland Bike/one lane conversion commenced on 2/16.
Need decision from council if owner desires traffic flow
to go from west to east

100% of landscaping installed on Rowland - Market to
NIC on 2/14/2022

Per SQ 2/18 - stripe parking spaces and centerline line
double striping on Hill Street

SQ directed CIS to maintain traffic direction from east to
west on one way Rowland

CIS directed to provide striping costs for Hill St. Since Council removed project from scope in March 2021, CIS will also give cost for resurfacing to SQ in the event decision is made to resurface also before striping

Per SOL, resurfacing will likely occur in late April for Rogers Street and potentially Rowland St (from Lovejoy to Market St) in March

SOL is ahead of project schedule - contract with all changes provides for a 450 day completion date for SPLOST 04B&C - which represents July 1st, 2022

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