



CITY COUNCIL WORK SESSION

Ted Terry – Mayor

YT Bell

Jamie Carroll

Awet Eyasu

Laura Hopkins

Ahmed Hassan

Debra Johnson

Robin Gomez – City Manager

AGENDA

Tuesday, February 25, 2020 7:00PM

A. ROLL CALL

B. WORK SESSION - RESIDENT COMMENT POLICY

Any member of the public may address questions or comments to the 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 at the discretion of the Presiding Officer. Attendees will be asked to conclude their comments in a reasonable time period if they exceed the 3 minute limit.

C. PRESENTATION/ ADMINISTRATIVE BUSINESS

D. OLD BUSINESS

E. NEW BUSINESS

E1) PUBLIC HEARING: A request from the North American Mission Board of the Southern Baptist Convention, Incorporated for a conditional use permit for the properties located at 961 Rowland Street and 3673 Hill Street, zoned NR-1, Low Density Neighborhood Residential, Clarkston, GA 30021, for the construction of athletic fields and other athletic facilities to support the church's mission and for church related activities.

E2) Discuss Charter Review Committee 2nd and Final Report Covering Articles III-Section 3.02 through the end of the Charter, Article V-Miscellaneous

E3) Clarkston Residents Speak Program – Presentations

E4) Reappointment of SAC Committee Chairs for all committees

E5) Discuss DDA Appointments (1 by council member & 2 by Mayor)

E6) Discuss potential Moratorium on Storage Companies, Gas Stations, and Family Dollar/Dollar General

E7) Discuss Community Benefits Agreements

E8) Discuss Rescheduling August and November 2020 Council Meetings

E9) Urban Productive Landscape Installations - Recommend Selection of Low Bidder

E10) Willow Creek Apartment (Smith St) Culvert Replacement project Recommend Selection of Low Bidder & Temporary Construction Ease

E11) Amend Early Learning Task Force Resolution to increase members from 11 to 20 and appoint members

E12) Appeal of City Denial of Renewal Application for Permit to Operate a Pawn Shop or Title Pawn for TitleMax located at 4222 E Ponce de Leon Ave

F. EXECUTIVE SESSION

To Discuss a Personnel Matter

G. ADJOURNMENT

CITY OF CLARKSTON

ITEM NO: E1

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES
MEETING DATE: February 25, 2020

ACTION TYPE:
PUBLIC HEARING

SUBJECT: Conditional use permit request for the properties located at 961 Rowland Street and 3673 Hill Street.

DEPARTMENT:
Planning & Development

PUBLIC HEARING: YES NO

ATTACHMENTS: YES NO
Pages:

INFORMATION CONTACT: Shawanna Qawiy-Sapp,
Planning and Development Director
PHONE NUMBER: 404-296-6489

PURPOSE: A request from the North American Mission Board of the Southern Baptist Convention, Incorporated for a conditional use permit for the properties located at 961 Rowland Street and 3673 Hill Street, zoned NR-1, Low Density Neighborhood Residential, Clarkston, GA 30021, for the construction of athletic fields and other athletic facilities to support the church’s mission and for church related activities.

NEED/ IMPACT:

A conditional use permit application request shall be heard at public hearings to determine whether or not the applicants proposed conditional use would generally be in the public interest. In considering whether a proposed conditional use is in the public interest, the mayor and city council shall consider the following, among other relevant factors: (1) Whether the conditional use would be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood; (2) Whether the proposed conditional use would increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties; (3) Whether the establishment of the conditional use would impede the normal and orderly development of surrounding property for uses predominant in the area; and (4) Whether the location and character of the proposed conditional use would be consistent with a desirable pattern of development for the locality in general.

STAFF RECOMMENDATION:

Staff recommended denial of the conditional use permit request to construct athletic fields and other athletic facilities to support the church’s mission and for church related activities.

PLANNING AND ZONING BOARD RECOMMENDATION: 02/18/2020

The Planning and Zoning Board recommended denial of the conditional use permit request to construct athletic fields and other athletic facilities to support the church’s mission and for church related activities.



CONDITIONAL USE PERMIT ANALYSIS

Report Prepared by: Shawanna N. Qawiy, Planning & Development Director

Applicant: Woody Galloway and Laurel David-The Galloway Law Group
 3500 Lenox Road, Ste. 760
 Atlanta, Georgia
 404.965.3680
laurel@glawgp.com
 for North American Mission Board of the Southern Baptist Convention, Inc.

Location: 961 Rowland Street and 3673 Hill Street, Clarkston, GA 30021

Request: **Conditional Use Permit**

Parcel ID(s): 18 096 10 002 | 18 096 10 003

Proposed Use /Purpose: To construct athletic fields and athletic facilities to support the church's mission and for church related activities.

Current Land Use: Low Density Single Family Residential Homes

Sign Posted: **Originally August 29, 2019/January 30, 2020**

Planning & Zoning Meeting: **September 17, 2019 Deferred until February 18, 2020**
City Council Work Session: **September 24, 2019 Deferred until February 25, 2020**
City Council Meeting: **October 1, 2019 Deferred until March 3, 2020**

Lot Size: +/- 1.7 acres/ (.68 acres) 961 Rowland St. / (1.02 acres) 3673 Hill St.

Road Access: Hill Street/ Rogers Street/ Rowland Street

Adjacent Land Use/Zoning District:	Current Zoning	Land Use
North	NR-1	Legal Non-conforming parking lot
East	NR-1	Single Family Residential
South	NR-1	Single Family Residential & Office
West	NC-1	Mixed Use/ PUD

Conditional Use Criteria; Section 312

Criteria Point 1: Whether the conditional use would be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

Section 701-NR-1 Low Density Neighborhood residential district is intended primarily for single family detached residences and residentially-compatible uses requiring greater amounts of open space. The permitted uses in the NR-1 zoning district are single family detached residential dwellings; non-commercial horticulture and agriculture, and accessory structures and uses incidental to any legal permitted use, including home occupations. The proposed conditional use requests to construct athletic fields and athletic facilities would create an increase in traffic conflicts that could create a considerable amount of encounters along the heavily traveled pedestrian, cyclist and vehicular accessible roads of Rowland, Rogers, and Hill Streets. In the NR-1 low density single family zoning district, the incompatible scale and nature of the conditional use requests would not preserve the character of the low density single family residential neighborhood. There is a potential for increased vehicle and pedestrian accidents occurrences endangering the safety of the residents of the area and the neighborhood as a whole. The proposed conditional uses would be injurious to the use and enjoyment of the single family residential homes surrounding the proposed conditional uses that could cause harm and endanger the safety and the general welfare of the residents. With the applicant proposing an increased amount of traffic to the current residents local travel paths that could cause damage to the neighborhoods quality of life. It is reasonable to ascertain that with no proposed traffic calming measures for Rogers Street an increase of pedestrian and vehicular traffic to the proposed athletic facilities and proposed open fields, may warrant safety issues.

With any new proposed conditional uses/construction, there are minimum parking requirement for each use, as outlined in *Section 1107: Minimum off-street parking requirements; (See Proposed Uses/Minimum Parking Chart A)*

Proposed Uses/Minimum Parking:

Proposed Conditional Use		Option 1 Square footage +/-	Parking Minimum Required Parking spaces	Option 2 Square footage +/-	Parking Minimum Required Parking spaces
▪ Playground		2500sf	12	2000sf	10
• Pavilion		1700sf	34	2700sf	54
• New Gym Building		8400sf	168	8200sf	164
▪ Athletic Field 1		13500sf	67	13500sf	67
▪ Athletic Field 2		5500sf	27	5500sf	27
			308		322

- Places of assembly = 1 space per 50 sq. ft. where fixed seats are not provided
- Recreation-Commercial and Public= 200 sq. ft.= 1 space

Criteria Point 2: Whether the proposed conditional use would increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties.

Staff's position is that an increase in local or state expenditures in relation to costs associated with servicing and maintaining neighboring properties cannot be determined at this time.

Criteria Point 3: Whether the establishment of the conditional use permit would impede the normal and orderly development of surrounding property uses predominant in the area.

Page 24 of the City of Clarkston's LCI Update 2015 has this area designated as a suburban area that "exhibits a dendritic street pattern of single family homes". Along with pages 25 and 77 illustrating in Figure 2.2 Future Land Use Map and Figure 4.2 Proposed Future Land Use the area is designated as a suburban area. Pages 58 and 59 of the Clarkston 2040 Plan designates the proposed conditional use area as NR-1 Low Density Residential District zoning. Designated as a single family area for the preservation of single family homes both historic as well as new development, the applicants proposed conditional use development is intending to be an extension of the mixed use planned unit development to the west of the properties to support the church's mission and for church related activities.

Criteria Point 4: Whether the location and character of the proposed conditional use would be consistent with a desirable pattern of development for the locality in general.

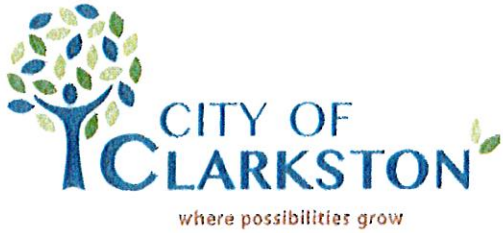
The proposed conditional use development area is not designated on any current or planning resources as an existing or potential park/open space area. The athletic facilities and fields would change the character of the NR-1 low density zoning district. The location and character of the proposed conditional use would not be consistent with the desirable pattern of development for the locality in general due to the desires of the community to enhance the open space and cultural resources that currently exists within the City. Open space, parks, playgrounds, athletic fields and pavilions are all located within +/-1 mile of the proposed conditional uses. A 17 minute walk (.8 mile) or a 4 minute drive (.7 mile) will locate a resident/and or visitor at Milam Park/Soccer Field. A 9 minute walk or (.4 miles) a 2 minute drive (.4 mile) will locate a resident and/or visitor at Forty Oaks. A 15 minute walk or (.7 mile) a 2 minute drive (.7 mile) will locate a resident and/or visitor at Friendship Forest. The Clarkson Community Center also has open space to utilize as a place for exercise and/or designated or landscaped for play or sports activities/events which is a (1 mile), a 1 minute drive or a (433 feet) walk.

Recommendation:

Staff recommends denial of the conditional use permit request to construct athletic fields, athletic facilities on the properties located at 961 Rowland Street and 3673 Hill Street.

Attachments:

- Conditional Use Permit Application
- Letter of Intent
- Warranty Deed
- Maps
- Site Plan



CITY OF CLARKSTON
CONDITIONAL USE PERMIT APPLICATION

Date Received: _____

APPLICANT INFORMATION

APPLICANT NAME: North American Mission Board of the Southern Baptist Convention, Inc.

ADDRESS: c/o Woody Galloway and Laurel David, The Galloway Law Group, 3500 Lenox Rd., Suite 760, Atlanta GA

PHONE: 404-965-3680 CELL: _____ FAX: 404-965-3620

EMAIL ADDRESS: laurel@glawgp.com

OWNER INFORMATION (If different from Applicant)

OWNER NAME: _____

ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS: _____

PROPERTY INFORMATION (attach legal description)

ADDRESS: 961 Rowland Street and 3673 Hill Street, Clarkston GA 30021

PARCEL ID#: 10 002 and 003 LAND LOT: 096 DISTRICT: 18

CONDITIONAL USE PERMIT REQUEST

CURRENT ZONING: NR-1 CURRENT LAND USE: vacant structures, surface parking lots

PROPOSED LAND USE: Place of assembly, religious institution

DESCRIPTION OF USE (ex.: number of employees, details of operation, etc.):
construction of athletic fields and other athletic facilities to support the church's mission and for church related activities

CERTIFICATION OF OWNERSHIP

I hereby certify that I am the owner of the property shown on the attached plat, described in the attached legal description, and identified as follows: 961 Rowland Street and 3673 Hill Street, Clarkston GA 30021

By: George McCallum General Counsel
Type or Print Owner's Name

[Signature]
Owner's Signature

7/23/19
Date

Sworn and subscribed before me this 23 day of July, 2019

Marjorie Bowman
Notary Public

February 23, 2022
Commission Expires



POWER OF ATTORNEY (if owner is not the applicant)

Applicant states under oath that: (1) he/she is the executor or Attorney-in-fact under Power-of-Attorney for the owner (attach a copy of Power-of-Attorney letter); (2) he/she has an option to purchase said property (attach a copy of the contract); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease).

Not applicable
Type or Print Owner's Name

Owner's Signature

Date

Sworn and subscribed before me this ____ day of _____, _____

Notary Public

Commission Expires

(Seal)

Type or Print Applicant's Name

Applicant's Signature

Date

ATTORNEY / AGENT

CIRCLE ONE: Attorney Agent

William Woodson Galloway and Laurel David
Type or Print Attorney / Agent's Name


Attorney / Agent's Signature

The Galloway Law Group, 3500 Lenox Rd., Suite 760, Atlanta GA 30326
Address

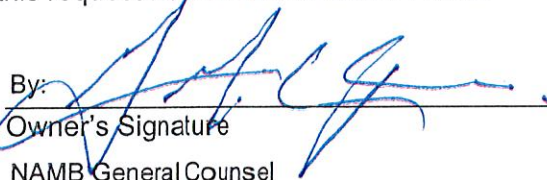
404-965-3680
Phone Number

laurel@glawgp.com
Email Address

AUTHORIZATION TO INSPECT PREMISES

I/we The North American Mission Board of the Southern Baptist Convention, Inc. am/are the owner(s) of the subject property, which is the subject matter of this application. I/we authorize the City of Clarkston to inspect the premises, which is the subject of this request for a Conditional Use Permit.

By: 
Type or Print Owner's Name

By: 
Owner's Signature
NAMB General Counsel

7/23/19
Date

LETTER OF INTENT
APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF CLARKSTON, GEORGIA

The North American Mission Board of the Southern Baptist Convention, Inc. (the “Applicant”) requests a Conditional Use Permit (CUP) to construct athletic fields and other athletic facilities to support its mission and for church related activities on property it owns at 961 Rowland Street and 3673 Hill Street, Clarkston GA 30021 (Parcel Identification Numbers 18 096 10 002 and 003) (the “Property”). The Property is zoned to the NR-1, low-density neighborhood residential district, which allows places of assembly, including religious institutions, with approval of a CUP.

To the criteria established in the Zoning Ordinance of the City of Clarkston that are considered in the evaluation of applications for CUP’s, the Applicant responds as follows:

A. Whether the conditional use would be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

The Property measures approximately 1.6 acres in area. The establishment of the athletic fields will provide green space for the enjoyment of the environment and properties in the vicinity. It will also provide a recreational area for the international and refugee community in addition to representatives from multiple churches to further the mission of the North American Mission Board’s Send Relief Compassion Ministry and supplement its work with job training and placement, computer literacy, and discovering opportunities for employment.

B. Whether the proposed conditional use would increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties;

The Applicant will retain ownership of the Property and will be responsible for its maintenance.

C. Whether the establishment of the conditional use would impede the normal and orderly development of surrounding property for uses predominant in the area; and

As a place of assembly accessory to a religious institution, the use is an allowed use within the NR-1 zoning with a CUP and will not adversely impact adjoining land uses. The adjacent property is used for a single family dwelling and a State Farm insurance office and will be buffered by landscaping and a new privacy fence. In addition, the fields and building are oriented to place the green space closer to the adjacent property and will be contained within the boundary of public right-of-way along three sides. Accordingly, the size, scale, and massing of the proposed use is

appropriate for the Property. The proposed use will not impede normal and orderly development of surrounding property for uses predominant in the area.

D. Whether the location and character of the proposed conditional use would be consistent with a desirable pattern of development for the locality in general.

The land to the northwest of the Property is used predominantly for religious and civic purposes. Land to the southeast of the Property is used predominantly for detached dwellings. Neighboring property to the south is used for a residential dwelling and a State Farm insurance office. As both single-family dwellings and places of assembly, including religious institutions, are allowed uses in the NR-1 district with a CUP, it is evident that these uses are compatible with one another.

The Future Land Use Map of the City of Clarkston assigns the Property to the Single Family land use category. However, the Clarkston 2040, the Comprehensive Plan Update proposes a Refugee Resettlement District for Clarkston as one of the most “popular big ideas” from the public engagement process (p. 42, et al.). The 2015 LCI study proposes that this district center at the intersection of Rowland and Market Streets, which is a busy intersection. The Applicant’s proposed use could provide the foundation for this district in an area that would be more pedestrian-friendly and closer to services for the refugees being provided or proposed on the northwest side of Rowland Street. The 2040 Comprehensive Plan also recommends “support services for refugees as one of its top seven priorities” (p.51). As such, the proposed use is consistent with this land use category and consistent with the stated desirable pattern of development for the locality in general.

Because the Applicant’s proposal is consistent with the foregoing criteria established by the City of Clarkston for the granting of CUP’s, the Applicant respectfully asks that Mayor and City Council approve the CUP as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel David
William Woodson Galloway
Attorneys for the Applicant

3500 Lenox Road NE, Suite 760
Atlanta, GA 30326
(404) 965-3680

Please return to:
JAMES W. CROCKER, P.C.
6400 POWERS FERRY ROAD
SUITE 200 ATLANTA, GEORGIA 30339
17-0202

2017167210 DEEDBOOK 26609 Pg 153

Real Estate Transfer Tax \$270.00

Filed and Recorded
11/20/2017 3:08:13 PM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

STATE OF GEORGIA
COUNTY OF DEKALB

WARRANTY DEED

THIS INDENTURE made this 22nd day of **September, 2017**, between

LINDA L. STOREY,
as party or parties of the first part, hereinafter called Grantor, and

**THE NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION,
INC., a Georgia corporation,**

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 DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

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 9 of the E. M. Kittredge Property, and being more particularly described as follows:


BEGINNING at a point on the Southeasterly side of Rowland Street 80 feet Northeasterly from the point where the Southeasterly side of Rowland Street intersects the Northeasterly side of Indian Creek Street; running thence Northeasterly along the Southeasterly side of Rowland Street a distance of 140 feet to a point; thence Southeasterly 190 feet to the Northwesterly side of Rogers Street; running thence Southwesterly along the Northwesterly side of Rogers Street 140 feet to a point; running thence Northwesterly 190 feet to the Southeasterly side of Rowland Street and the point of beginning. And being improved property known as No. 961 Rowland Street, according to the present system of numbering houses in DeKalb County, Georgia.

