MINUTES OF A WORK SESSION
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, OCTOBER 29, 2024

On the 29th day of October 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 (virtual & in-person); Jamie Carroll; Mark Perkins; and Susan Hood. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager); Lolita Grant (Finance Director); Jacob Bouie (Economic Development Coordinator); 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 end the meeting at 10:30pm and any item not addressed will move to the next Work Session. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the vote was tied (2-2). Councilmember Carroll and Perkins voted "no". Mayor Burks voted to break the tie, voting "yes". Mayor Burks declared the motion approved (3-2).

   Vice Mayor Johnson made a motion to remove the three Planning and Zoning Items I, J, and K to the November Work Session. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion failed (2-3). Councilmembers Bells, Carroll, and Perkins voted "no".

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

4. PRESENTATION/ ADMINISTRATIVE BUSINESS
   A. A presentation from Decide Dekalb (Dekalb's Development Authority): To discuss using a portion of Affordable Housing Trust Fund for down payment assistance.

   Terra Washington and Katelin McClure from Decide Dekalb, Dekalb's Development Authority, gave a presentation on the Affordable Housing Trust Fund for down payment assistance.

   Councilmember Bell exited the meeting.

5. OLD BUSINESS
   A. 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.

Willis Moody, the Procurement Consultant gave a brief overview of this item. During the October 1, 2024, Regular Session meeting this item was tabled until the October 29, 2024, Work Session meeting to this provides proponents additional time for to keep the structure time to develop a plan on ways to keep and maintain the structure. If no plan was developed or (outside) funding located, a vote would be taken.

Staff recommended vendor Southern Demolition LLC for approval as the most responsive and responsible Offeror. The award amount of $39,750.00 for this project should be paid from the SPLOST II Fund.

The Council briefly discussed this matter.

The following citizens presented public comments: Lisa Williams and Johnny Roberts.

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

6. NEW BUSINESS

   A. 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.

Interim City Manager, Tammi Saddler Jones stated this item was for approval of 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. The bid solicitation documents were advertised on the City's website and BidNet Direct between July 18, 2024, and the bid close at 9:30 am, August 13, 2024. Staff recommended vendor Julie Kert, Partner at Yeargan & Kert for approval as the most responsive and responsible Offeror.

Julie Kert gave a brief overview of her background and experience.

Municipal Court, Judge Will responded to questions regarding assisting citizens with language barriers.

Public comments were presented by Dean Moore.

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

B. 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 11/8/2024.

Willis Moody, Procurement Officer gave brief overview of this item stating the solicitation for this bid was opened on August 8, 2024, and closed on September 4, 2024. A mandatory pre-bid meeting was scheduled for Thursday, August 22, 2024, where multiple vendors attended. The city received seven bids in response to the solicitation. One bidder was disqualified as they did not attend the mandatory pre-bid meeting. After a thorough review, by an evaluation committee composed of three staff members of the remaining bidders, it was determined that IKON Filmworks was the most responsive and most responsible bidder at a cost of $38,400.

The Council briefly discussed the item.

James Hammond with IKON Filmworks presented comments pertaining to the bid.

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

C. To discuss approving the annual insurance premium payment to Lexington Insurance in the amount of $41,756 for the city's leased office space located at 736 Park North Blvd to be funded out of the General Fund.

Dr. Dwight Baker, Director of Human Resources/ Risk Management gave an overview of this item, providing

Several insurance providers have reviewed the City's request for insurance, with feedback primarily reflecting challenges associated with municipal risk categories and Police Department exposure. Lexington Insurance has expressed flexibility by agreeing to waive their policy fee, although the inspection fee remains mandatory. They require a property inspection to ensure compliance with all safety and building standards. It is recommended that the City move forward with the Lexington Insurance quote at a premium of $41,756.00, with the understanding that this policy can be canceled if we secure alternative coverage at a more competitive rate.

The Council briefly discussed the item.

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

D. 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.

Kisha Dixon, Executive Assistant to the City Manager, gave an overview of this item stating the locations at 3620 Montreal Creek Ct., 1055 Rowland Street, 3867 Norman Road, and 3913 Church Street will be interconnected using leased fiber known as ASEoD (AT&T Switched

Ethernet on Demand). The head end at 736 Park North Blvd will provide internet connection for all buildings in this design. In the event of an outage, each building will have the capability to offload internet independently, ensuring redundancy across the sites. She then presented brief information regarding the managed equipment, promotional credits, Office@Hand, and the AT&T phone for business advanced. Staff recommends the vendor AT&T for approval to enter into a contract in the amount of $46,740.00 for this project and should be paid from the American Rescue Act Plan (ARPA), for one year, and General, for four years, funding for a total period of five (5) years as well as the $5152 one-time fee for the Network and Office@Hand set up.

