MINUTES OF A WORK SESSION

OF THE CITY COUNCIL OF CLARKSTON, GEORGIA

HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO

IN SAID CITY ON TUESDAY, SEPTEMBER 24, 2024

On the 24th day of September 2024, at 7:00 p.m., the City Council of Clarkston, Georgia met in a Work Session in-person and by teleconference, Zoom Audio/Video in said City. Mayor Burks called the meeting to order. The following members of the City Council were present: Vice Mayor Debra Johnson and Councilmembers Yterenickia Bell; Jamie Carroll; Mark Perkins; and Susan Hood. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager-virtual); Dan Defnall (Finance Director); Lisa Cameron (Planning and Economic Development Director); Tomika R. Mitchell (City Clerk); and Stephen Quinn (City Attorney).

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

1. CALL TO ORDER

2. ROLL CALL

   Vice Mayor Johnson made a motion to remove Items 6C, 6D, 6E, 6G, 6H, and 6I and defer them to the October 29th City Council Work Session. Councilmember Perkins duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0).

   Councilmember Hood made a motion to end the September 24, 2024 Work Session at 10:30pm and any agenda item not covered at that time will be deferred to the October 29, 2024 Work Session.

   The Council briefly discussed this motion and Councilmember Hood rescinded her motion.

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

4. PRESENTATION/ ADMINISTRATIVE BUSINESS
   A. Presentation by the Historic Preservation Commission on 40 Oaks.

   Ashton Walker of the Historic Preservation Commission (HPC) and Lisa Williams of Friends of Forty Oaks (FOFO) presented their Nature Preserve Preservation Plan requesting the City Council to grant more time for the preservation of the Forty Oaks farmhouse. Ms. Williams explained this extension would allow FOFO, in collaboration with HPC, to raise the necessary funds for preservation and recommended matching funds from the City.

   Planning and Economic Development Director, Lisa Cameron informed the City Council of the current Request for Proposal for a master plan for parks and recreation.

Public comments were given by Dean Moore, Johnny Roberts, Debbie Gathmann, Susan Moore, Jean Hilyard, Robyn Sands, and Awet Eyasu.

B. Presentation of recommendations from the Community Development and Civic Innovation Standing Advisory Committee on City Council Task Forces, Committees, Councils, and Standing Advisory Committees.

Councilmember Perkins gave a brief overview of the item and stated the goal was for the Council to have a conversation to make sure the Council is doing things with clarity and being good stewards of the public's time and city resources. Several circumstances have risen necessitating the review and possible modification of the city's City Council Task Forces, Committees, Councils, and Standing Advisory Committees. He also stated the goal is to streamline the City Council Task Forces, Committees, Councils, and Standing Advisory Committees to show what the functions of each are and make it easy to know who to contact and know what is being asked to do.

5. OLD BUSINESS

A. To discuss the status and appointments to the City Council Task Forces, Committees, Councils, and Standing Advisory Committees.

Councilmember Perkins stated the recommendation from the Community Development & Civic Innovation Standing Advisory Committee is that the City Council refer this matter to the Interim City Manager to review the committees, councils, and task forces and provide recommendations in 60 days regarding relevant resolutions to the Council of which entities are still necessary for the city's goals and helpful community engagement.

Public comments were presented by Dean Moore.

This item will be placed on the Consent Agenda.

B. To discuss an ordinance approving deannexation of Parcel 18 095 09 008, also known as 1078 Nielson Drive.

City Attorney, Stephen Quinn stated the ordinance before the Council for deannexation of 1078 Nielson Drive was approved earlier this year. There was a recent amendment in the State law concerning deannexation. In 2023, a new law passed by the Georgia General Assembly changing the order of what government entity acts on deannexation first, the County, then the City. This ordinance needs to go through the process again because DeKalb County needed to act before the city, but we acted first in this instance. Mr. Quinn stated this was for procedural purposes only.

This item will be placed on the Consent Agenda.

C. To discuss an ordinance to allow, temporarily or permanently, new package alcohol licenses.

City Attorney, Stephen Quinn stated at the last Work Session the Council asked for options if the City were to decide to modify or reverse the existing policy expressing ordinance from 2016, stating there are no new alcohol package alcohol permits available in the city, sale of beer, malt beverage, wine, or distilled spirits. Mr. Quinn presented a brief overview of the history of the current ordinance in place.

Mr. Quinn presented two options: Option (A) to create a grace period, allowing new package alcohol licenses for a temporary amount of time; and Option (B) to reverse the 2016 ordinance to allow package alcohol licenses to be obtained freely.

The Council briefly discussed the item and recommended the creation of Option (C) essentially leaving everything the same, except giving grandfathered licenses the ability to freely transfer licenses indefinitely and change ownership of the license at the same location, applying by October 31, 2024, to be heard at the December 3, 2024, City Council meeting. Mr. Quinn recommended revisiting the ordinance in 2025 possibly to allow relocation of businesses selling alcohol.

Mr. Quinn stated if the Council wants to allow a new license on an existing location for a new business and if the goal is to grant that license, they will need to be changed to allow new package licenses, unless the Council wants to allow it in an unlimited way, a date will need to be included for short-term, which will expire.

This can be accomplished by the City sending a registered letter to all current licensees and develop an information sheet to give to interested business owners and explain it thoroughly.

Public comments were presented by Lisa Morechower, Dean Moore, Jean Hilyard, and Awet Eyasu.

Mr. Quinn will draft Option (C) in an ordinance and bring it back to the next City Council meeting for consideration.

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

D. To discuss an alcohol license application for Mansi 7311, LLC d/b/a Lulu's Package located at 3900 E. Ponce De Leon Ave., Clarkston, GA 30021.

City Clerk, Tomika Mitchell stated the Alcohol Review Committee (ARC) received and reviewed an alcohol license application from owner, Mansi Patel, business name Mansi 7311, LLC for an alcohol license at Lulu's Package to sell Beer/Wine/Malt Beverages and Distilled Spirits for retail package sales. The location to be considered for this alcohol license is 3900 E. Ponce De Leon Ave., Clarkston, GA 30021. The ARC determined all the required inspections, and the required background check was passed, and the location complies with proximity requirements. This item does fall under the 2016 ordinance discussed in the previous item.

The Council briefly discussed the item.

Lisa Morechower, the representative for Lulu's Package spoke on behalf of the business.

Public comments were presented by Dean Moore.

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

E. To discuss a resolution awarding a contract to the most responsive and responsible bidder, Southern Demolition, LLC for the demolition of the two-story house at Forty Oaks Nature Preserve in the amount of $39,750 to be funded out of the SPLOST II Fund.

Purchasing Consultant, Will Moody stated this item was tabled from August and was before Council for assessment or demolition.

The Council briefly discussed the item.

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

F. To discuss an ordinance to amend Chapter 3 of the Code regarding alcoholic beverages, to allow "late night sales" for consumption on the premises subject to certain conditions.

Councilmember Bell presented a brief overview of this item stating the item was deferred to the Public Safety and Legal Committee by the City Council. The committee held a meeting in July to discuss in detail the next steps in regard to late night sales.

The recommendation from the committee was for Councilmember Bell to consult with Planning & Zoning and the City administration to move forward with the list of the recommendations that were brought forward in regard to late night ordinance and how we govern it, designation of locations of those businesses that have those late night hours and if there should be a tier, and also best practices from other cities. Other recommendations discussed were a possible application process, permit (open for one month period), a two-year trial period (terminated after if not approved by Council), a sworn officer on site, code violation consequences, sound decimal limits, and soundproof components. An updated ordinance will be brought before Council at the next City Council meeting.

The Council briefly discussed the item.

Public comments were presented by Debbie Gathmann and Dean Moore.

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

6. NEW BUSINESS
   A. To discuss a resolution to issue a Series 2024 General Obligation Sales Tax (SPLOST II) Bond for $7,000,000 with Webster Bank.