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 whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:



Witness



LINDA L. STOREY (Seal)



Notary Public
My commission expires





Summary

Parcel Number 18 096 10 002
 Location Address 961 ROWLAND ST
 CLARKSTON GA 30021
 Legal Description
 Property Class R3 - RESIDENTIAL LOT
 Neighborhood 0660
 Tax District 34
 Millage Rate 54.218
 Approximate/Computed Acres 0.7
 Homestead N

[View Map](#)

Owner

[North American Mission Board Of The Southern Baptist Convention Inc](#)
 4200 NORTH POINT PKWY
 ALPHARETTA GA 30022

Land

Land Type	Land Code	Description	Square Feet	Acres	Price
G	2	SITE VALUE	0	0.000	33,220

Total Acres: 0.0000
 Total Land-Value: 33,220

Residential Improvement Information

Card 1	Attic NONE
Stories 1.5	Additional Fixtures 2
Exterior Wall WOOD FRAME	Heating System
Style SINGLE FAMILY RESIDENTIAL	Heat CENTRAL
Year Built 1928	Total Fixtures 8
Res Sq Ft 1829	Masonry Fireplaces 0
Basement SEE ADDITIONS	Heating Fuel Type
Finished Bsmt Sqft 0	Pre Fab Fireplace 0
Total Rooms 0	Miscellaneous Feature
Bedrooms 3	Miscellaneous Feature 2
Full Bath/Half Bath 2/0	

Sales

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Qualification	Sales Validity	Owner	Previous Owner	Recording
9/22/2017	\$270,000	WD	26609	00153	Unqualified	To or From Church or Charity	NORTH AMERICAN MISSION BOARD OF THE STOREY LINDA L	STOREY LINDA L	26609 00153
8/15/2017	\$0		26609	00152	Unqualified	Gift	STOREY LINDA L	MORROW CHARLES BUTLER	26609 00152
6/1/2017	\$0	WD	26335	00100	Unqualified	Gift	MORROW CHARLES BUTLER	STOREY DANNY R	26335 00100
4/25/2003	\$0	EX	14530	00337	Unqualified	Estate Exec Admin Deed	STOREY DANNY R	STOREY THELMA RUTH	14530 00337
3/29/1973	\$0	AD	02978	00402	Qualified	Valid Sale FMV			02978 00402

Valuation

	2018	2017	2016
LUC	101	101	101
Class	R3	R3	R3
+ Land Value	\$33,200	\$33,200	\$33,200
+ Building Value	\$87,800	\$67,500	\$29,600
= Total Value	\$121,000	\$100,700	\$62,800
Assessed Value	\$48,400	\$40,280	\$25,120

Recent Sales In Area

No data available for the following modules: Commercial Improvement Information, Accessory Information, Photos, Sketches.

Last Data Upload: 4/13/2019, 6:03:29 PM

Version 2.2.16



AFTER RECORDING, RETURN ORIGINAL TO:

NORTH AMERICAN MISSION BOARD OF THE
SOUTHERN BAPTIST CONVENTION, INC.
4200 NORTH POINT PARKWAY
ALPHARETTA, GA 30022

PREPARED BY:

JAMES W. CROCKER, PC
6400 POWERS FERRY RD., SUITE 200
ATLANTA, GEORGIA 30339
770-226-8600
File # 18-0136

2018131329 DEED BOOK 27053 Pg 130
Filed and Recorded:
7/27/2018 3:44:45 PM
Debra DeBarr
Clerk of Superior Court
DeKalb County, Georgia
Real Estate Transfer Tax \$600.00

STATE OF GEORGIA
COUNTY OF DEKALB

TAX PARCEL # 18-096-10-003

WARRANTY DEED

THIS INDENTURE made this 25th day of July, 2018, between

MICHAEL S. SAENGER and SHERYL SAENGER,

as party or parties of the first part, hereinafter called Grantor, and

THE NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION,
INC.,

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 DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF CLARKSTON AND BEING IN LAND LOT 97 OF THE 18TH DISTRICT OF ORIGINALLY HENRY, NOW DEKALB COUNTY, GEORGIA, AND KNOWN AS LOT 10 OF THE ORIGINAL MCLENDON PROPERTY, AS PER PLAT RECORDED IN DEED BOOK PP, PAGE 424, DEKALB COUNTY, GEORGIA RECORDS.

COMMENCING AT THE SOUTHEAST CORNER OF HILL STREET AND ROWLAND STREET AND RUNNING SOUTH ALONG THE SOUTHWEST SIDE OF HILL STREET 198 FEET TO ROGERS STREET; THENCE SOUTHWEST ALONG THE NORTHWEST SIDE OF ROGERS STREET 220 FEET; THENCE NORTHWEST, PARALLEL WITH HILL STREET, 198 FEET TO ROWLAND STREET; THENCE NORTHEAST ALONG THE SOUTHEAST SIDE OF ROWLAND STREET 220 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY CONVEYED BY WARRANTY DEED RECORDED IN DEED BOOK 7708, PAGE 733, DEKALB COUNTY, GEORGIA RECORDS.

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 whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:

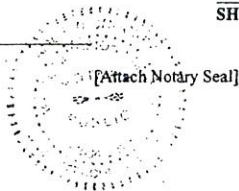
Michael S. Saenger
Witness *Caleb M. Saenger*

Michael S. Saenger (Seal)
MICHAEL S. SAENGER

Sheryl Saenger (Seal)
SHERYL SAENGER

James W. Crocker
Notary Public

My commission expires:





Summary

Parcel Number 18 096 10 003
 Location Address 3673 HILL ST
 CLARKSTON GA 30021
 Legal Description
 Property Class R3 - RESIDENTIAL LOT
 Neighborhood 0660
 Tax District 34
 Millage Rate 54.218
 Approximate/Computed Acres 1
 Homestead Y

[View Map](#)

Owner

Saenger Michael
 Saenger Sheryl
 3673 W HILL ST
 CLARKSTON GA 30021 1210

Land

Land Type	Land Code	Description	Square Feet	Acres	Price
G	2	SITE VALUE	0	0.000	40,140

Total Acres:
0.0000
 Total Land-Value:
40,140

Residential Improvement Information

Card	1	Attic	
Stories	1.5	Additional Fixtures	2
Exterior Wall	WOOD FRAME	Heating System	
Style	CONVENTIONAL	Heat	CENTRAL WITH A.C
Year Built	1900	Total Fixtures	11
Res Sq Ft	2604	Masonry Fireplaces	1
Basement	PART	Heating Fuel Type	
Finished Bsmt Sqft	0	Pre Fab Fireplace	0
Total Rooms	0	Miscellaneous Feature	
Bedrooms	4	Miscellaneous Feature 2	
Full Bath/Half Bath	3/0		

Sales

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Qualification	Sales Validity	Owner	Previous Owner	Recording
7/25/2018	\$600,000	WD	27053	00130	Unqualified	To or From Church or Charity	NORTH AMERICAN MISSION BOARD OF THE	SAENGER MICHAEL S	27053 00130
6/15/2007	\$210,000	WD	20068	00261	Unqualified	Sales from Bank	SAENGER MICHAEL S OR	HOMEcomings FINANCIAL LLC	20068 00261
2/6/2007	\$227,900	DP	19764	00528	Unqualified	Foreclosure or Bankruptcy	HOMEcomings FINANCIAL LLC	TUTTLE CURTIS W	19764 00528
6/8/1993	\$96,000	WD	07708	00733	Qualified	Valid Sale FMV	TUTTLE CURTIS WADE OR	FLOWERS LOIS PERRIN	07708 00733
2/8/1977	\$0	AD	03630	00113	Qualified	Valid Sale FMV			03630 00113

Valuation

	2018	2017	2016
LUC	101	101	101
Class	R3	R3	R3
+ Land Value	\$40,100	\$40,100	\$40,100
+ Building Value	\$228,100	\$144,700	\$58,800
= Total Value	\$268,200	\$184,800	\$98,900
Assessed Value	\$107,680	\$73,920	\$39,560

Recent Sales In Area

No data available for the following modules: Commercial Improvement Information, Accessory Information, Photos, Sketches.

Last Data Upload: 4/13/2019, 6:03:29 PM

Version 2.2.16



CONSTITUTIONAL OBJECTIONS
APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF CLARKSTON, GEORGIA

Georgia Law and the procedures of the City of Clarkston require us to raise Federal and State Constitutional objections during the CUP application approval process. While the Owner/Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Owner/Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Zoning Ordinance of the City of Clarkston, Georgia, as applied to the Property, that would result in a denial of the CUP application as requested by the Owner/Applicant, are, or would be, unconstitutional in that they would destroy the Owner/Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Clarkston or the City of Clarkston Zoning Ordinance to the Property which restricts its use to any use in a manner other than that requested by the Owner/Applicant is unconstitutional, illegal and null and void because such an application constitutes a taking of the Owner/Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner/Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application or approval subject to conditions which differ from those proposed by the Owner/Applicant, would also violate the Religious Land Use and Institutionalized Persons Act by imposing a substantial burden on the exercise of religion without a compelling government interest or without using the least restrictive means possible of furthering a compelling governmental interest.

A denial of this Application would also constitute an arbitrary and capricious act by the City Council of the City of Clarkston without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal to grant the CUP application as requested by the Owner/Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between

the Owner/Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the CUP application subject to conditions that are different from the conditions requested by the Owner/Applicant, to the extent such different conditions would have the effect of further restricting the Owner/Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

In addition, this constitutes formal written notice to the City of Clarkston, pursuant to O.C.G.A. § 36-33-5, that the Owner/Applicant plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Property by the City of Clarkston. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Property, attorneys' fees and expenses of litigation.

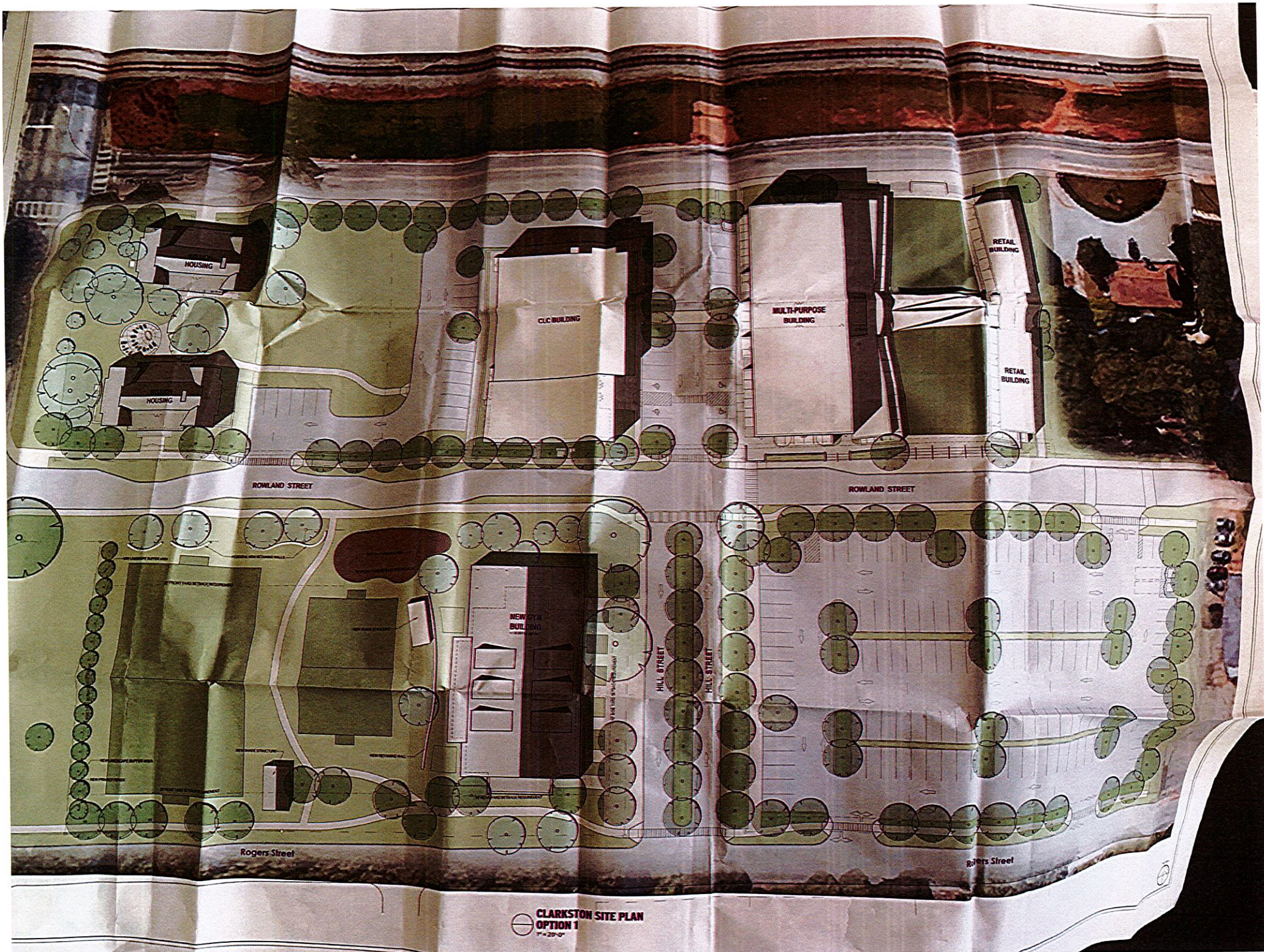
Accordingly, the Applicant respectfully requests that the City Council of the City of Clarkston grant the CUP application as requested by the Applicant.

THE GALLOWAY LAW GROUP, LLC



William Woodson Galloway
Laurel David
Attorneys for Applicant

3500 Lenox Road NE, Suite 760
Atlanta, Georgia 30326
(404) 965-3680

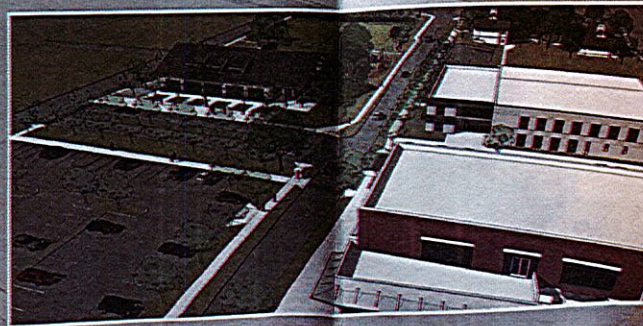
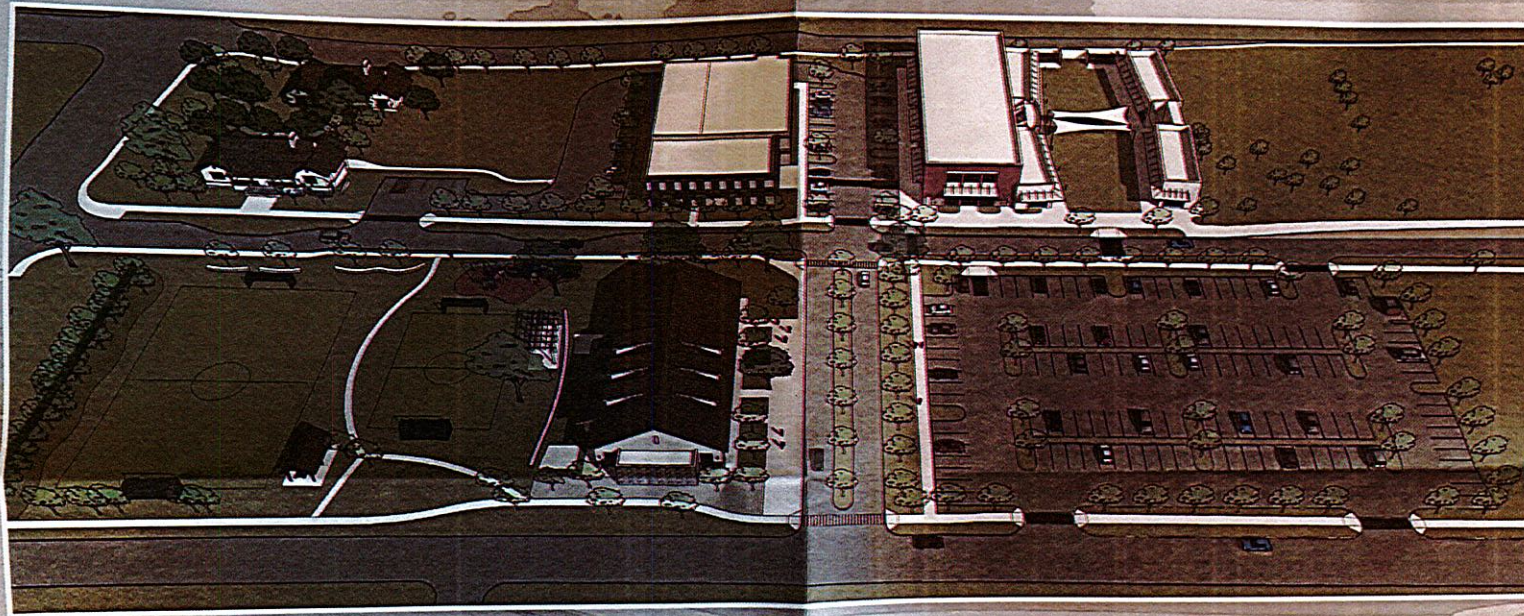


 **CLARKSTON SITE PLAN**
OPTION 1
1" = 20'-0"

Clarkston South of Rowland Proposed Development

Option 1 - Hill Street Remaining

May 13, 2019



the Applicant have such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

THE GALLOWAY LAW GROUP, LLC

A handwritten signature in black ink that reads "Laurel David". The signature is written in a cursive style with a large, looped initial "L".

William Woodson Galloway

Laurel David

3500 Lenox Road NE, Suite 760
Atlanta, Georgia 30326

LETTER OF INTENT
APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF CLARKSTON, GEORGIA

The North American Mission Board of the Southern Baptist Convention, Inc. (the “Applicant”) requests a Conditional Use Permit (CUP) to construct athletic fields and other athletic facilities to support its mission and for church related activities on property it owns at 961 Rowland Street and 3673 Hill Street, Clarkston GA 30021 (Parcel Identification Numbers 18 096 10 002 and 003) (the “Property”). The Property is zoned to the NR-1, low-density neighborhood residential district, which allows places of assembly, including religious institutions, with approval of a CUP.

To the criteria established in the Zoning Ordinance of the City of Clarkston that are considered in the evaluation of applications for CUP’s, the Applicant responds as follows:

A. Whether the conditional use would be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

The Property measures approximately 1.6 acres in area. The establishment of the athletic fields will provide green space for the enjoyment of the environment and properties in the vicinity. It will also provide a recreational area for the international and refugee community in addition to representatives from multiple churches to further the mission of the North American Mission Board’s Send Relief Compassion Ministry and supplement its work with job training and placement, computer literacy, and discovering opportunities for employment.

B. Whether the proposed conditional use would increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties;

The Applicant will retain ownership of the Property and will be responsible for its maintenance.

