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

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

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

1. CALL TO ORDER

2. ROLL CALL
Councilmember Adde and Carroll were absent during the roll call.

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

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

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

3. PUBLIC COMMENTS
Mayor Burks read the Resident Comment Policy.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS
A. Presentation on House Bill 581 regarding the Statewide Floating Homestead Exemption and the New Local Option Sales Tax.

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

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

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

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

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

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

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

This item was for informational purposes only.

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

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

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

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

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

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

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

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

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

The Council briefly discussed the item.

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

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

B. To discuss selecting a Vice-Mayor.

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

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

The Council briefly discussed the item.

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

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

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

The Council briefly discussed the item.

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

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

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

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

The Council briefly discussed the item.

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

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

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

The Council briefly discussed the item.

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

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

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

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

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

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

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

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

Interim City Manager, Tammi Saddler Jones stated Our former Planning/Economic Development Director resigned effective November 1, 2024 and she only gave a 2-week notice. Due to the short notice, the Interim City Manager contracted with CPL Services to handle the Interim Services within the department. The initial contract 2 months with CPL was within the spending authority of the city manager. However, since the Director position has not been filled yet, there is need to continue services with CPL. The Planning/Economic Development Director position is currently advertised and the intent is to fill the position with the best qualified candidate as quickly as possible. So, the full estimated 6-month term may not be needed. But, until such time, the Interim City Manager would like to keep our current CPL staff person on our staff for continuity.

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

The Council briefly discussed the item.

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

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

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

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

The Council briefly discussed the item.

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

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

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

The Council briefly discussed the item.

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

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

Kim Ault presented public comments pertaining to this item.

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

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

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

The Council briefly discussed the item.

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

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

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

The Council briefly discussed the item.

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

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

Larry Kaiser with Collaborative Infrastructure Services, Inc. presented to City Council the low bid in the amount of $1,071,903.48, as submitted by Magnum Paving, to provide resurfacing on 20 streets as previously approved in the SPLOST II Resurfacing Program and related tasks as specified in the SPLOST II 2024 LMIG Street Resurfacing Invitation-to-Bid package. Mr. Kaiser also stated the Council previously approved SPLOST II funding for the 2024 Resurfacing Program.

The Council briefly discussed the item.

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

N. To discuss the Community Redevelopment Tax Incentive Program.

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

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

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

The Council briefly discussed the item.

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

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

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

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

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

7. EXECUTIVE SESSION
   A. To discuss a personnel matter.

8. ADJOURNMENT

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

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

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor