CITY OF CLARKSTON
where possibilities grow

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

CITY COUNCIL WORK SESSION AGENDA

Tuesday, June 28, 2022 - 7:00PM
ZOOM

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **WORK SESSION – RESIDENT COMMENT POLICY**
   Any member of the public may address questions or comments to the City Council referencing only agenda items after the Mayor and Council have had the opportunity to discuss the agenda item. Each attendee will be allowed 3 minutes for comments.

4. **PRESENTATION/ ADMINISTRATIVE BUSINESS**

5. **OLD BUSINESS**
   A. Discussion and verification of the Fresh Harvest Memorandum of Agreement vote in December 2021.

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

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.

   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)*.

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

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

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

7. **ADJOURNMENT**

PUBLIC PARTICIPATION BY VIDEO CONFERENCE

The City of Clarkston, Georgia will conduct the City Council Work Session at 7:00 p.m. on Tuesday, June 28, 2022. The public may participate in the meeting by using the following information below:

https://us02web.zoom.us/j/86233069984?pwd=eVhKYXA2QmV4N2hsa29WblMrTXBkQT09

Dial by your location

+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 669 900 9128 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

Meeting ID: 862 3306 9984
Find your local number: https://us02web.zoom.us/u/kemeHmQlRw

CITY OF CLARKSTON

ITEM NO: 6A

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 28, 2022

SUBJECT: Review/Discuss the MOU with AboutFace-USA, Inc.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐YES ☒ NO

ATTACHMENT: ☐YES ☐NO
Pages:

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

PURPOSE: To discuss developing "Project GROW" (Gardening, Rehabilitation, Outreach and Wellness).

NEED/ IMPACT: Through this horticulture therapy of growing vegetables and plants for the benefit of the community, participants will develop and foster genuine relationships while gaining a viable skill that will help them with growing their own food.

RECOMMENDATION:
N/A.

AboutFace-USA®, Inc.

Veteran, First Responder, & Family Advocates

4920 Atlanta Hwy., Suite 403
Alpharetta, Georgia 30004
888-766-0222
info@aboutface-usa.org
www.aboutface-usa.org

About Face-USA, the City of Clarkston, the Clarkston Community Center (Center), and the Veteran and Community Outreach Foundation (VCOF) agree to this memorandum of understanding (MOU) for the purpose of developing "Project GROW" (Gardening, Rehabilitation, Outreach and Wellness) at the Clarkston Community Center. Through this horticulture therapy of growing vegetables and plants for the benefit of the community, participants will develop and foster genuine relationships while gaining a viable skill that will help them with growing their own food.

Project GROW, Description:

- Sowing seeds
- Planting seedlings into the towers, start growing!
- Maintaining water levels, minerals and PH balance, troubleshoot problems
- Harvest
- Distribute produce
- REPEAT!

MOU Responsibilities:

AboutFace-USA https://www.aboutface-usa.org
POC is President or Carol LaBranche at 770-364-0581 carol@aboutface-usa.org

1) Administration – ordering equipment and supplies, maintaining records, assisting with promotional materials.
2) Training – In-person, online, and YouTube Tutorials will be ongoing through-out the year.
3) Assist with equipment set-up, sowing and planting seeds/seedlings, harvesting and distributing the produce.
4) Work with the City of Clarkston City Manager to make sure all equipment and personnel are paid for and paid in a timely fashion.
5) Work with the Clarkston Community Center and VCOF to make sure that Project GROW is succeeding as planned. Personnel –one person from the Clarkston Community Center and one Veteran from the VCOF - Safety and Security, will work an average of about two hours per week per person.