C. Whether the establishment of the conditional use would impede the normal and orderly development of surrounding property for uses predominant in the area; and

As a place of assembly accessory to a religious institution, the use is an allowed use within the NR-1 zoning with a CUP and will not adversely impact adjoining land uses. The adjacent property is used for a single family dwelling and a State Farm insurance office and will be buffered by landscaping and a new privacy fence. In addition, the fields and building are oriented to place the green space closer to the adjacent property and will be contained within the

boundary of public right-of-way along three sides. Accordingly, the size, scale, and massing of the proposed use is appropriate for the Property. The proposed use will not impede normal and orderly development of surrounding property for uses predominant in the area.

D. Whether the location and character of the proposed conditional use would be consistent with a desirable pattern of development for the locality in general.

The land to the northwest of the Property is used predominantly for religious and civic purposes. Land to the southeast of the Property is used predominantly for detached dwellings. Neighboring property to the south is used for a residential dwelling and a State Farm insurance office. The proposed CUP is to allow a facility that is a place of assembly accessory to a religious institution and an essential part of the church's mission. As both single-family dwellings and places of assembly, including religious institutions, are allowed uses in the NR-1 district with a CUP, it is evident that these uses are compatible with one another.

The Future Land Use Map of the City of Clarkston assigns the Property to the Single Family land use category. However, the Clarkston 2040, the Comprehensive Plan Update proposes a Refugee Resettlement District for Clarkston as one of the most "popular big ideas" from the public engagement process (p. 42, et al.). The 2015 City of Clarkston LCI study proposes that this district center at the intersection of Rowland and Market Streets, which is a busy intersection. The Applicant's proposed use could provide the foundation for this district in an area that would be more pedestrian-friendly and closer to services for the refugees being provided or proposed on the northwest side of Rowland Street. In fact the Proposed Future Land Use Map in Figure 4.2 on page 77 of the 2015 LCI study designates the Property as "Civic/Institutional", the same as the religious facilities on the northern side of Rowland.

The 2040 Comprehensive Plan also recommends "support services for refugees as one of its top seven priorities" (p.51). As stated above, the athletic fields and other athletic facilities will support the mission of the North American Mission Board's Send Relief Compassion Ministry by providing a recreational area for the international and refugee community, for representatives from multiple churches and provide a location for church related activities. As such, the proposed use is consistent with this land use category and consistent with the stated desirable pattern of development for the locality in general. Refusal to grant this CUP would unreasonably limit religious assembly and treat the Applicant on less than equal terms with nonreligious assemblies or institutions.

Because the Applicant's proposal is consistent with the foregoing criteria established by the City of Clarkston for the granting of CUP's, the Applicant respectfully asks that Mayor and City Council approve the CUP as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC

A handwritten signature in black ink, appearing to read "Laurel David". The signature is written in a cursive style with a large, sweeping initial "L".

William Woodson Galloway

Laurel David

Attorneys for the Applicant

3500 Lenox Road NE, Suite 760
Atlanta, GA 30326
(404) 965-3680

CONSTITUTIONAL OBJECTIONS
APPLICATION FOR PLANNED UNIT DEVELOPMENT
CITY OF CLARKSTON, GEORGIA

Georgia Law and the procedures of the City of Clarkston require us to raise Federal and State Constitutional objections during the PUD application approval process. While the Owner/Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Owner/Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Zoning Ordinance of the City of Clarkston, Georgia, as applied to the Property, that would result in a denial of the PUD application as requested by the Owner/Applicant, are, or would be, unconstitutional in that they would destroy the Owner/Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Clarkston or the City of Clarkston Zoning Ordinance to the Property which restricts its use to any use in a manner other than that requested by the Owner/Applicant is unconstitutional, illegal and null and void because such an application constitutes a taking of the Owner/Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner/Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application or approval subject to conditions which differ from those proposed by the Owner/Applicant, would also violate the Religious Land Use and Institutionalized Persons Act by treating the Owner/Applicant, which is a religious institution, on less than equal terms with nonreligious institutions, which constitutes discrimination against the assembly or institution on the basis of religion and imposes unreasonable limitations and a substantial burden on the exercise of religion without a compelling government interest or without using the least restrictive means possible of furthering a compelling governmental interest.

A denial of this Application would also constitute an arbitrary and capricious act by the City Council of the City of Clarkston without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal to grant the PUD application as requested by the Owner/Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner/Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the PUD application subject to conditions that are different from the conditions requested by the Owner/Applicant, to the extent such different conditions would have the effect of further restricting the Owner/Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

In addition, this constitutes formal written notice to the City of Clarkston, pursuant to O.C.G.A. § 36-33-5, that the Owner/Applicant plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Property by the City of Clarkston. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Property, attorneys' fees and expenses of litigation.

Accordingly, the Applicant respectfully requests that the City Council of the City of Clarkston grant the PUD application as requested by the Applicant.

THE GALLOWAY LAW GROUP, LLC



William Woodson Galloway

Laurel David

Attorney for Applicant

3500 Lenox Road NE, Suite 760
Atlanta, Georgia 30326
(404) 965-3680

January 13, 2020

Information Meeting for 961 Rowland Street and 3673 Hill Street

We are notifying all neighboring owners of residentially zoned property of an informational meeting open to the public to discuss a conditional use application for property at 961 Rowland Street and 3673 Hill Street. The meeting will take place from 6:30 P.M. to 7:30 P.M. on Thursday, January 30, 2020, at the Clarkston International Bible Church, 3895 Church Street, Clarkston, GA 30021. The meeting will be held in the CLC/300 Building. If you are unable to attend this meeting but would like more information about the proposal, please feel free to contact the Galloway Law Group at (404) 965-3680.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



THE GALLOWAY LAW GROUP, LLC
 3500 Lenox Road, N.E., Suite 760
 Atlanta, Georgia 30326

Check type of mail or service
 Adult Signature Required Priority Mail E
 Adult Signature Restricted Delivery Registered M
 Certified Mail Return Recei

CITY OF CLARKSTON
 1055 ROWLAND ST
 CLARKSTON GA 30021-1711

USPS Tracking/Article Number
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7.
8.

NORTH AMERICAN MISSION BOARD OF THE
 SOUTHERN BAPTIST CONVENTION INC
 PO BOX 2440
 SPOKANE WA 99210-2440

CLARKSTON INTERNATIONAL BIBLE CHURCH
 PO BOX 2440
 SPOKANE WA 99210-2440

NORTH AMERICAN MISSION BOARD OF THE
 SOUTHERN BAPTIST CONVENTION INC
 PO BOX 2440
 SPOKANE WA 99210-2440

NGOC ANH VO
 933 ROWLAND ST
 CLARKSTON GA 30021

KRISTINE H LOHR
 PO BOX 373
 PINE LAKE GA 30072-373

RENITA I & RUTH P KNIGHT
 951 ROWLAND ST
 CLARKSTON GA 30021-2204

NORTH AMERICAN MISSION BOARD OF THE
 SOUTHERN BAPTIST CONVENTION INC
 PO BOX 2440
 SPOKANE WA 30021-2203

Total Number of Pieces Listed by Sender: 8
 Total Number of Pieces Received at Post Office: 8

Postmaster, Per (Name of receiving employee)
Robert Porter

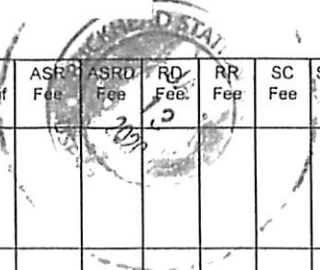


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U.S. POSTAGE PAID
 ATLANTA, GA 30326
 JAN 13, 20
 AMOUNT
\$3.28
 R2304M114331-10

For Accountable Mail

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
		Handling Charge - if Registered and over \$50,000 in value										
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling





countable Mail

THE GALLOWAY LAW GROUP, LLC
3500 Lenox Road, N.E., Suite 760
Atlanta, Georgia 30326

Check type of mail or service
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Adult Signature Restricted Delivery Registered Mail
Certified Mail Return Receipt for Merchandise
Certified Mail Restricted Delivery



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NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION INC
 4200 NORTH POINT PKWY
ALPHARETTA GA 30022

USPS Tracking/Article Number

1. NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION INC
4200 NORTH POINT PKWY
ALPHARETTA GA 30022

2. NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION INC
PO BOX 2440
SPOKANE WA 99210-2440

3. CLARKSTON BAPTIST CHURCH
PO BOX 2440
SPOKANE WA 99210-2440

4. NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION INC
PO BOX 2440
SPOKANE WA 99210-2440

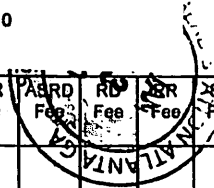
5. MARBEEN U SHAMON
3817 CHURCH ST
CLARKSTON GA 30021-1708

6. TOV EQUITY GROUP
PO BOX 29593
ATLANTA GA 30359

7. DEKALB BOARD OF EDUCATION
1701 MOUNTAIN IND BLVD
STONE MOUNTAIN GA 30083

8.

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
		Handling Charge - if Registered and over \$50.00 in value										
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling



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Postmaster, Pay (Name of receiving employee)

[Handwritten Signature]



THE GALLOWAY LAW GROUP, LLC
 3500 Lenox Road, N.E., Suite 760
 Atlanta, Georgia 30326

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - CLARKSTON DG LLC
 - 274 HEMPSTEAD TPKE
 - WEST HEMPSTEAD NY 11552
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- Priority Mail Express
 - Registered Mail
 - Return Receipt for



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 30326
 JAN 13, 20
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\$3.28
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USPS Tracking/Article Number	Postage	Service	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
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												Special Handling

Total Number of Pieces Listed by Sender: 8
 Total Number of Pieces Received at Post Office: 8
 Postmaster, Per (Name of receiving employee): *Adrian Parks*



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 3500 Lenox Road, N.E., Suite 760
 Atlanta, Georgia 30326

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 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation



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2.	TAYLOR & SYDNEY BETHUNE 991 ROGERS ST CLARKSTON GA 30021												
3.	THANG PENG 997 ROGERS ST CLARKSTON GA 30021												
4.	LANG ENTERPRISES LTD CO 4727 N ROYAL DR STE G TUCKER GA 30084												
5.	TALITHA MOWERY 3678 COLLEGE AVE CLARKSTON GA 30021-2505												
6.	DANIEL W & ELIZABETH E POPE 3679 COLLEGE AVE CLARKSTON GA 30021												
7.	STEPHEN F & ELIZABETH L COLLINS 3682 COLLEGE AVE CLARKSTON GA 30021-2505												
8.													

Total Number of Pieces Listed as Sender: 8 Total Number of Pieces Received at Post Office: 8

Postmaster, Per (Name of receiving employee): [Signature]



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3500 Lenox Road, N.E., Suite 760
Atlanta, Georgia 30326

- Check type of mail or service
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 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
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 - Priority Mail
 - Priority Mail Express
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 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery



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ATLANTA, GA
30326
JAN 13, 20
AMOUNT
\$1.45
R2304M114331-10



USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Priority Charge	Actual value if Registered	Insured Value	Use Sender if COD	Post Fee	Post Fee	Post Fee	Post Fee	Post Fee	Post Fee	Post Fee	Post Fee	Post Fee	Post Fee
1.	NORTH AMERICAN MISSION BOARD OF THE SOUTHERN BAPTIST CONVENTION INC 4200 NORTH POINT PKWY ALPHARETTA GA 30022			Handling Charge - if Registered and over \$50,000 in value													
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Total Number of Pieces Listed by Sender

Total Number of Pieces Received at Post Office

Postmaster Per (Name of receiving employee)
Robert Porter

Complete in Ink

NAAAS

COMMUNITY MEETING SIGN-IN SHEET

Name	Address	E-Mail / Phone
Brian Medford	847 Rowland St	brian.s.medford@gmail.com
Amina	1003 Rogers	7087 AminaASMane@gmail.com 708744
Terry Sanders	1255 Rowland Street	tsanders@cityofclarkston.com

PUBLIC PARTICIPATION REPORT
APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF CLARKSTON, GEORGIA

The North American Mission Board of the Southern Baptist Convention, Inc. (the “Applicant”) held the public participation meeting for the proposed conditional use permit for approximately 1.6 acres of land located at 961 Rowland Street and 3673 Hill Street (the “Property”) on Thursday, January 30, 2020 from 6:30 p.m. to 7:30 p.m. at the Clarkston International Bible Church at 3895 Church Street. A letter was mailed to all property owners as listed in the DeKalb County tax rolls within 300 feet of the outermost boundaries proposed for the conditional use permit. Copies of the invitation letter, mailing list and U.S. Postal Service proof of mailing are attached to this report. The meeting was attended by approximately six people, not including the five people representing the Applicant’s development team. Although the meeting adjourned at 7:30 p.m. a few attendees stayed and spoke individually with members of the development team.

A list of main issues raised and responses follows:

1. Why is the athletic facility placed where it is?

Response: The building is placed there to allow better access to the existing and future planned facilities on the north side of Rowland Street. The building is an accessory use to the church and its mission.

2. What will be provided at the facility?

Response: There will be two soccer fields (1 large and 1 small), a small covered patio with outdoor seating, a small playground and a basketball court inside the building with bathrooms and changing rooms.

3. Will the fields have lights for night-time use?

Response: No. The fields will not be used after sundown.

4. Where will parking be provided?

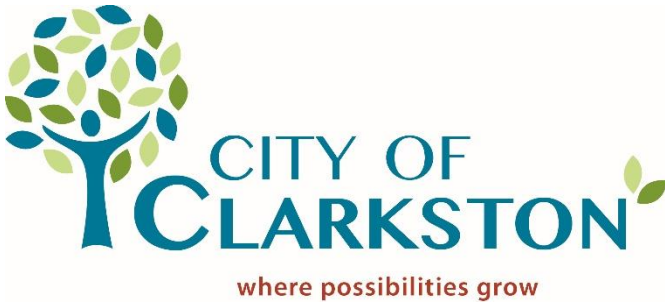
Response: The parking will be shared with the church and its other buildings across the street.

5. Will trees be taken down to build the facility and fields?

Response: Yes, but there will be new trees and landscaping. A fence will be installed along the western boundary to prevent access to the neighboring property.

6. Can someone clear the ivy and underbrush from the trees at the corner of Rowland Street and N Indian Creek Drive? The ivy will kill the trees and the undergrowth is a security risk.

Response: Those trees are in the public right of way. Any disturbance in that area would need to be done by the City.



PLANNING & ZONING BOARD MEETING MINUTES

February 18, 2020 7:00 PM
City Hall
3921 Church Street

AGENDA

A. CALL TO ORDER:

The meeting was called to order at 7:01 PM.

B. ROLL CALL

Planning and Zoning Chairman Birendra Dhakal, Amy Medford, Vice- Chairman Charles McFarland, Felicia Weinert, Planning and Development Director Shawanna Qawiy

C. APPROVAL OF THE DECEMBER 2019 MEETING MINUTES:

Charles McFarland made a motion to approve the meeting minutes. Amy Medford seconded the motion. A vote was called and the motion carried (3/0).

D. OLD BUSINESS

- 1. PUBLIC HEARING:** A request from the North American Mission Board of the Southern Baptist Convention, Incorporated for a conditional use permit for the properties located at 961 Rowland Street and 3673 Hill Street, zoned NR-1, Low Density Neighborhood Residential, Clarkston, GA 30021, for the construction of athletic fields and other athletic facilities to support the church's mission and for church related activities.

Shawanna Qawiy gave an overview of the proposed conditional use request with staff's recommendation of denial. Scott Gurosky a representative for the NAMB of the Southern Baptist Convention provided a PowerPoint presentation and timeline of the request for the conditional use permit.

Birendra Dhakal opened the public hearing.

OPPOSITION:

John Beck in opposition of the conditional use permit presented the Board with aerial photos of the properties.

Susan Hood spoke in opposition of the conditional use permit, commended how professionally thorough the staffs analysis was written and agreed with staff's recommendation.

John Wagner in opposition of the conditional use permit, also objected to the proposed median on Hill Street.

Rupert Fike spoke in opposition of the conditional use permit.

Dean Moore spoke in opposition of the conditional use permit.

Carl Sager spoke in opposition of the conditional use permit.

Emmanuel Ransom spoke in opposition of the conditional use permit
Barbara Helms spoke in opposition of the conditional use permit and the PUD development on Rowland Street and the increased traffic in the area.

SUPPORT:

Amina Osman spoke in support of the conditional use permit.
Sam Abebe as the youth coordinator at the church, spoke in support of the conditional use permit.
Carrie Grace spoke in support of the conditional use permit and spoke about how the children in the City need park space to play.
Emma Cross spoke in support of the conditional use permit request.
Ashley Biehimer, works with children also spoke in support of the conditional use permit request.
Robbie Cantino, a physician in the area spoke about obesity, heart disease and in support of the conditional use permit request.
Sean Lindsey a physician in the area, spoke in support of the conditional use permit request.
Edward Matterson who works at the church spoke in favor of the conditional use permit request.
Leah Carol spoke in favor of the conditional use permit request and how the proposed location of the facilities is a 5-minute walk from her residence.
Josh Eaton spoke in favor of the conditional use permit request.

Birendra Dhakal closed the public hearing.

Felicia Weinert is not in favor of conditional use permits and acknowledged that they should be eliminated in the City's Ordinance She mentioned that the proposed conditional use permit would have a negative impact on the residents that currently live in the neighborhood.

Amy Medford discussed the conditional use permit request and inquired about the use of the after schools programs, the size of the fields and whether they would be available for public use.

George McCallum representing the NAMB of the Southern Baptist Convention mentioned that it is the applicant's hopes to make arrangements with the City for public use of the proposed athletic fields.

The Board had additional discussions.

Charles McFarland made a motion to recommend denial of the conditional use permit request. Felicia Weinert seconded the motion. A vote was called motion carried (2- Yes; Charles McFarland, Felicia Weinert/1- No Amy Medford)

E. NEW BUSINESS

1. **PUBLIC HEARING:** Abdulkadir Mohamed Dine D/B/A Brava Auto Brokers, has submitted a conditional use permit request for the property located at 1352 Brockett Road, Clarkston, Georgia 30021, zoned NC-2 Neighborhood Residential-Community Development for used car sales, repairs and emissions.

Shawanna Qawiy gave an overview of the proposed conditional use request with staff's recommendation of denial. The applicant Abdulkadir Dine provided an overview of the conditional use permit request to operate as a used car dealership.

Birendra Dhakal opened the public hearing.

OPPOSITION:

Dean Moore spoke in opposition of the conditional use permit.

SUPPORT:

Emmanuel Ransom spoke in support of the conditional use permit request.

Ahmed Kayad spoke in support of the conditional use permit request.

Abhed Ali spoke in support of the conditional use permit request.

Tahlid Rasamy spoke in support of the conditional use permit request.

Mohammad Matar spoke in support of the conditional use permit request.

Alhim Abdul spoke in support of the conditional use permit request.

Bob Humphrey spoke in support of the conditional use permit request.