The Council briefly discussed the item.

AT&T representative, Pete Rabadi clarified what cloud-based phones are.

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

E. 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.

Michael Duncan, Parks and Recreation Manager gave a brief overview of this item stating the Veterans and Community Outreach Foundation of DeKalb County would like to honor Clarkston and DeKalb County Black American Veterans who served during the segregation years. They will honor these veterans by erecting a "Veterans Memorial Statue" at the pocket park located at the corner of N. Indian Creek Road and E. Ponce de Leon Ave. The partnership is between the City of Clarkston and the Veterans and Community Outreach Foundation of DeKalb County. More phases and years honoring all DeKalb Veterans will be added as funding and timelines permit.

The Council briefly discussed the item.

Victor Johnson provided comments regarding recognizing the veterans in Clarkston.

This item was for informational purposes.

F. To discuss an Alcoholic Beverages Late Night Sales application for consumption on premises for Ponce Sports Lounge located at 3924 E. Ponce De Leon Ave., Clarkston, GA 30021.

Tomika Mitchell, City Clerk stated October 1, 2024, The City Council approved an ordinance amending Chapter 3 of the Code, regarding alcoholic beverages, to allow "late night sales" for consumption on the premises subject to certain conditions. The City Clerk's Office received and reviewed an Alcoholic Beverages Late Night Sales application from Tesfamariyam H. Wegayehu (Mr. Jimmy), owner of Ponce Sports Lounge for Late night alcohol sales for consumption on premises. The location to be considered for this application is located at 3924 E. Ponce De Leon Ave., Clarkston, GA 30021. The Clarkston Police Department met with Mr. Jimmy at Ponce Sports Lounge on October 22, 2024, at approximately 11:30 a.m. to assess the noise level from the exterior of the business. Mr. Jimmy agreed to monitor the volume closely and keep the music at Level 3, which appeared reasonable and not a nuisance when tested from outside, including the parking lot. The City Clerk determined all terms and conditions have been met pertaining to the ordinance.

The Council briefly discussed the item.

Chief Hudson and Assistant Chief Todd answered questions pertaining to the noise level.

Public comments were presented by Debbie Gathmann, Tracy Menick, and Tim Hall.

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

G. To discuss Professional Engineering Services for the development of Design/Construction Plans and Permitting for the SPLOST II "bond-funded" Norman Road Dam Reconstruction Project.

Larry Kaiser, City Engineer stated this item was to obtain approval to commence with the SPLOST II bond-funded "Norman Road Design/Construction Plan Development and Permitting" project – Phase I. The safety deficiencies that exist at the Norman Road dam at Clarkston Lakes necessitate moving forward with PH I of the project which begins with the procurement of a civil engineering firm to develop design and construction plans. The City Engineer identified on-going deteriorating conditions of the Norman Road dam as determined through various reconnaissance site visits and geotechnical reports and investigations. The following next steps were recommended for Phase I: Prepare scope of work for engineering design and construction plan development that includes satisfying all regulatory permitting requirements. Scope of work will also include a minimum of two (2) public meetings, development of a minimum of two reconstruction alternative approaches and a Probable Cost of Construction Cost for each; Begin advertising for professional engineering services before the end of January 2025; and Selection of professional civil engineering services will be "qualified-based" where the cost will be a component, not the only consideration, in the selection process.

The Council briefly discussed the item.

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

H. To discuss contracting services for repairs to Norman Road Dam due to Hurricane Helene.

Larry Kaiser, City Engineer stated this item was to obtain approval for contractor services to repair Norman Road dam and associated infrastructure as outlined in the "Report of Findings - Hurricane Helene Impacts to Norman Road dam" dated September 30, 2024.

Repairs are necessary to minimize further deterioration to the dam. Repairs are required to the Norman Road pavement, the partially collapsed decorative fence at the top of the downstream slope embankment, the stone retaining wall that has partially collapsed along the spillway downstream channel, the cracking/settlement of the roadway concrete flume and the "sloughing" of the downstream embankment slope. Further movement of soils on the downstream slope will result in negative impacts to the roadway while further compromising the core of the dam. The City Engineer identified the safety deficiencies to the Norman Road dam as outlined in the "Report of Findings" and would recommend that the following steps occur to remediate the issues herein: Prepare scope of services to provide temporary repairs to the areas identified herein; Forward the scope of services to Procurement to advertise to-bid; Recommend the lowest and most qualified bidder and present to city council for approval before the end of the year; and Initiate repairs in January 2025 or sooner.

The Council briefly discussed the item.