City of Clarkston https://www.clarkstonga.gov
***POC is City Manager or* Shawanna Qawiy at 404-296-6489 sqawiy@cityofclarkston.com**

1) Provide funds for Project GROW, as approved by the City Council. Purchase equipment and supplies directly online – ordered exclusively through AboutFace-USA (Carol or Joe LaBranche) as distributor, for delivery to the Clarkston Community Center.
2) Provide feedback to AboutFace-USA regarding community comments, criticisms, and suggestions for improvement. Forward to carol@aboutface-usa.org

AboutFace-USA®, Inc.
Veteran, First Responder, & Family Advocates
4920 Atlanta Hwy., Suite 403
Alpharetta, Georgia 30004
888-766-0222
info@aboutface-usa.org
www.aboutface-usa.org

Clarkston Community Center https://clarkstoncommunitycenter.org
POC is Director of Education/Programs or Amber McCorkle at 404-508-1050
education@clarkstoncommunitycenter.org

1) Assist with a one-time set-up of equipment
2) Attend training session(s), as needed.
3) Work with VCOF Rep. to sow seeds and plant seedlings.
4) Work with VCOF Rep. to do bi-weekly check-ups on equipment and plants, trouble-shoot and check water levels and PH levels of each water-basin and correct if needed for successful growth of the produce.
5) Work with VCOF Rep. to harvest and distribute the produce.
6) Protect, maintain, and store the equipment and supplies.

Veterans and Community Outreach Foundation https://www.vcof.org
POC is CEO or Victor Johnson at 770-256-6450 vcofga@gmail.com

1) Assist with a one-time set-up of equipment
2) Attend training session(s), as needed.
3) Work with Center Rep. to sow seeds and plant seedlings.
4) Work with Center Rep. to do bi-weekly check-ups on equipment and plants, trouble-shoot and check water levels and PH levels of each water-basin and correct if needed for successful growth of the produce.
5) Work with Center Rep. to harvest and distribute the produce.

The Project GROW budget for initial purchases and first year of services is attached and herein made a part of this agreement.

All parties agree to this one year MOU. A review for a continuation should be considered before the July, 2023 City of Clarkston Counsel Meeting.

______________________________ ________
Carol LaBranche, President AboutFace-USA Date

______________________________ ________
Beverly Burke, Mayor City of Clarkston Date

______________________________ ________
Luay Sami, Exec. Director Clarkston Community Center Date

______________________________ ________
Victor Johnson, CEO Veterans and Community Outreach Foundation Date

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www.aboutface-usa.org

Project GROW, Budget:

AboutFace-USA's MOU Budget Proposal submitted to the City of Clarkston, GA	
AboutFace-USA, Inc. - A Legally-Registered & Compliant 501c3 Non-Profit	
GA State Registration 13439538 and Federal EIN 46-3950443	
Presented June 2022. Advanced product purchases approval needed. Annual services start 8/1/2022	
This MOU is contingent upon the Clarkston Community Center's agreement to place the garden at their location, pay for the cost of public water and electricity, and minor miscellaneous items.	
PRODUCT TYPE	**PRICE**
Community Tower Garden with accessories (12 towers) cannot be separated	**$ 9,800.00**
Set-up Fee	**$ 200.00**
Administrative/ Oversight - Annual	**$ 600.00**
Training - Annual	**$ 600.00**
Supplies - Annual (i.e. seeds, minerals)	**$ 500.00**
Wages/Stipends - Annual	**$10,400.00**
TOTAL FUNDS REQUESTED	**$22,100.00**

Individual Tower with accessories $1,600.00 x 6 = $9,600.00. $1,600.00 x 12 = $19,200.00

Project GROW, encourages community relationships:

1. **Gardening:** We will involve veterans and community residents with Project Grow to develop purposeful activity and relationships.

2. **Rehabilitation:** We will invite community residents to be involved in the growing process overseen by a Community Center designated representative and a VCOF designated representative. We will use gardening time to practice mindfulness and communications, and share experiences to build relationships. We will practice positive thinking and uplifting affirmations (no belittling or bullying allowed).

3. **Outreach:** We will provide food to community residents, and/or local food banks. We will provide instructions and share information about aeroponic gardening (using space-saving and water-saving technology and no dirt). We will also use this time to learn about community needs and share resources and how veterans can help.