Birendra Dhakal closed the public hearing.

The Planning and Zoning Board discussed the conditional use permit

Amy Medford made a motion to table the conditional use permit request until the next Planning and Zoning meeting. Felicia Weinert seconded the motion. A vote was called motion carried (3/0)

F. OTHER BUSINESS

None

G. ADJOURNMENT

Amy Medford made a motion to adjourn. Felecia Weinert seconded the motion. A vote was called and the motion carried (3, 0)

Meeting adjourned at 9:20 PM

CITY OF CLARKSTON

ITEM NO: E2

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
COUNCIL DISCUSSION

MEETING DATE: FEB 25 2020

SUBJECT: Discuss Charter Review Committee 2nd and Final Report Covering Articles III-Section 3.02 through the end of the Charter, Article V-Miscellaneous

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 9

INFORMATION CONTACT: CW YT BELL,
PHONE NUMBER: 404-296-6489

PURPOSE: Council to review/discuss the Charter Review Committee's second and final report covering Article III-Section 3.02 - City manager, etc. through the end of the charter, Article V – Miscellaneous. As a point of clarification, the first CRC report noted that it ended with Sec. 3.03. However, this report includes a recommended change to Sec. 3.02.

Proposed changes include expanding the city manager's duties to add proposing personnel rules (302 (d)(9)); specifying that municipal court has the authority to enforce the city's nuisance abatement ordinance (3.06 (h)); amending the oath of office to delete "So help me God." (3.11); enhancing fiscal administration through the requirement for a city manager's budget message and procedures for amending appropriations (4.02); and enhancing the audit function by specifying the use of a certified public accounting firm, expanding the review of the audit report and making the report available to the public (4.05).

In addition to these specific text changes the committee offers the following recommendations.

Create an Ethics Review Committee

The charter addresses ethics in a limited manner. (Sec. 3.12 and 3.13) In addition, Clarkston has its own ethics ordinance. (Clarkston Code of Ordinances; Article III. Code of Ethics)

The committee recommends the creation of an Ethics Review Committee comprised of residents appointed by elected officials, to review the current ethics ordinance, research model ordinances and best practices, and recommend changes that will provide for a stronger, comprehensive ethics ordinance for the city.

Define and standardize terms

For the sake of clarity and to make it easier to understand which entity has which powers and responsibilities, standardize throughout the charter the use of the terms "city council" and "council" when referring to "the mayor and six (6) councilmembers," as defined in Sec. 2.02 (a). Use the term "council members" when referring to the six (6) councilmembers." This was a recommendation from the CRC's first report also.

Clarkston Charter Review Committee proposed changes.

ARTICLE III.- ORGANIZATION AND PERSONNEL

Sec. 3.02. - City manager; appointment; qualifications; compensation; removal; vacancy, powers; council interference.

- (a) The city council shall appoint a city manager for an indefinite term and shall fix the city manager's compensation. The city manager shall be appointed solely on the basis of that person's executive and administrative qualifications.
- (b) The city manager is employed and terminable pursuant to the terms of a written employment contract to be entered into between the city and the city manager.
- (c) **This section was changed by Ordinance 429 but has not yet been codified. Below is the amended text.**

The following provisions shall be observed when the city manager is unavailable to perform the duties of the office:

- (1) Acting City Manager. By letter filed with the city clerk, the city manager shall designate, subject to rejection by majority vote of the city council, a qualified city employee to exercise the powers and perform the duties of city manager during the city manager's temporary absence or physical or mental disability. During such absence or disability, the city council may revoke any such designation at any time and may at any time appoint any qualified employee of the city to serve as acting city manager.
 - (2) Interim City Manager. Whenever the city manager position is vacant, or it is anticipated that the permanent city manager will be unavailable or unable to perform the duties of city manager for more than 10 days, the city council shall appoint and enter into a contract for an indefinite duration with a qualified individual to serve as an interim city manager until the City Council appoints a city manager on a permanent basis or the existing permanent city manager is able to return to performing the duties of city manager. The Mayor and Councilmembers are prohibited from serving as city manager on a permanent, acting or interim basis.
- (d) The city manager shall be the chief executive and administrative officer of the city. The city manager shall be responsible to the city council for the administration of all city affairs placed in the city manager's charge by or under this charter. As the chief executive and administrative officer, the city manager shall:
 - (1) Appoint and, when the city manager deems it necessary for the good of the city, suspend or remove all city employees and administrative officers the city manager appoints, except as otherwise provided by law or personnel ordinances adopted pursuant to this charter. The city manager may authorize any administrative officer who is subject to the city manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency;
 - (2) Direct and supervise the administration of all departments, officers, and agencies of the city, except as otherwise provided by this charter or by law;
 - (3) Attend all city council meetings, except for closed meetings held for the purposes of deliberating on the appointment, discipline, or removal of the city manager, and have the right to take part in discussion, but the city manager may not vote;
 - (4) See that all laws, provisions of this charter, and acts of the city council, subject to enforcement by the city manager or by officers subject to the city manager's direction and supervision, are faithfully executed;

- (5) Prepare and submit the annual operating budget and capital budget to the city council. The mayor and council members may submit recommendations prior to the city manager's submission of these budgets.
 - (6) Submit to the city council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year;
 - (7) Make such other reports as the city council may require concerning the operations of city departments, offices, and agencies subject to the city manager's direction and supervision;
 - (8) Keep the city council fully advised as to the financial condition and future needs of the city, and make such recommendations to the city council concerning the affairs of the city as the city manager deems desirable; and
 - (9) Propose personnel rules, and the city council may by ordinance adopt them with or without amendment.**
 - (10)** Perform other such duties as are specified in this chapter or as may be required by the city council.
- (e) Except for the purpose of official investigations, the mayor and members of the city council shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the mayor, the city council nor its members shall give orders to any such officer or employee, either publicly or privately.

Recommendation: This addition formalizes the city manager's role related to personnel rules and provides for city council oversight through approval, amendment and adoption of those rules.

Re-number prior item 9 to item 10.

Note: The amendment related to acting and interim city manager that the city council enacted has not yet been codified by Municode. However, that next text is shown above as Sec. 302 (c). Ordinance No. 429, which authorized this amendment, cites Sec. 302 (b) rather than Sec. 302 (c).

Sec. 3.03. - City attorney.

The mayor and council shall appoint a city attorney, together with such assistant city attorneys as may be authorized by ordinance. The city attorney shall be responsible for representing and defending the city in all litigation in which the city is a part; may be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; shall advise the council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; shall approve as to form and legality all contracts, deeds, ordinances and resolutions having the force of law.

Sec. 3.04. - Municipal Court—Appointment of judge.

The City of Clarkston Municipal Court shall be presided over by a qualified judge appointed by the city council on an annual basis. Such judge shall receive such compensation as shall be fixed by the city council and may be removed by the city council pursuant to standards and procedures established by general law.

Sec. 3.05. - Convening of municipal court.

The municipal court shall be convened at such times as may be designated by ordinance or at such times as deemed necessary by the municipal court judge to dispose of the business of the court or both. The court shall sit at Clarkston City Hall or at such other place within the City of Clarkston as may be designated by the city council from time to time by resolution.

Sec. 3.06. - Municipal court jurisdiction and powers.

- (a) The municipal court shall try and punish violators for crimes defined by state law where jurisdiction over the prosecution of such crimes is conveyed to the municipal court by general law and shall try

and punish violators for violation of city ordinances. Where state law or the applicable city ordinance does not fix the punishment for an offense, the municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of one thousand dollars (\$1,000.00) or imprisonment for six (6) months, or both.

- (b) The municipal court shall have authority to punish those in its presence, or so near thereto as to affect its operation, for contempt.
- (c) The municipal court shall have authority to establish a schedule of fees to defray the cost of operation and shall be entitled to reimbursement of the cost of meals, transportation and caretaking of prisoners bound over to state or superior courts for violation of state law.
- (d) The municipal court shall have authority to establish bail and recognizance to insure the presence of those charged with violations and may prescribe the conditions for forfeiture of the same.
- (e) The municipal court shall have authority to administer oaths and perform all other acts necessary or proper to the conduct of said court.
- (f) The municipal court shall have the authority to bind prisoners over to the appropriate court when it appears that a state law has been violated.
- (g) The municipal court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summons, subpoena and warrants which may be served as executed by any officer so authorized by this charter or by state law.
- (h) The municipal court shall have the authority to enforce Clarkston's nuisance abatement ordinance.**

Recommendation: Add reference to Clarkston's nuisance abatement ordinance which gives jurisdiction in this matter to municipal court.

Sec. 3.07. - Municipal court records.

The city manager shall appoint a municipal court clerk who shall serve at the pleasure of the city manager. The municipal court clerk shall be responsible for keeping such records of proceedings of the municipal court as shall be necessary to a full understanding of the charge, evidence and disposition of each case that comes before the municipal court.

Sec. 3.08. - Certiorari to the municipal court.

Certiorari from the Superior Court of DeKalb County to the Municipal Court of Clarkston shall lie pursuant to O.C.G.A. § 5-4-1 et seq.

Sec. 3.09. - Reserved.

Sec. 3.10. - Other officers and employees.

The city manager may establish such offices and positions of employment within the city as may be necessary and appropriate for the effective and efficient administration of the city's affairs.

Sec. 3.11. - Oath of office.

Before a person takes any office in the city government, he **or she** shall take before an officer of this state, authorized to administer oaths, the following oath or affirmation:

"I solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Georgia; that I will in all respects, observe the provisions of the charter and ordinances of the City of Clarkston, and that I will faithfully discharge the duties of the office of _____." ~~So help me God.~~

Recommendation: Correct gender reference; remove "So help me God."

Sec. 3.12. - Political activity prohibited; unpaid leave of absence.

No officer or employee of the city, other than the mayor and council members, shall continue in the employment of the city after becoming a candidate for nomination or election to any city or other public

office, unless such officer or employee shall first obtain, by resolution of the city council, a grant of unpaid leave status for the duration of such candidacy.

Sec. 3.13. - Personal financial interest.

Any city officer or employee who has a substantial financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the city or in the sale of any land, material, supplies or services to the city or to a contractor supplying the city shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as a city officer or employee in the making of such sale or in the making or performance of such contract. Any city officer or employee who willfully conceals such a substantial financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his office or position. Violation of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the city shall render the contract or sale voidable by the mayor or the city council.

Sec. 3.14. - City planning and renewal.

The council may by ordinance establish a planning department, appoint a director, planning board, and board of adjustments to advise, formulate and effect a comprehensive plan and modifications thereof for the physical development of the city, and by ordinance adopt land use and development regulations, including but not limited to an official map, zoning and subdivision regulations, and provide for redevelopment, rehabilitation, conservation and renewal programs for: (1) the alleviation or prevention of slums, obsolescence, blight or other conditions of deterioration, and (2) the achievement of the most appropriate use of land as now or hereafter may be provided by the general laws of Georgia.

ARTICLE IV. - FISCAL ADMINISTRATION

Sec. 4.01. - Fiscal year.

The fiscal year of the city government shall begin on the first day of January and shall end on the thirty-first day of December of each year, but a different fiscal year may be fixed by ordinance for the entire city government or for any utility.

Sec. 4.02. - City manager to submit annual budget, including a budget message; procedures for appropriation amendments.

(1) On or before a date fixed by the city council, but not later than forty-five (45) days prior to the beginning of each fiscal year, the city manager shall submit to the city council a proposed budget for the next fiscal year, showing separately for the general fund, each utility, and each other fund the following: (i) revenues and expenditures during the preceding fiscal year, (ii) appropriations and estimated revenues and expenditures for the current fiscal year, (iii) estimated revenues and recommended expenditures for the next fiscal year, (iv) a comparative statement of the assets, liabilities, reserves, and surplus at the end of the preceding year and estimated assets, liabilities, reserves, and surplus at the end of the current fiscal year, and (v) such other information and data as may be considered necessary by the city manager or requested by the city council.

(2) Budget Message

The City Manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the city for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in fiscal policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position and include such other material as the City Manager deems desirable.

(3) Amendments After Adoption

(a) Supplemental Appropriations. If during the fiscal year the City Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the city council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(b) **Emergency Appropriations.** To meet a public emergency affecting life, health, property or the public peace, the city council may make emergency appropriations. Such appropriations may be made by emergency ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations, the city council may by such emergency ordinance authorize the issuance of emergency notes which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

(c) **Reduction of Appropriations.** If at any time during the fiscal year it appears probable to the city manager that the revenues available will be insufficient to meet the amount appropriated, the city manager shall report to city council without delay, indicating the estimated amount of the deficit, any remedial action taken by the city manager and recommendations as to any other steps to be taken. The city council shall then take such further action as it deems necessary to prevent or minimize any deficit, and for that purpose it may by ordinance reduce one or more appropriations.

(d) **Transfer of Appropriations.** At any time during the fiscal year the city manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the city manager the city council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

(e) **Limitations; Effective Date.** No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated, or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations, and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Recommendation: Strengthen fiscal administration by including the city manager's budget message and by establishing procedures for amending appropriations.

Sec. 4.03. - Action by council on budget.

Before the beginning of the ensuing fiscal year the council shall adopt an appropriate ordinance, based on the city manager's budget, with such modifications as the council considers necessary or desirable. Appropriations need not be in more detail than a lump sum for each department and agency. The council shall not make any appropriations in excess of estimated revenue, except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the city; providing the council unanimously agrees that there is such an emergency. If conditions prevent the adoption of an appropriation ordinance, before the beginning of the new fiscal year, the appropriations for the last fiscal year shall become the appropriations for the new fiscal year, subject to amendment as provided by an ordinance specifically passed for such purpose.

Sec. 4.04. - Sale of city property.

The city council may authorize the sale of any city property which is deemed obsolete, surplus or unusable. Such sale shall be accomplished pursuant to the procedures set forth in general law for the sale of municipal property.

Sec. 4.05. - Annual audit.

The mayor and council ~~members~~ **may shall** employ a ~~public accountant or a certified public accountant~~ **accounting firm** to make an annual audit of all financial books and records of the city. ~~The accountant shall file his report with the mayor, at a time agreed to between him and the mayor, and shall prepare a summary of the report which shall be furnished or made available to the mayor and every councilman.~~ **The accounting firm shall file and present its report to the mayor, council members and city manager at a time established by the mayor and council members. The audit shall be made available to the public.**

Recommendation: Enhance the audit function by specifying the use of a certified public accounting firm. Expand the review of the audit findings and require that the audit be available to the public.

Sec. 4.06. - Property taxes.

All property subject to taxation for state or county purposes shall be subject to a property tax levied by the city. All such taxable property shall be appraised and assessed in accordance with general law and property owners shall have a right to appeal tax assessments as provided for by general law.

Sec. 4.07. - Tax levy.

The city council shall make a tax levy by establishing an annual millage rate as provided for by general law.

Sec. 4.08. - Tax due date and tax bills.

The due date of property taxes shall be fixed by ordinance. The city, or its designee, shall send tax bills to taxpayers, showing the assessed valuations, amount of taxes due, tax due dates, and information as to delinquency dates and penalties. Failure to send tax bills shall not, however, invalidate any tax. Property taxes shall become delinquent forty-five (45) days after a due date; at which time a penalty not to exceed ten (10) percent in addition to a fi. fa. charge shall be added and thereafter such taxes shall be subject to interest at the rate of twelve (12) percent per annum, from the due date until paid. On and after the date when such taxes become delinquent, the tax records of the city shall have the force and effect of a judgment of a court of record.

The city clerk is directed to post notice of this change in the legal organ of DeKalb County, Georgia once a week for three (3) weeks prior to the April meeting of the city council. This ordinance amending the Charter of the City of Clarkston shall become effective upon passage at two (2) regular consecutive meetings of the city council and upon providing notice of this change to the Clerk of the Superior Court of DeKalb County, Georgia and to the Secretary of State of the State of Georgia as provided by law. All delinquent taxes incurred prior to passage of this amendment shall be governed by prior law. This amendment shall apply prospectively only.

Sec. 4.09. - Collection of delinquent taxes.

The council may provide by ordinance for the collection of delinquent taxes by distress warrants issued by the mayor for the sale of goods and chattels, which are to be executed by any police officer of the city under the same procedure provided by the laws governing execution of such process from a justice of the peace, or by the city attorney acting in accordance with general laws providing for the collection of delinquent city or county taxes, or by any two (2) or more of the foregoing methods, and by the use of any other available legal processes and remedies. A lien shall exist against all property on which city property taxes are levied, as of the assessment day of the first day of January of each year, which shall be superior to all other liens except that it shall have equal dignity with those for Federal, State or County taxes.

Sec. 4.10. - Transfer of executions [for assessments].

The marshal or collecting officer of the City of Clarkston shall be authorized to transfer and assign any fi. fa. or execution issued for street, sewer or any other assessment in the same manner, upon the same terms, and to the same effect, and thereby vest the purchaser or transferer with the same rights as in cases of sales or transfers of tax fi. fas. as now provided by law; and all sales of property hereafter made under execution in behalf of the city for the collection of street, sewer and other assessments, the owner or owners, as the case may be, are authorized to redeem same within the same time and on compliance with the same terms and payment of the same premium, interest and costs, as in cases of redemption of property where sold under tax fi. fa., as the same now exists, or as may from time to time be provided by law.

Sec. 4.11. - Special assessments.

The city may assess all or part of the cost of constructing, reconstructing, widening, or improving any public way, sewers, or other utility mains and appurtenances, against the abutting property owners, under such terms and conditions as may be prescribed by ordinance. Such special assessments shall become delinquent thirty (30) days after their due dates, shall thereupon be subject, in addition to fi. fa. charges, to a penalty of ten (10) percent and shall thereafter be subject to interest at the rate of seven (7) percent per annum from due date until paid. A lien shall exist the abutting property superior to all other liens, except that it shall be of equal dignity with liens for county and city property taxes, and said lien shall be enforceable by the same procedures and under the same remedies as provided in this article for city property taxes.

ARTICLE V. – MISCELLANEOUS

Sec. 5.01—5.03. - Reserved.

Sec. 5.04. - Severability.

If any article, section, subsection, paragraph, sentence, or part thereof, of this Act shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of this Act, unless it clearly appears that such other parts are wholly and necessarily dependent upon the part or parts held to be invalid or unconstitutional, it being the legislative intent in enacting this Act that each article, section, subsection, paragraph, sentence, or part thereof, be enacted separately and independently of each other.

Sec. 5.05. - Specific repealer.

An Act creating a new charter for the City of Clarkston in the County of DeKalb, approved August 12, 1914 (Ga. L. 1914, p. 578—615) is hereby repealed in its entirety, and all amendatory Acts thereto are likewise repealed in their entirety.

Sec. 5.06. - Effective date.

This Act shall be effective on and after the first day of May, 1967.