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

I. To discuss an ordinance to amend the Zoning Code to increase the maximum floor area ratio, reduce the minimum lot size and increase maximum lot coverage requirements for the NR-3 zone; to reduce the minimum lot width and remove side setback requirements for single family attached dwelling units (townhomes); to increase the maximum building height for the TC district; and to reduce parking requirements for certain dwelling types.

Economic Development Director, Jacob Bouie stated this item will be going before the Planning and Zoning Board members on October 31, 2024, at 6:00pm for a recommendation to the Mayor and City with respect to its findings.

Councilmember Bell entered the meeting.

Councilmember Carroll gave a brief overview of this item.

This request comes from the Housing and Infrastructure committee after two (2) full meetings on the topic earlier in the year (April and May), and that there has been a significant amount of public discussion on these items over the past two years.

The Council briefly discussed the item.

Public comments were presented by Chris Becker, Tim Hall, Simone Wilson, Shannon Willow, and Dean Moore.
This item will be placed on the next City Council agenda for discussion.

J. To discuss the application to rezone properties located at 911 Mell Avenue, 917 Mell Avenue, 929 Mell Avenue, and 935 Mell Avenue from NR-1 (Low-density Neighborhood District) to NR-3 (High-density Neighborhood Residential District).

Economic Development Director, Jacob Bouie stated this item will be going before the Planning and Zoning Board members on October 31, 2024, at 6:00pm for a recommendation to the Mayor and City with respect to its findings.

The Council briefly discussed the item.

The rezoning request is the process of changing the designated zoning of NR-1, low—density to a higher density designation of NR-3. Based on the Clarkston 2040 Comprehensive Plan Future Land Use Map (FLUM), the proposal to rezone the subject properties from NR-1 to NR-3 corresponds with the applied character area of the Traditional Neighborhood Development. These areas are designated to nurture traditional neighborhood development patterns and housing types.

Applicant Garry Rainey gave an overview of the plans for his properties.

Public comments were presented by Tracy Menick, Dean Moore, Tim Hall, Simone Wilson, and Chris Becker.

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

K. To discuss an application to modify zoning stipulation #19 Final Plat of the Parkside Subdivision to allow carports or garages.

Economic Development Director, Jacob Bouie stated this item will be going before the Planning and Zoning Board members on October 31, 2024, at 6:00pm for a recommendation to the Mayor and City with respect to its findings.

The Council briefly discussed the item.

Zoning case MOD-24-10-001 - The Applicant, Tad Braswell, on behalf of Southwyck Homes, requests a Modification to zoning stipulation #19 on the Final Plat of the Parkside Subdivision. There are 28 remaining buildable lots for improvement in the Parkside Subdivision. A garage verses a carport provides extra protection and personal privacy for storing items such as sports equipment, yard tools, storage items, and more.

Public comments were presented by Tim Hall and Robyn Sands.

Mayor Burks offered apologies to the citizens regarding the process of this matter.

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

L. To discuss an ordinance to amend Chapter 2, Article 2 of the City Code concerning Council Meetings.

Councilmember Hood gave a brief overview of this item recommending establishing rules concerning the conduct of city council meetings to standardize procedures, encourage efficiency and address councilmember absences.

Mr. Quinn gave a brief overview of the proposed ordinance.

The Council briefly discussed the item and recommended additional changes to the proposed ordinance.

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

M. To discuss a resolution to regulate the utilization of the City Attorney's services by Councilmembers.

Councilmember Hood gave a brief overview of this item recommending the City Council to control expenses incurred by engaging legal advice from the city attorney and ensure that the city manager is kept abreast of legal issues. The proposed ordinance will regulate the utilization of the City Attorney's services by Councilmembers.

The Council briefly discussed the item.

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

N. To discuss an ordinance to amend Chapter 2, Article 3 of the City Code concerning the Code of Ethics to prohibit cash advances to elected officials to exclude per diems.

Councilmember Hood gave a brief overview of this item recommending this ordinance to clearly prohibit the mayor and any councilmembers from requesting or receiving any cash advance from the City. This shall not apply to the payment of per diem for travel associated with an approved trip for city business or education purposes."

The Council briefly discussed the item.

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

O. To discuss the 2025 Holiday Schedule for the City of Clarkston.

Dr. Dwight Baker, Director of Human Resources/ Risk Management stated this item was to approve the 2025 Holiday Schedule for the City of Clarkston, which was the same as last year.

The Council briefly discussed the item.

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

7. ADJOURNMENT

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

The meeting was adjourned at 10:24 p.m.

ATTEST:

Tomika R. Mitchell

Tomika R. Mitchell
City Clerk

Beverly H. Burks

Beverly H. Burks
Mayor