4. **Wellness:** Whole-Health is the goal. Through Project Grow, education and activities for physical, mental, spiritual, nutritional, and financial strengthening are included throughout the gardening season. We hope to strengthen relationships that feel safe and community oriented.

CITY OF CLARKSTON

ITEM NO: 6B

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 28, 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 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).*

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

CITY OF CLARKSTON
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June 21, 2022, 7:00 PM
ZOOM

AGENDA

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

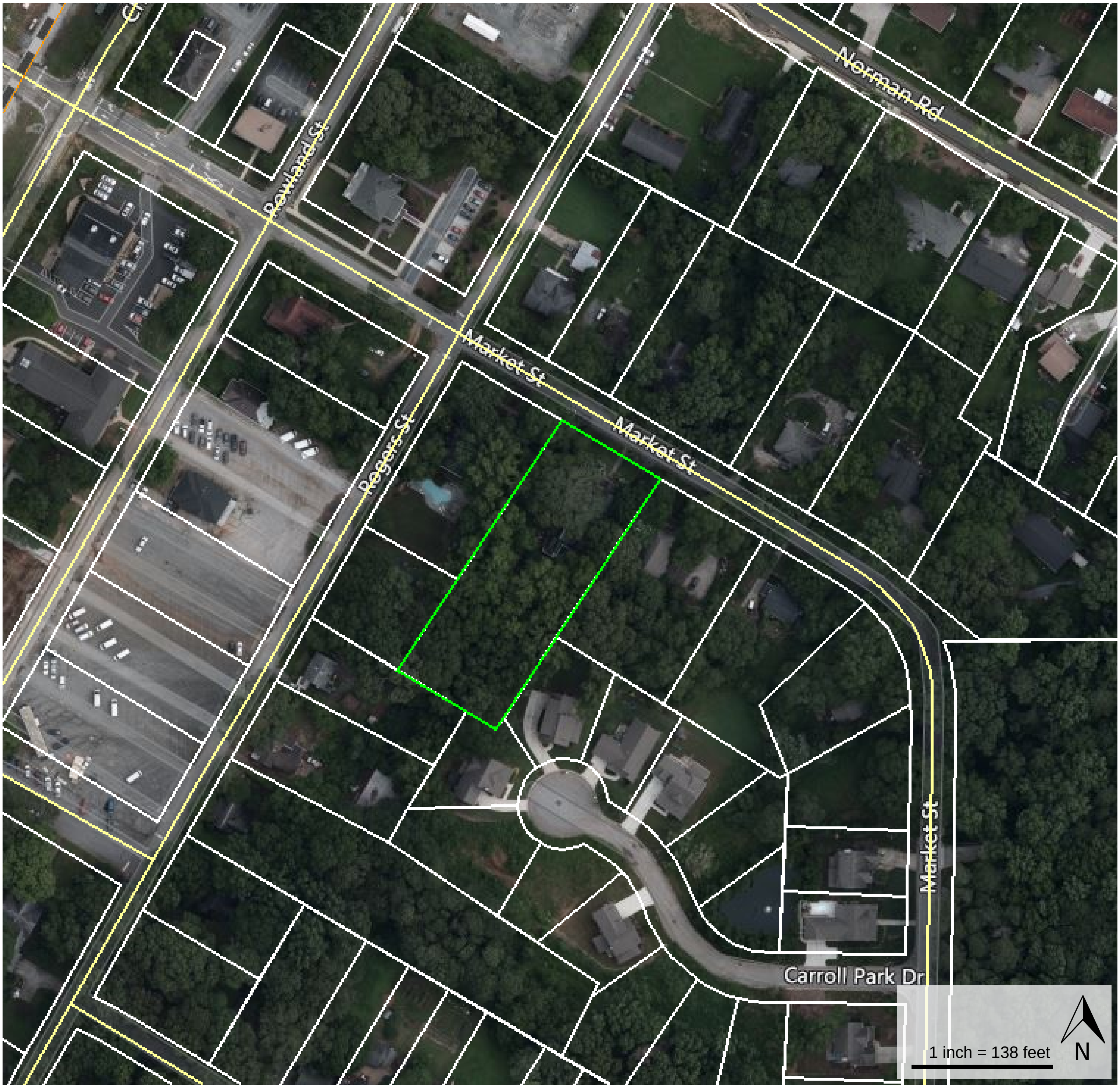
1. **PUBLIC HEARING:** To consider a variance request from Zac Harrison for the property located at 3747 Market Street, Clarkston, GA 30021, zoned NR-1 , Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the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