Sec. 5.07. - Repealer.

All laws and parts of laws in conflict with this Act are hereby repealed.

June 25, 2019

Clarkston City Council
Clarkston, GA

Dear Council Members:

Attached is the second and final report from the Charter Review Committee, covering Article III-Section 3.02 - City manager, etc. through the end of the charter, Article V – Miscellaneous. As a point of clarification, the first CRC report noted that it ended with Sec. 3.03. However, this report includes a recommended change to Sec. 3.02.

Proposed changes include expanding the city manager’s duties to add proposing personnel rules (302 (d)(9)); specifying that municipal court has the authority to enforce the city’s nuisance abatement ordinance (3.06 (h)); amending the oath of office to delete “So help me God.” (3.11); enhancing fiscal administration through the requirement for a city manager’s budget message and procedures for amending appropriations (4.02); and enhancing the audit function by specifying the use of a certified public accounting firm, expanding the review of the audit report and making the report available to the public (4.05).

In addition to these specific text changes the committee offers the following recommendations.

Create an Ethics Review Committee

The charter addresses ethics in a limited manner. (Sec. 3.12 and 3.13) In addition, Clarkston has its own ethics ordinance. (Clarkston Code of Ordinances; Article III. Code of Ethics)

The committee recommends the creation of an Ethics Review Committee comprised of residents appointed by elected officials, to review the current ethics ordinance, research model ordinances and best practices, and recommend changes that will provide for a stronger, comprehensive ethics ordinance for the city.

Define and standardize terms

For the sake of clarity and to make it easier to understand which entity has which powers and responsibilities, standardize throughout the charter the use of the terms “city council” and “council” when referring to “the mayor and six (6) councilmembers,” as defined in Sec. 2.02 (a). Use the term “council members” when referring to the six (6) councilmembers.” This was a recommendation from the CRC’s first report also.

Members of the CRC would like to acknowledge the valuable assistance provided by city staff including Tracy Ashby, City Clerk and Robin Gomez, City Manager, as well as Stephen Quinn, City Attorney. We greatly appreciate your support and guidance.

Please let us know if you have questions about this report and if you would like a presentation of these recommendations.

Sincerely,

Susan Hood, Chair
Brian Medford, Co-chair
YT Bell, City Council Member
Warren Hadlock

Dean Moore
Emanuel Ransom
Traci Turgeon
Mario Williams, City Council Member

CITY OF CLARKSTON
CLARKSTON CITY COUNCIL MEETING
BUSINESS AGENDA / MINUTES
MEETING DATE: FEB 25, 2020

ITEM NO: E3

HEARING TYPE:
Work Session

ACTION TYPE:
PRESENTATION

SUBJECT: Clarkston Residents Speak Program - Presentations

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: ROBIN I. GOMEZ
PHONE NUMBER: 404-296-6489

PURPOSE:

At the October 29, 2019, Council Worksession the Council heard a presentation about a proposed pilot program for 2020 called Clarkston Residents Speak. We will be hearing from 4 Clarkston residents speaking in Arabic to inaugurate the Clarkston Resident Speaks program. The 4 speakers are: Heba Salem, Shaymaa Al Araji, Khadjija Al Jumaah, and Muna Al Naddaf.

The City of Clarkston welcomes community participation in City Council meetings. However, few residents who speak a language other than English attend. These Clarkston residents have limited opportunities to share their experiences, needs, and ideas with City Council members. There are a number of different strategies to truly engage residents in city matters. Refugee Women's Network and CDF Action are proposing one idea: to engage residents in a six-month pilot, "Residents Speak."

At each of six monthly City of Clarkston Council Work Sessions, the first 15 minutes would be dedicated to "Residents Speak," a time when up to four residents, each speaking three minutes, share an experience, a need, and/or an idea about a city issue, such as housing, parks, youth or child care issues, pedestrian safety, city events, or other items relating to living in the City of Clarkston.

The residents will be invited to speak in their own language with an interpreter or in English. A different language will be selected for each of the six meetings. Council members will be invited to ask the residents' questions following their presentations. After the presentations, the residents will be invited to attend the meeting, to hear the discussions, with an interpreter sitting next to them (or use head-sets for simultaneous translation). Child care/children's activities will be held in the foyer for the children of those residents who speak.

Refugee Women's Network and CDF Action will coordinate the pilot, partnering with other ethnic organizations to: (1) recruit, train, and assist residents with transportation; (2) secure an interpreter for each of the work sessions; (3) summarize the presentations after each meeting and share with Council; (4) notify each of the 24 resident participants of future City of Clarkston meetings and events and encourage attendance/participation; (5) evaluate the pilot, with the City and residents.

Proposed Budget: \$4,880, incorporated into 2020 City Budget

- Coordination (recruitment, orientation, logistics day of meeting, evaluation, and reporting) - \$2,000 (\$1,000 each CDF Action and Refugee Women's Network). RWN will serve as the fiscal agent for this pilot.
- Outreach and Interpretation for six meetings: \$250 x 6 meetings - \$1,500.
- Child care for six meetings (materials, light refreshments, child care workers): \$780
- Incentives for residents who participate, presented to residents upon receipt of their written evaluation of the experience: \$25 gift card x 24 participants - \$600

For more information: CDF Action, Roberta Malavenda, roberta@cdfaction.org; Refugee Women's Network, Sushma Barakoti, director@riwn.org

NEED/IMPACT: To encourage additional City of Clarkston resident attendance and participation at City Council Meetings.

CITY OF CLARKSTON

ITEM NO: E4

CLARKSTON CITY MEETING

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Resolution

HEARING TYPE:
Work Session

MEETING DATE: February 25, 2020

SUBJECT: Discussion Concerning Appointments to Standing Advisory Committees

DEPARTMENT: City Council

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 1

CONTACT INFORMATION: YT Bell & Jamie Carroll
PHONE NUMBER: 404-296-6489

PURPOSE:

To discuss approving a Resolution Concerning Appointments to the 2020 Standing Advisory Committees

NEED/ IMPACT:

The Clarkston City Council adopted Standing Advisory Committees in February 2018 to provide a mechanism to study and formulate policy recommendations that will benefit the community and to engage members of the public in the process of formulating and studying policy recommendations.

The Clarkston City Council needs to make member appointment in 2020 for the Standing Advisory Committees. The current membership appointments are reflected below:

Public Safety and Legal Committee

Chair: Vacant

Vacant

Jamie Carroll

Housing and Infrastructure Committee

Chair: Jamie Carroll

Vacant

Vacant

Community Development Committee

Chair: YT Bell

Mayor Ted Terry

Budget and Finance Committee

Chair: Ahmed Hassan

Mayor Ted Terry

Transportation and Environment Committee

Chair: Awet Eyasu

Vacant

Mayor Ted Terry

Marketing and Civic Innovation Committee

Chair: Vacant

YT Bell

RECOMMENDATIONS: No Staff recommendation.

**RESOLUTION
CONCERNING APPOINTMENTS TO STANDING ADVISORY COMMITTEES**

WHEREAS, the Clarkston City Council is desirous of creating a mechanism to study and formulate policy recommendations that will benefit the community; and

WHEREAS, the Clarkston City Council is desirous of engaging members of the public in the process of formulating and studying policy recommendations that will benefit the community; and

WHEREAS, the Clarkston City Council has approved a Resolution creating Standing Advisory Committees.

NOW THEREFORE, BE IT RESOLVED by the Clarkston City Council, that the following City Council members are hereby appointed as follows:

Public Safety and Legal Committee

Chair: Mario Williams
Andrea Cervone
Jamie Carroll

Housing and Infrastructure Committee

Chair: Jamie Carroll
Mario Williams
Andrea Cervone

Community Development Committee

Chair: YT Bell
Mayor Ted Terry

Budget and Finance Committee

Chair: Ahmed Hassan
Awet Eyasu
Mayor Ted Terry

Transportation and Environment Committee

Chair: Awet Eyasu
Mario Williams
Mayor Ted Terry

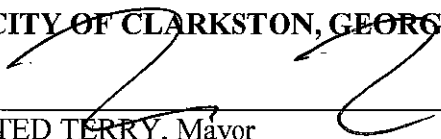
Marketing and Civic Innovation Committee

Chair: Andrea Cervone
YT Bell

SO RESOLVED, this 9 day of August, 2018.

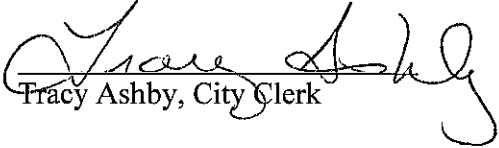
CITY COUNCIL

CITY OF CLARKSTON, GEORGIA



TED TERRY, Mayor

ATTEST:



Tracy Ashby, City Clerk

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

MEETING DATE: FEB 25, 2020

ITEM NO: E5

ACTION TYPE:
CDA APPOINTMENT

HEARING TYPE:
Work Session

SUBJECT: CLARKSTON DEVELOPMENT AUTHORITY (CDA) APPOINTMENT

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 4

INFORMATION CONTACT: Y T BELL,
PHONE NUMBER: 404-296-6489

PURPOSE: To continue appointing remaining members of the Clarkston Development Authority (CDA). The seven (7) member board will begin the process to develop strategies for the revitalization and redevelopment of the central business district by financing projects under Clarkston-specific Redevelopment Authorities Law that will develop and promote current and new trade, commerce, industry, and employment opportunities to further enhance the public good and the general welfare of the City of Clarkston. On February 13, 2017, the Clarkston City Council adopted a Resolution requesting the Georgia Legislature to create the Clarkston DA, specifically to define its purpose and powers, to determine the process and criteria by which members are appointed, to determine the process by which officers (President, Vice President, Secretary, Treasurer) are elected for other purposes to foster and encourage redevelopment and development throughout the City including the central business district. On March 22, 2017, the Georgia Legislature adopted a special act (Act No. 134, House Bill 563), creating the CDA that was formally approved and signed into law by the Georgia Governor on May 3, 2017.

Specifically the Act allows for the Clarkston DA to exercise various powers to further downtown redevelopment and development, including: make/execute contracts, agreements or other for construction, leases of projects, contracts for sale of projects, agreements for loans to finance projects; acquire by purchase, lease, or other real and personal property; finance via loan, grant, lease, or other, demolish, erect, assemble, rehabilitate, improve, etc., borrow money; issue revenue bonds; obtain other governmental grants, loans, or other arrangements; contract with other governments to use facilities or services for a period of up to 50 years; extend credit or make loans for project costs; receive and use tax proceeds for project costs; appoint, select, employ various professionals including engineers, architects, urban/city planners, etc.

Both the City Resolution and the GA Legislative Act detail the number of board members, seven (7), their composition, how they are to be appointed, the terms of service, and that an Organizing Resolution setting by-laws and terms of office for members would need Council adoption. The CDA shall be comprised of seven (7) members as follows:

- a. Two (2) members shall either be a taxpayer residing in the City or a taxpayer residing in DeKalb County who owns or operates a business located within the City's downtown development area
- b. Two (2) members shall be taxpayers residing in DeKalb County who possess specific knowledge or professional expertise in the field of banking, finance, real estate development, community development or another area of expertise related to economic development.
- c. Three (3) members shall be members of the governing authority of Clarkston (City Council).

The Mayor will appoint 2 members and the City Council will appoint the other 2 members. Terms will be for four (4) years.

At the December 3, 2019, Clarkston City Council Meeting, Clarkston residents Doug Guess and Emanuel Ransom

along with Council members Y T Bell and Awet Eyasu were appointed to the CDA.

Three additional application have been received by the City for the Council to consider appointing:

Kevin Kifler

Joseph Evans

Kelly James

Kevin Kipfer

krkipfer@gmail.com • cell: (678) 759-9664 • home address: 3734 Carroll Park Drive, Clarkston, GA 30021

SUMMARY

Experienced and successful professional in leading transformational change in a variety of corporate, nonprofit and community environments. Trusted advisor to executive leaders, impact investors and venture philanthropists to utilize transformational investments in achieving significant growth and change.

CAREER HIGHLIGHTS

- Led a global initiative to grow Habitat for Humanity's team of influential champions and leadership givers to raise significant funding to execute the new strategic plan, including the launch of the Shelter Venture Fund for innovative and scalable shelter solutions. Global team raised over \$50M in first two years of initiative.
- Global lead to equip a team of change agents in empowering leadership during a transformational change required for the new strategy rollout across a \$2 billion movement.
- Chaired the board of directors for a community-based nonprofit through a 4X growth phase leading to solid infrastructure, a high-caliber board and leadership team, solid resource development function and a significant increase in community impact.
- Launched operations in a new country for an international organization. Built a 30-person team including quality national leadership, sustainable structure and processes, with governmental, community, corporate and NGO partners in place to empower over 100 vulnerable women and children each week through business development and aftercare counseling.
- Led consulting team in reorganization effort to transform a division of 1,300 employees to increase effectiveness and efficiency.
- Lead engineer in transformation of a production facility using lean principles that resulted in a 40% decrease in cycle time and 10% reduction in labor and material cost.

PROFESSIONAL SKILLS SUMMARY

Executive coaching & facilitation	Change management	Major donor program development
Strategy development & execution	Lean Six Sigma	Venture philanthropy
Budget & operational planning	Board development	Community development
Partnership development	Nonprofit management	Partial list, all skills are not listed

PROFESSIONAL EXPERIENCE

Comcon Inc. – Community-focused consulting President

**Clarkston, GA
2018-Present**

- Launched a consulting firm, serving as a trusted adviser to missional organizations and investors in achieving transformational growth.
- Providing consultation to a portfolio of community-based organizations through board development, strategy development and execution, funding portfolio planning, growth strategies, succession planning and leadership transition.
- Clients have successfully: recruited and transitioned to a new senior leader, achieved 2X revenue growth in first year of a new strategy, and closed a capital campaign totaling two times their annual budget.
- Facilitated multiple workshops for a \$2 billion NGO to clarify and execute their vision for a new transformational change. These workshops including the top 20 executive leaders and global thought leaders.

Habitat for Humanity – Non-Governmental Organization (NGO), International Housing Director, Habitat Development Council

**Atlanta, GA
2011-2018**

- Led a new global major donor initiative that raised \$50M in the first two years of existence, including a \$15M investment to launch a social venture fund investing in innovative and scalable shelter ventures globally.
- Managed relationships with several of Habitat's core donors, including a giver who pledged \$100M.
- Directly partnering with and stewarding members of Habitat's international board of directors and key champions that include multi-million dollar donors, government & community leaders, key advocates for global shelter and other key global influencers
- Building and leading a global team of 10 leadership gift officers and staff in cultivating and securing significant new multi-year pledges. Team members were based in and served strategic global market including: Hong Kong, Singapore, Philippines, India, Indonesia, Great Britain, Brazil, Mexico and Central America.
- Managing a support team to develop annual plans, operational and executive progress reporting, internal and external communications, global knowledge sharing, among several other key projects supporting the overall initiative.

Strategy & Organizational Change Sr. Consultant

- Recruited to Habitat's core team of internal leaders and external consultants to develop the 2020 global strategy for the Habitat movement, including over 1,300 US affiliates and 70 country programs representing over \$2 Billion in annual revenue.
- Global lead for a cross-functional team from Habitat's Headquarters and Areas Offices in the development of best practices and capacity building for strategy and change management.
- Facilitated CEO & senior leadership decision making on strategy execution and transformational change.
- Managed sponsor and change lead training, cross-functional collaboration of major organizational strategic initiatives.

Country Director / Director of Microenterprise & Economic Development

Addis Ababa, Ethiopia

Loving Shepherd International – NGO focusing on vulnerable groups internationally

2009-2011

- Built a multi-cultural team of 30 experienced professionals working with orphans, vulnerable children and exploited women
- Cultivated, solicited, and/or stewarded individual, church and foundation relationships to fund and grow programmatic goals, including several five- and six-figure gifts or grants.
- Led collaboration with community partners, government organizations, partner NGO's, LSI USA leadership and funders on issues and projects related to our common missions
- Scaled NGO operations from startup to a high-performing team with significant community impact – including establishing strategic & project planning and agreements, and creating human resource, financial, and operational systems
- Launched small business startup for empowerment of women through income generation. Partnered with World Vision's VisionFund International for microfinance support.

Project Manager / Senior Business Consultant

Peoria, IL

CGN Global – Business Transformation Consulting

2007-2009

Caterpillar Inc.

- **Global Sourcing Division:** Managed multiple cost reduction projects for the Six Sigma Strategic Sourcing initiative, including supplier engagement and negotiation on a product spend of \$100M. Delivered nearly 2% savings on portfolio.
- **New Product Introductions:** Led a cross-functional team through process for New Product Introductions and Advanced Product Quality Planning, collaborating with multiple suppliers, both domestic and international, on product design and manufacturing processes.

State Farm Insurance Company, Special Investigative Unit Structure Study – Lead Consultant & Project Manager

Project Manager for team of consultants, subject matter expertise and State Farm directors to advise executive leadership on strategic direction for the 1,300 employee division regarding process improvement, organizational structure, executive metrics and balanced scorecard development, and budget/cost analysis

Secondary Educator

Atlanta, GA

Teach For America & Atlanta Public Schools

2004-2007

Liaison between Teach For America and school site to guide engagement; grade team leader and classroom teacher helping students exceed established targets by nearly 10% for achievement on state standardized tests

Process Engineer

Berne, IN

Smith Bros. of Berne, Inc. – Upholstered Furniture Manufacturer

1999-2004

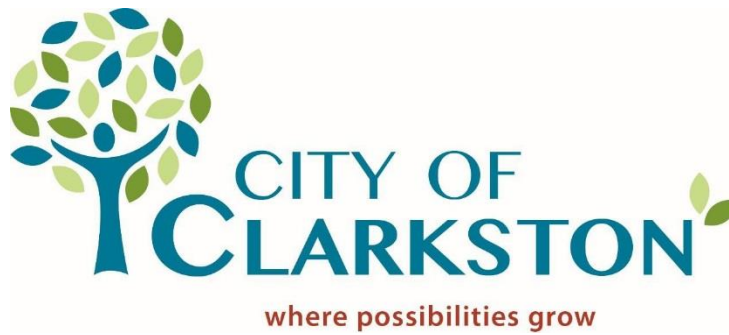
Managed multiple process improvement projects implemented lean principles throughout operations of a \$50M+ company. Increasingly involved in setting strategic and operating goals, while growing as trusted adviser to CEO on sales, costing, productivity and strategy.