Doug Gebhardt, First Vice President of Davenport & Company gave a presentation on the Request for Proposal results regarding the Series 2024 SPOLST Bond stating seven proposals were received. Davenport & Company in conjunction with the city staff recommended Webster Bank, with a rate of 3.41% (fixed until final maturity), which was the best choice for the City, due to the proposal having the lowest interest rate, no legal fees / closing costs and prepayment flexibility. The rate offered by Webster is over 1.00% better than our initial planning rate.

The Council briefly discussed the item.

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

   B. To discuss an alcohol license application for DBA Tacos & BBQ, LLC d/b/a DBA Tacos & BBQ for restaurant retail on-premises consumption located at 4540 E Ponce de Leon Ave.

City Clerk, Tomika Mitchell stated Matthew Coggin, owner of DBA Tacos & BBQ, LLC d/b/a DBA Tacos & BBQ located at 4540 E Ponce de Leon Ave., Clarkston, GA 30021 has made application for an alcohol license for Beer/Wine/Malt beverages and Distilled Spirits by the drink at the restaurant DBA Tacos & BBQ. The Alcohol Review Committee (ARC) received and reviewed the new alcohol license application and verified the business license has been issued, all on-site inspections and measurements have been performed, background checks were conducted and passed, and zoning compliance have been performed. The ARC determines this application is in compliance and fulfilled all requirements and recommends approval of this alcohol license application

This item will be placed on the Consent Agenda

Public comments were presented by Mathew Coggin and Dean Moore.

   C. To discuss a resolution to appoint Attorney Julie Kert as Solicitor of the Municipal Court and approve a contract with Yeargan & Kert, LLC for Municipal Court Solicitors Services for a term of one year, in the amount of $2,000 per month/ $24,000 annually, to be funded out of General Fund, effective 1/1/2025.

This item was removed from the agenda and deferred to the October 29th Work Session agenda.

   D. To discuss a proposal by Veterans and Community Outreach Foundation of Dekalb County for a "Veterans Memorial Statue" to be erected at the pocket park located at the corner of N. Indian Creek Road and E. Ponce de Leon Ave.

This item was removed from the agenda and deferred to the October 29th Work Session agenda.

E. To discuss a resolution awarding a contract to the most responsive and responsible bidder, IKON Filmworks, for public meeting video recording and related services, for a term of one year in the amount of $38,400 to be funded out of ARPA Funds, effective 10/2/2024.

This item was removed from the agenda and deferred to the October 29th Work Session agenda.

F. To discuss a resolution to repeal the City's non-detainer policy and to require the Clarkston Police Department to cooperate with Federal authorities pursuant to O.C.G.A. §35-1-17.

City Attorney, Stephen Quinn gave an overview to the Council providing an update on the the 2024 Georgia General Assembly adopted HB 1105, which has been signed into law, and has amended O.C.G.A. § 35-1-17 to require all Georgia cities to cooperate with ICE and enforce detainer requests and if the city doesn't they would take away the funding.

Public comments were presented by Dean Moore.

This item will be placed on the Consent Agenda

G. To discuss a resolution to designate Adleasia Cameron as the "City Planner".

This item was removed from the agenda and deferred to the October 29th Work Session agenda.

H. To discuss a resolution approving an agreement between the City of Clarkston and AT&T for internet and phone services in the amount of $46,740 annually, plus a one-time fee of $5,152 to be funded out of ARPA Funds *(for one year)* and General Fund *(for four years)*, effective on or before 11/18/2024.

This item was removed from the agenda and deferred to the October 29th Work Session agenda.

I. To discuss a resolution approving a master subscription agreement between the City of Clarkston and Granicus for SmartGov software in the amount of $43,076.70 *(1st year initial cost)* and $27,426 *(annually)* to be funded out of the General Fund.

This item was removed from the agenda and deferred to the October 29th Work Session agenda.

7. ADJOURNMENT

Councilmember Carroll made a motion to adjourn the meeting. Councilmember Perkins duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned (5-0).

The meeting was adjourned at 9:54 p.m.

ATTEST:

Tomika R. Mitchell

Tomika R. Mitchell
City Clerk

Beverly H. Burks

Beverly H. Burks
Mayor