F. OTHER BUSINESS

G. ADJOURNMENT

Join Zoom Meeting
https://us02web.zoom.us/j/87129352968?pwd=MWkzMTVkRFk2UHpqNFoxQW5LSUpRQT09
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)



Norman Rd
Rowland St
Market St
Market St
Rogers St
Market St
Carroll Park Dr
1 inch = 138 feet
N


Norman Rd
Rowland St
Market St
Market St
Rogers St
Market St
Carroll Park Dr
1 inch = 138 feet
N

3747 Market Street - VAR REQUEST

0 0.005 0.01 0.02 0.03 0.04 mi

N

Date Printed: 6/1/2022

3747 Market Street - VAR REQUEST MAP 2

0 0.00225 0.0045 0.009 0.0135 0.018 mi

N

Date Printed: 6/1/2022

3747 Market Street - VAR REQUEST MAP 3

0 0.001 0.002 0.004 0.006 0.008 mi

N

Date Printed: 6/1/2022

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

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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

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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:

- [x] Plan(s) to scale demonstrating variance requested
- [x] Survey
- [x] Property Deed
- [x] Recorded Plat of Property (seven (7) copies)
- [x] Campaign Contribution Disclosure Form
- [x] 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 | Company

404 226 6847
Primary Phone # | Alternate Phone # | Fax #

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

PJ
3RPM
5/4/22

CITY of CLARKSTON
PLANNING AND DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION

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CLARKSTON, GA 30021
404.296.6489

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

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

☑ 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 Date

☑ Property Owner ☐ Owner's Agent

CITY of CLARKSTON
PLANNING AND DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION

CITY OF CLARKSTON
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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

Land Lot 96 (18 096 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

Case #: ____________

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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]	5/4/22
Signature (choose one) Applicant ☑ Owner ☑	Date
Tomika R. Lewis	5/4/2022
Notary Signature	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

Signature of home owner

Signature of neighbor

Josie Donahoo

Address of neighbor

3759 Market St.
Clarkston, GA 30021

Filed and Recorded: 11/9/2020 10:29:00 AM
Rec ling 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 Virginia, 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

Rita Willis Thomas by Annette Lacefield (Seal)
Rita Willis Thomas
AKA Annette Yvilling as Attorney in Fact

Notary Public

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

JENNIFER A CRANFORD THOMAS
NOTARY PUBLIC
FULTON COUNTY, GEORGIA
My Commission Expires 06-08-2024

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

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.