EDUCATION

- Bachelor of Science, Industrial Engineering - Honors Program, Purdue University, West Lafayette, IN, 1999
- Master of Business Administration, Indiana Institute of Technology, Fort Wayne, IN, 2003
- Master of Arts in Intercultural Studies, Columbia International University, Columbia, SC, 2017

PART-TIME & VOLUNTEER EXPERIENCE

- Friends of Refugees, Chairman of the Board of Directors and other various roles (2014-current)
- Habitat for Humanity Dekalb Co., Clarkston Focus Neighborhood steering committee, Clarkston, GA (2015-2016)
- Various roles including Entrepreneur Mentor, Start.ME Accelerator Program partnering with Village Capital & Emory's Goizueta Business School, Clarkston, GA (2013-2019)
- Adjunct Faculty – Community Development & Leadership, Evangelical Theological College, Addis Ababa (2010-2011)
- Adjunct Faculty – Business Administration, Midstate College, Peoria, IL (2007-2009)



DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

APPLICATION CRITERIA:

CDA to exercise various powers to further downtown redevelopment and development, including: make/execute contracts, agreements or other for construction, leases of projects, contracts for sale of projects, agreements for loans to finance projects; acquire by purchase, lease, or other real and personal property; finance via loan, grant, lease, or other, demolish, erect, assemble, rehabilitate, improve, etc., projects and to pay the cost of said projects from proceeds of revenue bonds, notes, or other obligation or funds of the DDA; borrow money; issue revenue bonds; obtain other governmental grants, loans, or other arrangements; contract with other governments to use facilities or services for a period of up to 50 years; extend credit or make loans for project costs; receive and use tax proceeds for project costs; appoint, select, employ various professionals including engineers, architects, urban/city planners, etc.

The Authority shall be comprised of seven (7) Members as follows:

- A. Two (2) Members shall either be a taxpayer residing in the City of Clarkston or a taxpayer residing in DeKalb County who owns or operates a business located within the City' downtown development area.
- B. Two (2) members shall be taxpayers residing in DeKalb County who possess specific knowledge or professional expertise in the field of banking, finance, real estate development, community development or another area of expertise related to economic development.
- C. Three (3) members shall be members of the governing authority of Clarkston.

The Mayor will appoint 2 members and the City Council will appoint the other 2 members. Terms will be for Four (4) years.

APPLICATION SUBMISSION:

Mail or e-mail completed application to:

Downtown Development Authority Application
City of Clarkston
1055 Rowland Street
Clarkston, Georgia 30021

Email application to the City Clerk:
tashby@cityofclarkston.com
Phone: 404-296-6489



DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

First Name: Joseph		Last Name: Evans III	
Home Address: 1717 Wilma Drive, Atlanta, GA 30344			Years in Clarkston: N/A
Phone Number: 301-535-9884	Cell <input checked="" type="checkbox"/>	Home <input type="checkbox"/>	E-mail: Joseph@EvanAlexanderGrooming.com
Work (if applicable) Company: Evan Alexander Grooming		Title: Chief Operating Officer	
Work Phone Number: Same		E-mail: Same	
Business Name (If applying as Business Owner in Downtown Area):			Owner:
Business Address			Issued License Number:

List your Background, Experience, and number of years (Planning Professional – 4yr, Architecture – 2 yr, Finance – 2 yr, etc):

I currently serve as the Chief Operating Officer for Evan Alexander Grooming. In the role as COO, I oversee the financial management of the organization, manage the annual budget, ensure that targets are met, risk is mitigated, and policies are in place to assure accountability of all funds, physical assets etc. In my previous role as Vice President of Real Estate Development, I was responsible for the origination of multifamily development opportunities and the establishment and management of strategic relationships throughout Georgia and the southeastern region of the country. Prior to joining KCG, I worked for Columbia Residential, a national real estate development firm. I served as a Real Estate Development Manager overseeing all phases of development for new construction and rehab projects, including: conducting feasibility analysis, obtaining entitlement and local approvals, developing and maintaining proformas, securing all financing, and managing the design and construction phases. I managed the development process from start to finish; from site acquisition to conceptual design, funding to construction, and lease-up to site stabilization. (resume attached)

Please explain why you are, interested in serving on the Downtown Development Authority. Be sure to include any pertinent professional and/or community experience.

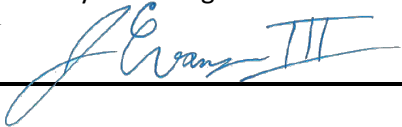
Im interested in serving on the Downtown Development Authority because I want to create positive change in the greater metropolitan area. I have a diverse background in commercial real estate and feel I could add value to the team. I understand the complexities of creating new businesses and buildings while respecting the need for affordable housing inclusion. My previous experience in Real Estate Development has exposed me to a number of government programs geared towards the development of affordable housing units, community centers, retail centers etc.

Are you willing and available to attend training sessions on-site and/or off-site if provided by the City?

Yes No

****Please attach your resume with this application.****

I understand that I am applying for appointment to a Commission office for the City of Clarkston; that the appointing authority may require an interview prior to consideration for appointment; that if appointed, I will be required to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.

Applicant's Signature:  **Date:** 11/21/2019

Joseph E. Evans, III
(301) 535-9884
Joseph.EvansIII@gmail.com

EXPERIENCE

Chief Operating Officer

April 2019 – Present

Evan Alexander Grooming

- Drives excellence and efficiency across all operational functions including product development, accounting, finance, facilities and legal
- Develops and sustains manufacturing strategy for all manufacturing assets to ensure company's objectives are met in areas of safety, quality, profitability, and waste reduction
- Develops and implements capital spending plans that meet the ongoing needs for facilities, equipment, productivity, operations etc.
- Manages and develops strategic relationships with suppliers, manufactures, lenders and government agencies
- Develops and leads the implementation of the organizations long-term strategic plan
- Oversees the financial management of the organization, manages the annual budget, ensuring that targets are met, risk is mitigated, and policies are in place to assure accountability of all funds, physical assets, and other property
- Maintains the accuracy and integrity of financial information, reporting and disclosure requirements
- Protects the legal interests of the organization, upholds and maintains compliance with the law; retains and works with outside counsel to obtain opinions or handle claims and litigation

Vice President of Real Estate Development
KCG Companies

January 2019 – April 2019

- Led, managed and monitored general contractors in the construction and successful completion of multifamily projects
- Led, managed and monitored design teams on ground-up development and construction of multifamily projects
- Worked with cities and municipalities in obtaining design and construction approvals for new development and rehabilitation projects
- Developed and implemented the growth strategy for the Southeastern region of the country
- Lead the efforts of the southeastern development team to identify and acquire land for new build construction and/or the purchase of existing communities
- Established and maintained key external partnerships to facilitate the identification, award, acquisition and new build of multifamily projects
- Ensured quality/consistency regarding various originator activities such as loan applications; HUD pre-pay applications; tax credit applications; and acquisition due diligence review etc.
- Worked cross functionally with legal, design, construction and operations to achieve real estate development/acquisition goals
- Negotiated terms and conditions of letters of intent and purchase agreements; reviewed contracts for accurate representation of agreement, timelines, easements and costs
- Maintained up to date market intelligence on supply and demand, demographics, regulation/entitlements and government programs

**Real Estate Development Manager
Columbia Residential, Atlanta, GA**

January 2016 – January 2019

- Evaluated and recommended new business opportunities—including feasibility analysis and due diligence
- Oversaw property acquisitions process—including managing due diligence, reviewing 3rd party reports and working with attorneys to facilitate Closing
- Negotiated project specific contracts in coordination with the Construction Management Group—including but not limited to: Architect, Engineer, Environmental, General Contractor, Soils Engineer, etc.
- Provided financial analyses related to budgets, forecasting, and cash flow management
- Prepared pro forma statements and projections, which accurately reflected history of properties, as well as current and projected future market conditions
- Created and maintained project budgets and high-level master schedule
- Developed and prepared financial modeling, total development budget, operating assumptions, construction/permanent loan and investor analysis
- Negotiated and obtained project financing including grants, loans, tax credits, rental assistance contracts, and other subsidies
- Managed construction administration activities—including monitoring construction progress and quality, preparing project draws, coordinating investor contributions, administering the development budget and paying all invoices associated with each draw
- Presented development plans to state official's, local municipalities and community organizations to gain governmental and neighborhood support

**Senior Associate
Red Rock Global, LLC, Atlanta, GA**

August 2012 – October 2017

- Provided financial modeling/valuations using net present value (NPV), internal rate of return (IRR), and multiples to analyze lease proposals, letters of intent and offer letters
- Analyzed data to make recommendations to Senior Partners and clients
- Conducted feasibility analysis to determine programming of potential retail, office, flex, multifamily and mixed-use development sites
- Participated in business development presentations to governmental agencies, Board of Directors and non-profit organizations
- Responded to request for proposals (RFP) from municipalities, government agencies and corporations
- Negotiated the selling and leasing of commercial real estate properties
- Prepared financial summaries, memorandums and investment recommendations for clients
- Engaged in local business community and charitable events, as well as industry and professional associations for the purpose of creating new contacts and generating new business

Account Manager
J & M Property Preservation, LLC, Atlanta, GA

June 2010 - August 2012

- Executed monthly budgeting and account management for superiors (i.e., compile and report all staff labor hours and expenses).
- Prepared financial proposals, contracts, and forecasts of financial statements and compiled data for financial statements on a monthly basis.
- Maintained collaborative relationships with asset management companies and financial institutions.
- Presented periodic dashboard reports on current issues and future opportunities for clients.
- Built credibility, established rapport, and maintained communication with upper management—including those external to the organization.
- Participated in business development presentations to asset managers, financial institutions and property managers.

EDUCATION

Clark Atlanta University, Atlanta, GA

Bachelor of Business Administration, w/ an emphasis in International Business and Finance

Leadership DeKalb, Decatur, GA

Class of 2019

Emerging Leaders DeKalb, Decatur, GA

Class of 2018

VOLUNTEER EXPERIENCE & ORGANIZATIONS

Qiangda “Strong” Academy, Board of Directors, 2017 - 2019

Georgia Affordable Housing Coalition, Member 2016 - 2019

Emerge Project – Foster Child Mentor, 2011 – Present

Global Diversity Summit in Commercial Real Estate, Project Manager, 2012 - 2015



DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

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- C. Three (3) members shall be members of the governing authority of Clarkston.

The Mayor will appoint 2 members and the City Council will appoint the other 2 members. Terms will be for Four (4) years.

APPLICATION SUBMISSION:

Mail or e-mail completed application to:

Downtown Development Authority Application
City of Clarkston
1055 Rowland Street
Clarkston, Georgia 30021

Email application to the City Clerk:
tashby@cityofclarkston.com
Phone: 404-296-6489



DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

First Name: Kelly		Last Name: James	
Home Address: 862 Wheatfields Place, Decatur, GA 30030			Years in Clarkston: 14 (work)
Phone Number: 404-694-8677	Cell <input checked="" type="checkbox"/>	Home <input type="checkbox"/>	E-mail: kelly@rjamesproperties.com
Work (if applicable) Company: R. James Properties, Inc.		Title: President	
Work Phone Number: 404-874-3495 x 114		E-mail: kelly@rjamesproperties.com	
Business Name (If applying as Business Owner in Downtown Area): Clarkston Townhomes Apartments			Owner: Peachtree Trace Partners, LLC
Business Address 3519 Hill Street, Clarkston, GA 30021			Issued License Number: 32-0182934

List your Background, Experience, and number of years (Planning Professional – 4yr, Architecture – 2 yr, Finance – 2 yr, etc):

I have worked in the real estate industry for 14 years. I am currently the president and qualifying broker for R. James Properties, Inc., an apartment management firm managing around 30 apartment communities in the Atlanta area, including four apartment communities in Clarkston. I began my career in the apartment industry in 2006 as the resident manager at Clarkston Townhomes. During the renovation and subsequent lease-up of this property, we developed, and have continued to cultivate, relationships with numerous refugee service agencies.

Please explain why you are, interested in serving on the Downtown Development Authority. Be sure to include any pertinent professional and/or community experience.

Since I lived in Clarkston in 2006, it has been gratifying to see Clarkston grow and transform. Working with the refugee community has been rewarding, and I am eager to help Clarkston to continue to move in positive direction.

Are you willing and available to attend training sessions on-site and/or off-site if provided by the City?

Yes No

****Please attach your resume with this application.****

I understand that I am applying for appointment to a Commission office for the City of Clarkston; that the appointing authority may require an interview prior to consideration for appointment; that if appointed, I will be required to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.

Applicant's Signature:  _____ **Date:** February 13, 2020

R. James Properties, Inc.
Kelly James
Resume

Richard “Kelly” James is 37 years old and lives in Decatur, Georgia. After graduating from The University of Georgia in 2004 with a Bachelor of Arts degree in Japanese Language and Literature, Kelly worked in Ogaki, Japan for a year teaching English as a second language to Japanese students.

As he also speaks Spanish, upon returning to Georgia in December 2005, Kelly began working for R. James Properties, Inc. to cover a predominately Spanish-speaking property while the manager underwent surgery. Kelly subsequently became the assistant manager and then the onsite manager of a 91-unit community in Clarkston, Georgia, where he assisted in the supervision of a lease up and \$500,000 renovation. Kelly maintained higher than 94% physical occupancy for two years while he was the resident manager. The property was successfully refinanced in 2008. During the rehabilitation of Clarkston Townhomes, R. James Properties, Inc. developed, and has continued to nurture, relationships with numerous refugee service agencies.

After two years as a resident property manager, Kelly became a regional manager, a position he held from 2009 until 2017. Kelly supervised the management of up to ten apartment communities, in addition to assisting with acquisitions, dispositions, and property rehabilitations. In 2017, Kelly helped to successfully rehabilitate four severely distressed properties, supervising more than \$5,500,000 in rehabilitation expenses. In January of 2018, Kelly became president of R. James Properties, Inc. and currently directs the day-to-day operations of the company. Kelly is a Georgia-licensed real estate broker.

Outside of work, Kelly has remained engaged in his local community. For four years, Kelly mentored local entrepreneurs participating in the Start: ME Program, an intensive 14-week business training program hosted by the Emory University Goizueta Business School for promising local small businesses. In his free time, Kelly enjoys hiking at Stone Mountain, and he is writing a book on the Civil War history of Athens, Georgia.

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

MEETING DATE: FEBRUARY 25, 2020

ITEM NO: E6

ACTION TYPE:
DISCUSSION

HEARING TYPE:
Work Session

SUBJECT: Discuss potential moratorium on dollar general/family dollar, gas stations, storage companies

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 4

INFORMATION CONTACT: CW YT BELL,
PHONE NUMBER: 404-296-6489

PURPOSE: City Council to discuss/review a potential moratorium on dollar general/family dollar, gas stations, and storage companies. Per the enclosed news article, in December 2019 and again in January 2020 DeKalb County government discussed and held public meetings (hearing) on the possibility of enacting and extending a moratorium on allowing "small box discount stores," dollar general-style/type businesses in unincorporated DeKalb County.

Excerpt from one of the articles: "Per the articles, the moratorium would also give officials the chance to draft long-term regulations for the businesses, which were defined as retail stores less than 16,000 square feet that sell convenience shopping goods at a price lower than traditional establishments. Critics say stores like Dollar General, Dollar Tree and Family Dollar contribute to food insecurity in "food deserts" where residents have limited access to grocery stores that sell fresh food. Some officials and residents worry dollar stores could discourage larger grocery stores from opening nearby." AJC, Jan 2020 article.

City of Clarkston current inventory of "small box discount stores," as referenced in the articles, as well as gas stations, and storage companies:

-two (2) Family Dollar and one (1) Dollar General store

-seven (7) Gas stations - Citgo, Exxon, Marathon, Texaco, 2 Chevrons, Shell – all also sell convenience-style-type items including beverages and mostly pre-packaged snack-type foods; another one (would have been the eighth) closed in 2019 (formerly a BP).

-three (3) Storage companies – Cube Smart and 2 Uhauls

Some additional related information of business types and the number:

-two (2) full Grocery Stores – Thriftown & Super Fresh

-approximately, twenty-eight (28) convenience style/type, smaller grocery stores

DeKalb County extends temporary ban on dollar stores

Dollar General (WSB-TV)

Updated: January 29, 2020 - 5:45 AM

DEKALB COUNTY — DeKalb County on Tuesday extended its temporary ban on new dollar stores. The county commission unanimously passed a 180-day extension to its moratorium on “small box discount stores,” after officials and residents expressed concerns that a proliferation of dollar stores could have a negative impact on communities. Dozens of residents attended a three-hour zoning meeting Tuesday night, where officials held a public hearing on the issue.

The county first passed a 45-day moratorium on dollar stores in unincorporated DeKalb in December. The moratorium was set to expire at the end of the month. “I’m not against box stores, but I’m against anything that is a detriment to my community,” Commissioner Lorraine Cochran-Johnson said at the meeting.

Residents who spoke in support of more regulation — or a permanent ban — said they believed dollar stores were negatively and disproportionately affecting black neighborhoods. Commissioners said the extension will give researchers from Georgia State University time to conduct an in-depth study on the impact of dollar stores in DeKalb.

It would also give officials the chance to draft long-term regulations for the businesses, which were defined as retail stores less than 16,000 square feet that sell convenience shopping goods at a price lower than traditional establishments. Critics say stores like Dollar General, Dollar Tree and Family Dollar contribute to food insecurity in “food deserts” where residents have limited access to grocery stores that sell fresh food. Some officials and residents worry dollar stores could discourage larger grocery stores from opening nearby.

Across DeKalb, there are 70 dollar stores selling discount goods, packaged foods and limited cold or frozen groceries. “In south and unincorporated DeKalb, it’s like, one day it’s a vacant lot, the next day it’s a dollar store,” Cochran-Johnson told The Atlanta Journal-Constitution last month.

Stonecrest, one of DeKalb’s largest cities, has about 54,000 residents served by nearly a dozen dollar stores. In November, the city passed a total ban on future small box discount stores.

“You’ve seen your last dollar store in Stonecrest,” Mayor Jason Lary previously told the AJC. The proposal to ban the stores sprouted from concerns from residents that the businesses do not provide enough fresh food options and give off a bad image, he said.

Representatives for the dollar store companies said they help neighborhoods by selling groceries and other goods at discounted prices. A spokeswoman for Dollar General [previously called](#) the ordinances in Stonecrest and other cities “restrictive” and disappointing.

GSU researcher Dean Dabney will lead the study for the county and plans to look into the effect of dollar stores on crime, property values and the local economy, officials said. The county has not yet set an exact amount for how much the study will cost.

The issue of dollar store regulation is quickly becoming a national one. [Cities across the country](#) — including Birmingham, Alabama, Fort Worth, Texas and Oklahoma City — have passed legislation this year that regulates the industry, prohibiting the opening of a new dollar store within a certain distance of an existing one.

Dollar stores have boomed in American communities over the last decade, according to Jerry Shannon, a University of Georgia professor who has researched food deserts and the spread of dollar stores. Since 2011, Dollar General, Dollar Tree and Family Dollar have grown from 20,000 stores to nearly 30,000 in 2018, with thousands of future store openings planned, [according to](#) the Institute for Local Self-Reliance.

Ban the dollar store? Local communities halt new discount shops

ONLY IN THE AJC: DOLLAR STORES

Dec 17, 2019

By

- [J.D. Capelouto](#), The Atlanta Journal-Constitution

At one intersection in suburban DeKalb County, it takes less than five minutes to walk from the Dollar General to a Family Dollar. Walk another few minutes across Covington Highway, and you'll hit a Dollar Tree. That intersection in the Stonecrest area, where three dollar stores exist in a half-mile radius, is a symbol for what some local officials view as a growing problem with the discount stores. "You can stand in Family Dollar and look across the street and see a dollar store," said DeKalb Commissioner Lorraine Cochran-Johnson. "We don't need them on every corner."

Local governments are beginning to take action. Late last month, the city of Stonecrest passed a total ban on future "small box discount stores," outlawing businesses less than 12,000 square feet that sell most of their goods for \$5 or less. Experts and leaders said this is believed to be the first time a metro Atlanta government has taken this step against dollar stores.

Tuesday, DeKalb County passed a 45-day moratorium on new dollar stores in the unincorporated parts of the county. Commissioners want to study the issue before possibly passing long-term regulations next year. The restrictions in metro Atlanta accompany new laws in several cities around the U.S., where leaders are also grappling with the spread of the discount stores, which has accelerated over the last decade.

"You've seen your last dollar store in Stonecrest," Mayor Jason Lary said. The proposal to ban the stores sprouted from concerns from residents that the businesses do not provide enough fresh food options and give off a bad image, he said. Dollar stores sell discount goods, packaged foods and limited cold or frozen groceries. Critics like Cochran-Johnson said the stores contribute to food insecurity in "food deserts" where residents have limited access to grocery stores that sell fresh food. Some officials and residents worry dollar stores could discourage larger grocery stores from opening nearby. But it remains to be seen whether halting the growth of dollar stores is the right solution to attract supermarkets to neighborhoods and invigorate local economies.

Stonecrest, DeKalb County's largest city, has about 54,000 residents served by nearly a dozen dollar stores. As for grocery stores, the city has a Publix, Food Depot and two Walmarts, which sell groceries. Across the entire county, there are 70 dollar stores, according to Cochran-Johnson's office. A report from the county's planning department earlier this year, obtained by The Atlanta Journal-Constitution, found that dollar stores "have a disproportionate impact" on African-American communities. Research from the [Institute for Local Self-Reliance](#) identified a nationwide trend of dollar stores concentrating in lower-income, predominantly black communities. Stonecrest is more than 90% black and is largely middle class, with a median household income of \$46,000.

"It's the image that it portrays for a place. ... We're trying to send a signal that we're a quality town," said Lary, who has pushed for an upscale grocery store like Whole Foods or Sprouts to open in Stonecrest, which became a city in 2017. The issue is quickly becoming a national one. [Cities across the country](#)—including Birmingham, Alabama, Fort Worth, Texas and Oklahoma City — have passed legislation this year that regulates the industry, prohibiting the opening of a new dollar store within a certain distance of an existing one. None of the regulations has been challenged in court.

A spokeswoman for Dollar General called the ordinances in Stonecrest and other cities "restrictive" and disappointing. "I think our customers who may be forced to travel further or spend more money on everyday needs are the ones that are more (directly) affected by this," the spokeswoman, Crystal Ghassemi, said, adding that the company creates jobs and is adding some fresh produce into more of its stores. Dollar Tree, which acquired Family Dollar in 2015, said in a statement to the AJC that it "understand(s) deeply the concerns of many local officials regarding the changing nature of our shared communities," and said the stores help local economies. Officials with Dollar Tree and Family Dollar did not specifically respond to inquiries from the AJC about the concerns local officials have about proliferation and food security.

Dollar stores have boomed in American communities over the last decade, according to Jerry Shannon, a University of Georgia professor who has researched food deserts and the spread of dollar stores. Since 2011, Dollar General, Dollar Tree and Family Dollar have grown from 20,000 stores to nearly

30,000 in 2018, with thousands of future store openings planned, [according to](#) the Institute for Local Self-Reliance. “They’re seen as being really detrimental both in terms of economic development, and the types of goods they can offer the community,” Shannon said, adding that a negative stigma often accompanies them.

But researchers still don’t have all the answers for how, or whether, to combat dollar stores. “This growth has been so recent,” Shannon said, that experts are “still feeling our way through the dark.” The 45-day moratorium in DeKalb will give leaders time to research and draft regulations for dollar stores, Cochran-Johnson said. The commissioner clarified she is not opposed to dollar stores, and often shops at them.

“I am against the proliferation of dollar stores in communities and particularly under-served communities,” she said. “In south and unincorporated DeKalb, it’s like, one day it’s a vacant lot, the next day it’s a dollar store.”

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

MEETING DATE: FEBRUARY 25, 2020

ITEM NO: E7

ACTION TYPE:
DISCUSSION

HEARING TYPE:
Work Session

SUBJECT: Discuss Community Benefits Agreements

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 12

INFORMATION CONTACT: CW Y T BELL,
PHONE NUMBER: 404-296-6489

PURPOSE: City Council to discuss/review community benefits agreements.

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: E8

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Resolution

MEETING DATE: February 25, 2020

SUBJECT: Reschedule the August and November City Council Meetings.

DEPARTMENT: Administration

PUBLIC HEARING: YES NO

ATTACHEMENT: YES NO
Pages:

INFORMATION CONTACT: Robin I. Gomez
PHONE NUMBER: 404-296-6489

PURPOSE: For the Council to consider rescheduling the August 4th Council Meeting to Thursday, August 6th and rescheduling the November 3rd, 2020 Council Meeting to Thursday November 5, 2020.

NEED/ IMPACT:

The August Council Meeting conflicts with the Annual National Night Out event. Re-scheduling this meeting to Thursday, August 6th, will allow full staff, citizen and elected officials participation in the National Night Out Event.

The November Council Meeting currently falls on the same day as Election Day. Holding the Council Meeting on the same day may present scheduling conflicts for Elected Officials and citizens who may wish to participate in both of these civic opportunities. Moving the November Council Meeting will allow Officials, citizens and staff to perform respective responsibilities without conflict or limitation.

RECOMMENDATIONS: Staff recommends that the Council approve rescheduling the August 4th Council Meeting to Thursday, August 6, 2020 and to reschedule the November 3rd Council Meeting to Thursday, November 5, 2020.

CITY OF CLARKSTON

ITEM NO: E9

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
DISCUSSION

MEETING DATE: FEB 25, 2020

SUBJECT: Urban Productive Landscape Installations - Recommend Selection of Low Bidder

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 6

INFORMATION CONTACT: ROBIN I. GOMEZ,
PHONE NUMBER: 404-296-6489

PURPOSE: Staff identified an opportunity to replace typical landscape plantings currently programmed at three (3) active city infrastructure projects with an alternative landscaping design that incorporates urban agriculture plantings. Known in the industry as “Urban Productive Landscaping”, this new approach to landscaping weaves edible and non-edible native plantings at “high pedestrian” locations whereby the public can visualize and be educated on non-traditional landscape plantings. This alternate approach can also result in less maintenance while increasing the cohesiveness of the community through social interaction.

Although maintenance costs can be less than traditional landscape plantings, attention to this function is still required and the work tasks associated with the maintenance can vary depending on the specific design. As such, it is expected that some limited training of the Public Works staff will be included in the Collaborative Infrastructure Services inspection tasks for the project.

Bid Results

Project was advertised for 4 weeks. Legal advertisement was posted on the city web site, glga.org and the DOAS Procurement Registry. On January 27th, 2020, two (2) bids were received for the PRODUCTIVE URBAN LANDSCAPE INSTALLATION PROJECT. The bid results are as follows:

Natural Born Tillers - \$76,236.45

Shades of Green Permaculture Design - \$54,963

Bidders completed the required bid submittal documentation. Bid amounts were verified and accurate. The low bidder, identified as *Shades of Green Permaculture Design, Inc*, was deemed qualified to perform the work. Reference checks were performed and no issues were encountered.

Prior to bid opening, CIS prepared a “Probable Estimate of Construction Cost”. This estimate was \$40,000. The low bid was 27% more than the engineering estimate.

Project Scope

The project entails installing various urban agriculture plantings (edible and non-edible) and wildflowers at three locations; including hardscape amenities at the Brockett Triangle location such as a perimeter fence and trellis’.

The plant types at each location are attached.

Funding Source

This project will be funded through the following funding sources – all of which are currently under construction; City Streetscape Improvements, Friendship Forest Wildlife Sanctuary Improvements, and the East Ponce-Church Street Pedestrian Improvements projects

Each of the three active construction projects have specific areas where traditional roadside landscape plantings, or in the case of Friendship Forest wetland plantings, can be removed and replaced with the Urban Productive Landscape plantings identified in the bid package. Removing the costs for these traditional landscaping plantings resulted in the following project cost reductions:

- ❖ Streetscape Plantings at Refugee Coffee Frontage (Market Street) - \$3,500
- ❖ Friendship Forest - \$5,000
- ❖ East Ponce @ Church Street Pedestrian Improvements - \$10,000

Cost of Removing Traditional Landscape Plantings - \$18,500

Cost differential is \$54,963 - \$18,500 = \$36,463

Attachments: Plant Schedules

NEED/ IMPACT: Improve/enhance the City’s landscape infrastructure related to the three referenced construction projects.

RECOMMENDATIONS: Mayor and Council to discuss and adopt staff recommendation to proceed with low bid.

TABLE 1
PLANT INVENTORY
(Refugee Coffee)

PLANT/TREE NAME	SIZE	QUANTITY
Arbequina Olive (hardy olive) - tree	5 gal	5
Loquat - tree	5 gal	3
Feljoa (pineapple guava) - bush	3 gal	5
Hardy Bananas - bush	3 gal	2
Hardy Kiwi - vine	3 gal	3
Jasmine - vine	3 gal	6
Perennials - mixed herbs/vegetables, pollinators and natives	4-6 inch containers	50
Annuals – mixed vegetables & flowers	4-6 inch containers	50

TABLE 2
WILDFLOWER SEED MIXTURE
(Refugee Coffee)

At a minimum, the seed mixture shall include the following:

- Plains Coreopsis (Calliopsis)
- Red phlox
- Indian blanket
- Black-eyed Susan
- Butterfly Weed
- Purple Coneflower
- Red Standing Cypress
- Blazing Star
- Wild Lupine
- Scarlet Sage
- Spiderwort

TABLE 3

ROCK MEADOW SEED MIXTURE

(Friendship Forest Wildlife Sanctuary)

The native wildflowers and grasses in this mix will provide an attractive display of color from spring to fall. This mixture is designed for mesic to upland sites and full sun to lightly shaded areas. Seed to be purchased from ERNST SEED Company.

Mesic to Dry Native Pollinator Mix Composition

- 27.0% *Schizachyrium scoparium*, 'Camper' (Little Bluestem, 'Camper')
- 20.0% *Elymus virginicus*, PA Ecotype (Virginia Wildrye, PA Ecotype)
- 15.0% *Sorghastrum nutans*, PA Ecotype (Indiangrass, PA Ecotype)
- 5.0% *Panicum clandestinum*, 'Tioga' (Deertongue, 'Tioga')
- 5.0% *Tridens flavus* (Purpletop)
- 4.0% *Chamaecrista fasciculata*, PA Ecotype (Partridge Pea, PA Ecotype)
- 3.0% *Coreopsis lanceolata* (Lanceleaf Coreopsis)
- 3.0% *Echinacea purpurea* (Purple Coneflower)
- 3.0% *Rudbeckia hirta*, Coastal Plain NC Ecotype (Blackeyed Susan, Coastal Plain NC Ecotype)
- 3.0% *Verbena hastata*, PA Ecotype (Blue Vervain, PA Ecotype)
- 2.0% *Heliopsis helianthoides*, PA Ecotype (Oxeye Sunflower, PA Ecotype)
- 2.0% *Penstemon digitalis*, PA Ecotype (Tall White Beardtongue, PA Ecotype)
- 1.0% *Asclepias incarnata*, PA Ecotype (Swamp Milkweed, PA Ecotype)
- 1.0% *Liatris spicata*, PA Ecotype (Marsh Blazing Star, PA Ecotype)
- 0.9% *Aster novae-angliae*, PA Ecotype (New England Aster, PA Ecotype)
- 0.7% *Aster laevis*, NY Ecotype (Smooth Blue Aster, NY Ecotype)
- 0.5% *Geum canadense*, PA Ecotype (White Avens, PA Ecotype)
- 0.5% *Senna hebecarpa*, VA & WV Ecotype (Wild Senna, VA & WV Ecotype)
- 0.5% *Zizia aurea*, PA Ecotype (Golden Alexanders, PA Ecotype)
- 0.4% *Baptisia australis*, Southern WV Ecotype (Blue False Indigo, Southern WV Ecotype)
- 0.4% *Monarda fistulosa*, Fort Indiantown Gap-PA Ecotype (Wild Bergamot, Fort Indiantown Gap-PA Ecotype)
- 0.3% *Eupatorium perfoliatum*, PA Ecotype (Boneset, PA Ecotype)
- 0.3% *Lespedeza capitata*, RI Ecotype (Roundhead Lespedeza, RI Ecotype)
- 0.3% *Pycnanthemum tenuifolium* (Narrowleaf Mountainmint)
- 0.3% *Tradescantia ohiensis*, PA Ecotype (Ohio Spiderwort, PA Ecotype)
- 0.2% *Solidago juncea*, PA Ecotype (Early Goldenrod, PA Ecotype)
- 0.1% *Eupatorium fistulosum*, PA Ecotype (Joe Pye Weed, PA Ecotype)
- 0.1% *Eupatorium rugosum*, PA Ecotype (White Snakeroot, PA Ecotype)
- 0.1% *Solidago nemoralis*, PA Ecotype (Gray Goldenrod, PA Ecotype)
- 0.1% *Solidago rugosa*, PA Ecotype (Wrinkleleaf Goldenrod, PA Ecotype)

TABLE 4
PLANT INVENTORY
(Friendship Forest Wildlife Sanctuary)

PLANT/TREE NAME	SIZE	QUANTITY
Mayhaws - tree	7 gal	4
Serviceberries - tree	7 gal	3
Apricot - tree	7 gal	3
Elderberry - bush	2 gal	12
Blackberry (thornless) - bush	2 gal	10
Hazelnut (fiberts)	2 gal	8

TABLE 5
PLANT INVENTORY
(Brockett Triangle)

PLANT/TREE NAME	SIZE	QUANTITY
Asian Persimmon - tree	5 gal	2
Asian Pear - tree	5 gal	1
Loquat - tree	5 gal	3
Pakistan Mulberry - tree	5 gal	1
Plum - tree	5 gal	2
Arbequina Olive (hardy olive) - tree	5 gal	3
Blueberries - bush	3 gal	8
Raspberries - bush	3 gal	7
Feijoa (Pineapple Guava) - bush	3 gal	5
Muscadines - bush	3 gal	6
Hardy Kiwi - bush	3 gal	2
Summersweet Clethra	3 gal	12
Virginia Sweetspire	3 gal	14
Wood Oats	1 gal	9
White Muhly Grass	1 gal	14
Perennials – mixed herbs/pollinators/natives	4-6 inch containers	200
Annuals – mixed vegetables & flowers	4-6 inch containers	200

TABLE 6
WILDFLOWER SEED MIXTURE
(Brockett Triangle)

This mix of grasses and forbs offers season-long color for diverse quail, songbird and pollinator habitat.

GA Piedmont UPL Meadow Mix Composition

- 41.7% *Schizachyrium scoparium*, 'Blaze' (Little Bluestem, 'Blaze')**
- 24.2% *Panicum anceps*, GA Ecotype (Beaked Panicgrass, GA Ecotype)**
- 15.0% *Elymus virginicus*, PA Ecotype (Virginia Wildrye, PA Ecotype)**
- 3.7% *Rudbeckia hirta*, Coastal Plain NC Ecotype (Blackeyed Susan, Coastal Plain NC Ecotype)**
- 3.0% *Chamaecrista fasciculata*, FL Ecotype (Partridge Pea, FL Ecotype)**
- 2.7% *Coreopsis lanceolata* (Lanceleaf Coreopsis)**
- 1.5% *Liatris spicata*, FL Ecotype (Marsh Blazing Star, FL Ecotype)**
- 1.3% *Rudbeckia fulgida* var. *fulgida*, Northern VA Ecotype (Orange Coneflower, Northern VA Ecotype)**
- 1.0% *Chamaecrista nictitans*, NC Ecotype (Sensitive Pea, NC Ecotype)**
- 1.0% *Eryngium yuccifolium*, SC Ecotype (Rattlesnake Master, SC Ecotype)**
- 1.0% *Helenium flexuosum*, VA Ecotype (Purplehead Sneezeweed, VA Ecotype)**
- 0.7% *Solidago speciosa*, Coastal Plain GA Ecotype (Showy Goldenrod, Coastal Plain GA Ecotype)**
- 0.7% *Vernonia gigantea*, FL Ecotype (Giant Ironweed, FL Ecotype)**
- 0.5% *Baptisia albescens*, SC Ecotype (Spiked Wild Indigo, SC Ecotype)**
- 0.3% *Silphium asteriscus* var. *laevicaule*, GA Ecotype (Starry Rosinweed, GA Ecotype)**
- 0.3% *Tradescantia ohiensis*, AL Ecotype (Ohio Spiderwort, AL Ecotype)**
- 0.3% *Vernonia angustifolia*, SC Ecotype (Tall Ironweed, SC Ecotype)**
- 0.2% *Coreopsis leavenworthii*, FL Ecotype (Leavenworth's Tickseed, FL Ecotype)**
- 0.2% *Coreopsis tripteris*, AL Ecotype (Tall Coreopsis, AL Ecotype)**

CITY OF CLARKSTON

ITEM NO: E10

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
DISCUSSION

MEETING DATE: FEB 25, 2020

SUBJECT: Willow Creek Apartment (Smith St) Culvert Replacement project
Recommend Selection of Low Bidder & Temporary Construction Easement

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 2

INFORMATION CONTACT: ROBIN I. GOMEZ,
PHONE NUMBER: 404-296-6489

PURPOSE: To replace a 36 inch diameter corrugated metal pipe, located approximately on the property line between 982 Smith Street (Willow Creek Apartments) and 1000 Smith Street, that was found to be corroded and blocked with construction debris and sediment. The culvert is unable to convey rain/stormwater. Various sections of the culvert have experienced signs of deterioration resulting in settlement in some areas of the 1000 Smith Street apartment complex parking lot.

The culvert is part of the city stormwater system. The culvert section in question is located at the outfall of the storm line located under Smith Street and is part of a system of culverts and ditches that conveys stormwater from the North Indian Creek/East Ponce de Leon detention pond and ultimately to South Fork Peachtree Creek.