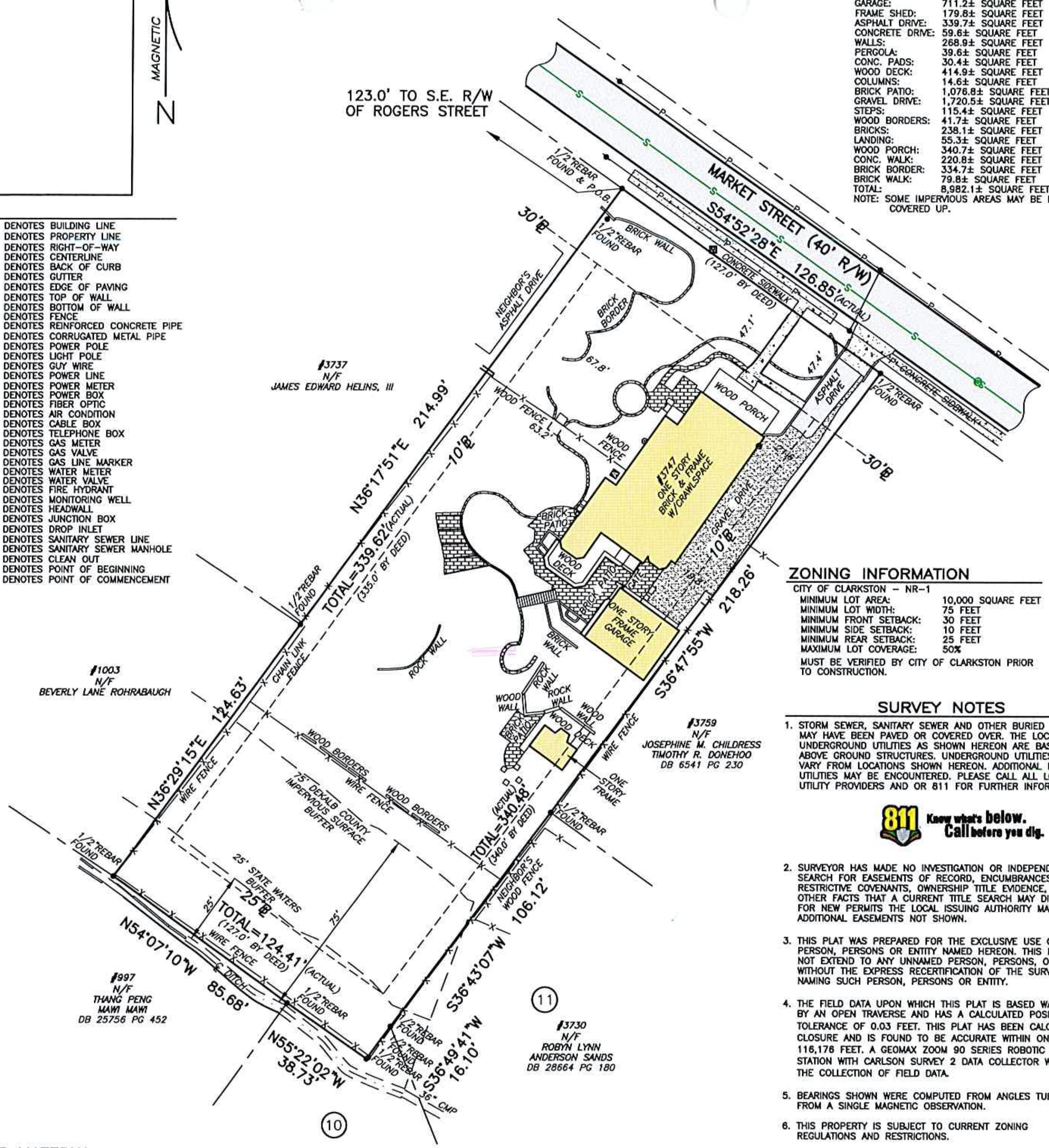
IMPERVIOUS CALCULATIONS

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:	268.9± SQUARE FEET
PERGOLA:	39.6± SQUARE FEET
CONC. PADS:	30.4± SQUARE FEET
WOOD DECK:	414.9± SQUARE FEET
COLUMNS:	14.6± SQUARE FEET
BRICK PATIO:	1,076.8± 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%

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

LEGEND

BL	DENOTES BUILDING LINE
PL	DENOTES PROPERTY LINE
R/W	DENOTES RIGHT-OF-WAY
CL	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 — 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 — 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
MW	DENOTES MONITORING WELL
HW	DENOTES HEADWALL
JB	DENOTES JUNCTION BOX
DI	DENOTES DROP INLET
— S — 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



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 PAVED OR COVERED 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.

811 Know what's below. Call before you dig.

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 118,176 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.

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.

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.

GEORGIA REGISTERED NO. 2646 LAND SURVEYOR MICHAEL R. NOLES

Michael R. Noles
Georgia RLS #2646
Member SAMSOG

Michael R. Noles	Georgia RLS No. 2646	3-11-22

NO.	REVISIONS	DATE
.	.	.

McCLUNG SURVEYING

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.

30' 15' 0' 30' 60'
SCALE IN FEET

PART OF LOT 1
KITTRIDGE RANGE SURVEY – 1881

LAND LOT 96
18TH DISTRICT
DEKALB COUNTY, GEORGIA
PLAT PREPARED: 3-11-22
FIELD: 3-4-22 SCALE: 1"=30' JOB#258038

DB: PB PG

CITY OF CLARKSTON

ITEM NO: 6C

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

HEARING TYPE:
Work Session

ACTION TYPE:
Review/Discussion

MEETING DATE: June 28, 2022

SUBJECT: Review/Discuss 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: 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.

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 a as 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			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 #4 FOR INSTALLATION OF perkEpave 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	

Ohmshiv Construction, LLC

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

GENERAL NOTES:

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CITY OF CLARKSTON				CONTRACTOR:	
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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 #4 FOR INSTALLATION OF perkEpave POROUS MATERIALS AT TWO LOCATIONS ON MARKET STREET. AS BELOW

06/10/22

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

Call (215) 316-6383

perkEpave®
POROUS recreational paving made with recycled tires

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®

ECO friendly porous paving made with recycled tires

Walk, Run, Tree Surrounds

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

ECO FRIENDLY POROUS PAVING MADE WITH RECYCLED TIRE

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 maarket for tree removal -

DATE

1/15/202

1/16/2022

1/28/2022

1/28/2022

2/3/2022

2/15/2022

2/15/2022

2/15/2022

2/18/2022

2/20/2022

2/22/2022

2/22/2022

3/7/2022

3/7/2022

3/7/2022

3/7/2022

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 anticpated to begin week of Feb 14. AT&T and Comcast line relocation schedules unknown on Rogers and Rowland at Wagoner. Tenative 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) amd 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	
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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 chnages provides for a 450 day completion date for SPLOST 04B&C - which represents July 1st, 2022

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 maarket for tree removal -

DATE

1/15/202

1/16/2022

1/28/2022

1/28/2022

2/3/2022

2/15/2022

2/15/2022

2/15/2022

2/18/2022

2/20/2022

2/22/2022

2/22/2022

3/7/2022

3/7/2022

3/7/2022

3/7/2022

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	
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CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

MEETING DATE: June 28, 2022

ITEM NO: 6D

HEARING TYPE:
Work Session

ACTION TYPE:
Discussion

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 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

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

Maturity Date	Principal Amount	Date of Issue
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

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:	Interest: At Maturity Principal: 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

Mary Parrish Coley

Mary Parrish Coley
Director

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

MEETING DATE: June 28, 2022

ITEM NO: 6E

HEARING TYPE:
Work Session

ACTION TYPE:
Discussion

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 ☒NO

ATTACHMENT: ☒YES ☐NO
Pages: 3

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

PURPOSE: To consider adopting 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 in 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 the 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
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
	$46,200	

Planning & Development

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

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

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

<u>POLICE FEDERAL SEIZURES FUND</u>

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

<u>SANITATION FUND</u>

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

<u>RECOMMENDATIONS:</u> 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%
Muncipal 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 Proferssional 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 Adustments 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 orginally 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 BUDGET	2021 ACTUAL REVENUE	2021 REVENUE REPORTING CATEGORIES	AMOUNT 2021 OVER/ (UNDER) 2020	AMOUNT OVER/ (UNDER) BUDGET 2021	ACCOUNT DESCRIPTION
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	

City of Clarkston - Historic General Fund Results

FISCAL YEAR	**2012 Actual**	**2013 Actual**	**2014 Actual**	**2015 Actual**	**2016 Actual**	**2017 Actual**	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Pre-Audit**
Revenues										
Taxes	1,815,128	1,901,439	2,321,272	2,828,017	3,525,480	4,203,660	4,296,200	4,842,809	4,579,819	5,692,474
Licenses & Permits	65,423	59,635	79,424	164,179	195,828	253,779	273,712	402,705	382,118	425,146
Intergovernmental	-	-	-	-	-	7,359	12,600	24,000	1,600	-
Fines & Forfeitures	1,032,294	1,031,055	932,926	1,040,388	951,417	767,351	645,421	549,490	333,131	384,104
Charges for Services	69,107	50,834	50,746	80,406	81,717	99,651	106,102	97,553	17,280	139,653
Interest Income	2,044	5,961	64	7	-	-	2	56	6	9
Other Revenues	199,029	149,583	140,319	193,287	155,843	197,542	158,524	173,420	157,980	208,363
TOTAL REVENUES	**3,183,025**	**3,198,507**	**3,524,751**	**4,306,284**	**4,910,285**	**5,529,342**	**5,492,561**	**6,090,033**	**5,471,934**	**6,849,749**
Expenditures										
General Government	1,052,078	1,312,498	1,448,210	1,325,954	894,567	988,418	1,236,956	1,151,412	1,079,276	1,221,979
Building & Grounds	101,421	164,954	93,743	106,420	116,083	139,066	138,070	140,422	108,232	149,894
Public Safety	1,397,980	1,644,985	1,626,212	1,296,482	1,704,892	1,867,043	1,889,178	1,876,010	1,970,335	2,163,035
Public Works	213,994	212,562	462,958	981,986	700,370	772,420	823,501	767,682	863,902	969,684
Recreation & Parks	481,240	82,429	87,988	87,834	89,135	94,734	99,928	114,291	38,953	131,176
Judicial/Municipal Court	-	-	-	521,945	568,714	516,073	567,175	458,911	437,435	440,328
Economic/Community Development	-	-	-	38,900	28,200	47,960	76,399	97,053	29,768	48,460
Planning & Development	-	-	-	276,964	307,159	260,756	267,427	283,441	344,153	383,645
Capital Outlays	-	-	-	-	513,720	2,011,028	409,721	1,600,143	152,095	182,690
Debt Service	-	66,306	132,710	141,555	144,684	345,158	427,257	550,493	671,059	744,408
TOTAL EXPENDITURES	**3,246,713**	**3,483,734**	**3,851,821**	**4,778,040**	**5,067,524**	**7,042,656**	**5,935,612**	**7,039,858**	**5,695,208**	**6,435,299**
EXCESS REVENUES OVER EXPENDITURES	(63,688)	(285,227)	(327,070)	(471,756)	(157,239)	(1,513,314)	(443,051)	(949,825)	(223,274)	414,450
Other Financing Sources										
Proceeds from Sale of Capital Assets	-	-	-	700	3,652	6,658	-		187,185	1,446
Proceeds from Notes Payable	-	-	230,693	425,898	367,004	1,418,277	254,311	939,624	-	-
Proceeds from Capital Leases	-	26,585	185,979	-	-	258,695	131,771	620,328	-	121,201
Transfers Out	-	(201,201)	-	-	-					
TOTAL OTHER FINANCING SOURCES (USES)	**-**	**(174,616)**	**416,672**	**426,598**	**370,656**	**1,683,630**	**386,082**	**1,559,952**	**187,185**	**122,647**
Net Change in Fund Balance	(63,688)	(459,843)	89,602	(45,158)	213,417	170,316	(56,969)	610,127	(36,089)	537,097
Ending Fund Balance	1,869,362	1,409,519	1,499,121	1,453,963	1,667,380	1,837,696	1,780,727	2,390,854	2,354,765	2,891,862
Subsequent Year Budgeted Revenue/Expenditures	3,321,280	3,524,751	4,428,177	4,765,610	5,714,907	5,904,405	5,903,705	6,459,829	6,790,423	7,153,493
Fund Balance %	56.28%	39.99%	33.85%	30.51%	29.18%	31.12%	30.16%	37.01%	34.68%	40.43%
Tax Anticipation Note Issued	-	-	360,000	450,000	770,000	650,000	650,000	750,000	750,000	500,000

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