The culvert footprint is located entirely on private property and extends approximately along the property line between 2 parcels. No platted drainage easement exists.

Bid Results

Project was advertised for 4 weeks. Legal advertisement was posted on the city web site, glga.org and the DOAS Procurement Registry. On January 31st, 2020, nine (9) bids were received for the Willow Creek Apartment Culvert Replacement Project. The bid results are as follows:

Ohmshiv Construction - \$127,275.00

Construction 57, Inc - \$101,000.00

SITE Engineering - \$242,100.00

SOL Construction, LLC - \$99,426.44

BRTU Construction, Inc - \$158,830.00

The Dickerson Group - \$169,570.00

Cline Services Group - \$247,450.00

A&S Paving - \$139,805.00

Construction Engineering & Management (CE&M)- \$81,360.00

Bidders completed the required bid submittal documentation. Bid amounts were verified and accurate. The low bidder, identified as Construction Engineering & Management (CE&M), was deemed qualified to perform the work. CE&M is a GDOT pre-qualified firm.

Prior to bid opening, CIS prepared a “Probable Estimate of Construction Cost”. This estimate was \$118,000. The low bid was 30% less than the engineering estimate.

Given the significant difference in the low bid and the engineering estimate, including the difference between the low bid and the 2nd lowest bid, CIS staff met with the owner to discuss. The owner of CE&M is comfortable with the bid amount and is willing to proceed with the work as specified in the bid documents.

Project Scope

The project entails the replacement of an existing deteriorated culvert with a 36 inch aluminized corrugated metal pipe. Work will also include partial replacement of an existing parking lot and fences. The footprint of the existing culvert is approximately on the property line between the two adjacent apartment complexes on Smith Street.

Weather permitting, work will be completed within 30 days after the city issues a Notice-to-Proceed. Residents in the two complexes will receive notification of culvert replacement no later than 72 hours before work commences. The portion of the parking lot to the east of the culvert replacement work will not be available for public use. Fortunately, no parking stalls are affected and access will still be available during construction.

Temporary Easements for Construction

Temporary construction easements are required to enter private property. The easements are in the process of being obtained. No work will begin until easements are signed by the City and the respective owner of each complex.

Funding Source

This project will be funded through the Stormwater Enterprise Program

Attachments: Easement Areas

NEED/ IMPACT: Improve/enhance the City’s stormwater infrastructure designed to allow for reasonable and proper flow of rain/storm waters to alleviate street, right-of-way, and private flooding.

RECOMMENDATIONS: Mayor and Council to discuss and adopt staff recommendation to proceed with low bid.

ATTACHMENT

Approximate Location of the Temporary Easement
1000 SMITH STREET



CITY OF CLARKSTON

ITEM NO: E11

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
DISCUSSION

MEETING DATE: FEB 25, 2020

SUBJECT: Amend Early Learning Task Force Resolution to increase members from 11 to 20 and appoint members

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 3

INFORMATION CONTACT: ROBIN I. GOMEZ,
PHONE NUMBER: 404-296-6489

PURPOSE: At the September 3, 2019, Clarkston City Council meeting, the City Council adopted a resolution creating an Early Learning Task Force (CELTF) comprising eleven (11) members with a mission to research, discuss, and create practical, innovative, and equitable practices, policies, and programs designed to further enhance early learning activities. Additionally, the CELTF shall collaborate with policy makers, families, caregivers, and other partners to take a holistic view of the needs and aspirations of families with young children; review local, state, and national early learning strategies; and develop short and long term recommendations.

Interested participants completed an application in December 2019 and January 2020. Based on some considerable interest, a request has been made to increase the number of members of the CELTF from 11 to 20, specifically to increase the number of Clarkston residents from five (5) to six (6), with two (2) still appointed by the Mayor and four (4) appointed by a majority vote of the City Council; and the number of community members from three (3) to eleven (11). The other members remains the same: two Council Members and one member of City management.

A list of appointments is enclosed.

NEED/ IMPACT: A City of Clarkston Early Learning Task Force, to be created lasting for no more than one year, would bring together city policy makers, families, caregivers, and strategic partners to take a holistic look at the needs and aspirations of families with young children, review innovative and impactful policies, practices, and programs, and develop short and-long term recommendations based on assets, research, and opportunities.

RECOMMENDATIONS: Mayor and Council to discuss and adopt a change to the Resolution increasing the number of members from 11 to 20 and appointing the referenced members to the Early Learning Task Force for a term of one (1) year.

Clarkston Early Learning Task Force

Clarkston Residents

Ashli Owen-Smith	Home Owner	GSU Professor, Public Health, parent
Jeanne Reneaux	Home Owner	Teacher, school system; Storyteller
Sean D'aigle	Apartment	Museum, science
Maggie Deaton	Home Owner	Rollins Center for Language & Literacy
Mon Sunar	Apartment	Parent, Parents as Teachers (Bhutan)
Hawa Mohamed	Apartment	Parent, community leader, CDA (Sudan)

Experts

Maryum Gibson	Scottdale Early Learning/READY Schools, Executive Director
Alexandra Cesar	Giselle Academy, Executive Director
Beena Dahal	Parents as Teachers home visitor, previous Clarkston resident
Hira Chhetri	Parents as Teachers home visitor, previous Clarkston resident
✓ Linda Travers	ECE Georgia Piedmont Technical College Professor, Coach
✓ Ana Sousa	Director, Refugee Village Corp (English Oaks); ESOL teacher
✓ Jennifer Green	Director, Refugee Family Literacy Program
Janette Miles	Early Learning Professional, CDA Instructor
Gwendolyn Morgan	Trainer, past director, Clarkston First Baptist Learning Academy
Nassra Mireh	Director, Refugee Family Services, parent

Other

Roberta Malavenda	CDF Action, chair/facilitator
Robin Gomez	Clarkston City Manager
Two City Council representatives	

**RESOLUTION TO CREATE A CITY OF CLARKSTON
EARLY LEARNING TASK FORCE
2019-19**

WHEREAS, the City Council understands the valuable and important role that early learning programs and resources play in creating a sustainable community with a very high quality of life within the City of Clarkston; and

WHEREAS, the City Council desires to create programs and services with community partners to engage residents, caregivers, and policy makers to create equitable policies, practices, and programs so that every young child enjoys safe, nurturing, and playful learning environments; and

WHEREAS, the City Council has determined a desire to establish a Clarkston Early Learning Task Force; and

WHEREAS, the City Council is similarly desirous to establish the mission and the membership criteria of the Clarkston Early Learning Task Force;

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Clarkston that the following shall apply to the Clarkston Early Learning Task Force.

1. The mission shall be to research, discuss, and create practical, innovative, and equitable practices, policies, and programs designed to further enhance early learning activities.

2. The Clarkston Early Learning Task Force (CELTF) shall collaborate with policy makers, families, caregivers, and other partners to take a holistic view at the needs and aspirations of families with young children; review local, state, and national early learning strategies; and develop short and long term recommendations.

3. The CELTF shall consist of no more than eleven (11) total members, comprising: two (2) Council members who shall be appointed by a majority vote of the City Council; one (1) member of City management; ^{→ 20} five (5) ^{six} Clarkston residents with (2) two appointed by the Mayor, and three (3) ^{eleven} appointed by a majority vote of the City Council; and three (3) ^{community} community ^{→ community}

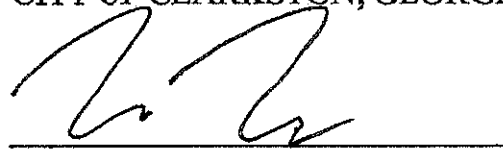
Feb 25 →

members currently employed in education (preferably early learning) or a not-for-profit/community organization providing early learning services.

4. All member appointments will be for one (1) year as the duration for the Task Force will similarly be for one (1) year.
5. Any City of Clarkston residents and referenced individuals wishing to be considered for appointment to the Clarkston Early Learning Task Force shall first complete an application which will be make available at Clarkston City Hall Annex, on the City's official website, or via email upon request.

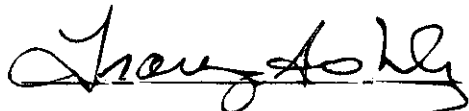
SO RESOLVED, this 3 day of September 2019

CITY COUNCIL
CITY OF CLARKSTON, GEORGIA



Ted Terry, Mayor

ATTEST:



Tracy Ashby, City Clerk

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

MEETING DATE: FEBRUARY 25, 2020

ITEM NO: E12

ACTION TYPE:
BUSINESS APPEAL

HEARING TYPE:
Work Session

SUBJECT: Appeal of City Denial of Renewal Application for Permit to Operate a Pawn Shop or Title Pawn for TitleMax located at 4222 E Ponce de Leon Ave

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 12

INFORMATION CONTACT: ROBIN I. GOMEZ,
PHONE NUMBER: 404-296-6489

PURPOSE: City Council to discuss/review appeal by Title Max of City staff denial of Title Max renewal application for permit to operate a pawn shop or title pawn.



January 2, 2020

Attn: Tracy Ashby
City of Clarkston
1055 Rowland St.
Clarkston, GA 30021

Via Federal Express

Dear Mr. Ashby:

Please find the enclosed Pawn License Renewal, as well as a check in the amount of \$3,500.00 to cover the fee associated with the same, for the store listed below:

Store	Name	Address	City	State	Fee
11542	TitleMax of Clarkston #1	4222 E. Ponce De Leon Ave.	Clarkston	GA	\$3,500.00

The District Manager will be coming to the office within the next few days to handle background checks for himself and staff.

Should you have any questions or need any additional information, please do not hesitate to contact me directly at 912-503-2804, or via email at seth.riley@titlemax.com. Thank you.

Sincerely,

J. Seth Riley
Licensing Administrator

Enclosure

• 15 Bull Street, Suite 200 • Savannah, GA 31401 •

(912) 525-2675 • Fax (912) 525-2679



CITY OF CLARKSTON
1055 ROWLAND STREET
CLARKSTON, GA 30021

APPLICATION FOR PERMIT TO OPERATE A PAWN SHOP OR TITLE PAWN

All applications must be typed or legibly printed in black ink. Each question must be answered completely and correctly. If the space provided herein is not sufficient, attach additional information. Applications must be signed, dated notarized and filed in the City Clerk's Office, 1055 Rowland Street, Clarkston, GA 30021.

1. Is applicant: Sole Proprietorship Partnership Corporation
2. (A) Legal Name of Business: TitleMax of Georgia, Inc.
 (B) Operating / Trade Name of Business: TitleMax
3. Type of Business: Title Pawn
 Location of Business: 4222 E. Ponce De Leon Ave.
 City Clarkston State Georgia 30021
4. Business Telephone Number(s): (404) 292-3728
5. Indicate whether your proposed business will: buy____, sell____, process____; gold____, silver____, or jewelry____. (Check all that apply) *title pawn
6. Full Name of Applicant: TitleMax of Georgia, Inc.
7. Residence Address: 15 Bull St., Ste 200
 City Savannah State Georgia Zip 31401
 Telephone Number: Home N/A Business (912) 525-2675
 Social Security Number: (FEIN) 58-2547327 Date of Birth N/A
 Place of Birth: N/A
 Permanent Resident Alien Number: N/A
 Citizen of the USA? YES NO
 Resident of Georgia? YES NO
 Number of years as residence of Georgia N/A County N/A
8. Has any county, municipality, or other governmental subdivision ever suspended or revoked a pawnshop license issued to the applicant. YES NO

9. Licensee/Agent Business Occupation(s), Business Interest(s), and/or Employer(s) for the past five (5) years:

Date	Company	Address (City & State)	Position	Interest
------	---------	------------------------	----------	----------

N/A

10. For all owners, pawnbrokers, employees, or; if a Corporation or Partnership, indicate for the majority stockholder and each principle officer, (If Partnership, include all Partners) Name, Address, DOB, SS# and percentage of interest:

Name	Address	DOB/SSN	Position/Interest.
TMX Finance LLC	15 Bull St., Ste. 200, Savannah, GA 31401	58-244-2222	100%
Tracy Young	427 Barnard St., Savannah, GA 31401	[REDACTED]	0% / CEO, Treasurer, Director
Otto W. Biels, III	115 Sussex Retreat, Pooler GA 31322	[REDACTED]	0% President, Secretary
Carrie E. Carbone	86 Hampton Hall Blvd., Bluffton, SC 29916	[REDACTED]	Asst. Secretary

11. List any individual(s) or firm(s) owning any interest in or receiving any funds from the operation of the business:

N/A

12. List owner of property, location of business, and include address and telephone number.

Janice Brock (770) 806-9376

13. Does applicant, License/Agent, Manager or any Partner(s) or any Corporate Officer(s) or Trustee(s) have within the preceding ten (10) years, any convictions for the violation of any federal, state local laws, ordinances, does said person have current proceedings pending for Violations of any local laws, ordinances, does said person have current proceedings pending for violations of any federal, state local laws, ordinances or regulations. **NO**

- 14. For the purpose of this question, the term "CONVICTION" shall include an Adjudication of Guilt, a plea of Guilty, a plea of Nolo Contendere, or Forfeiture of a bond.

Person Charged	Date	Offense	Location (City, State)	Disposition
N/A				

- 15. Describe the nature and character of business: (Be specific)

Title Pawn

- 16. Are you familiar with the City of Clarkston Ordinances, State Laws and Regulations governing the operation of Pawnshops/Pawn Brokers? Yes No

- 17. Do you agree to abide by such Ordinances, Laws and Regulations? YES NO
Grandfathered in

I, Amanda Logan, being duly sworn accordingly to law, do swear that the facts and things stated by me in the foregoing answers to questions are true, and no false or fraudulent statement has been made (herein that such answers were made in order to procure the granting of such license).

Amanda Logan

Signature of Licensee/Agent

Sworn to and subscribed before me this 23rd day of December 2019.

J. Seth Riley

Notary Public



N/A

Signature and Title of person other than Licensee/Agent filling out this application

() _____
Telephone Number

OFFICE USE ONLY

Date Received: _____ Assigned Investigator/ Inspector: _____

Investigation Notes:

Date Investigation completed: _____ Recommend: Approve Deny

Assigned Investigator/ Inspector (Printed Name): _____

Assigned Investigator/ Inspector (Signature): _____

Date Received: _____ Chief Review: _____

Recommend: Approve Deny

Chief of Police (Printed Name): _____

Chief of Police (Signature): _____

Submitted to Council Review (Meeting Date): _____

Council Recommend: Approve Deny

License Issued Date): _____

License Number: _____



CITY OF CLARKSTON / POLICE DEPARTMENT
PERSONAL HISTORY RECORD

This Form to Be Completed by Every Owner/Pawnbroker/Employee

PERMIT TYPE: _____ DATE: _____

Name in FULL (Please Print) _____ Date: _____

Address: _____ Telephone: _____

Place of Birth _____ Date of Birth: _____ Age: _____
(City, State) (Day, Month, Year)

Race: _____ Height: _____ Weight: _____

Eye Color: _____ Hair Color: _____

Social Security Number: _____ Driver's License # _____

Have you been convicted of any law? Federal: _____ Foreign Country: _____ State Law: _____

City Ordinance: _____ if so, explain: _____

List names and addresses of employers for the past three (3) years: _____

Finger print Card Submitted: [] YES [] NO

Applicant Signature: _____

Date: _____

CRIMINAL HISTORY CONSENT

I hereby authorize the Clarkston Police Department/License and Permits Unit to receive any criminal history record information pertaining to me which may be in the files of any state local criminal justice agency in Georgia. I also acknowledge that any information I provide on this application can be made publicly available under the Georgia Open Records Act O. C. G. A. 50- 18-70.

Have you ever been charged or convicted of any violation of the law? [] Yes [] No

Date of Occurrence: _____ City: _____ State: _____

Disposition: _____ Explain: _____

I DO HEREBY SWEAR OR AFFIRM THAT THE ABOVE IS TRUE AND CORRECT AND IN MAKING THE ABOVE REPRESENTATION UNDER OATH, I UNDERSTAND THAT ANY PERSON WHO KNOWINGLY AND WILLFULLY MAKES A FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION IN AN AFFIDAVIT SHALL BE GUILTY OF A VIOLATION OF O.C.G.A. 16-10-20.

SIGNATURE _____ DATE _____



Mayor
Ted Terry

City Council

YT Bell
Jamie Carroll
Laura Hopkins

Awet Eyasu, Vice Mayor
Ahmed Hassan
Debra Johnson

City Manager
Robin I. Gomez

January 10, 2020

VIA PRIORITY MAIL # 7019 0160 0000 2140 4762

Ashley Cantrell
TitleMax of Georgia, Inc.
15 Bull St, Ste 200
Savannah GA 31401

RE: Denial of Renewal of Application for Permit to Operate a Pawn Shop or Title Pawn TitleMax Pawnbroker at 4222 E. Ponce de Leon Ave.

Dear Ashley Cantrell:

This letter shall serve as notice that the City of Clarkston has denied your application to renew the above-referenced Pawn license. Please find enclosed your check for the \$3,500 license fee. The City denied your application pursuant to City Code §11-5(7). The above-referenced business has failed to conduct itself in accordance with applicable regulations and is not in conformity with location requirements for pawnbrokers.

Specifically, the store manager admitted to the City Council on November 26, 2019 that the store habitually remains open for business between 5:00 p.m. and 7:00 p.m., in violation of City Code §11-121. Moreover, 4222 E. Ponce de Leon is prohibited from being a pawnbroker location by City Code §11-113 because it is within 1,000 feet of a structure in residential use, specifically 1132 Vaughan St and within 1,000 feet of a church, specifically Clarkston First Baptist Church located at 3999 Church St.

Finally, please be advised that you have the right to appeal this nonrenewal pursuant to City Code §11-7.

Sincerely,

Robin I. Gomez
Clarkston City Manager

cc: Tracy Ashby, City Clerk
J. Seth Riley

*Admitted in GA and AL

James A. Balli, Partner*
Direct: 770.434.4335
jballi@taylorenchlish.com

February 3, 2020

VIA EMAIL: tashby@cityofclarkston.com
AND FEDERAL EXPRESS

Tracy Ashby, City Clerk
City of Clarkston, Georgia
1055 Rowland Street
Clarkston Georgia 30021

Re: Denial of Renewal Application for Permit to Operate a Pawn Shop or Title Pawn
TitleMax Pawnbroker at 4222 E. Ponce de Leon Avenue

Dear Ms. Ashby:

As you are aware, I represent TitleMax of Georgia, Inc. with regard to its location at 4222 E. Ponce de Leon Avenue, Clarkston, Georgia. On January 22, 2020 my client received a copy of the attached letter from your City Manager purporting to deny TitleMax an Occupational Tax Certificate for its current business within the City of Clarkston. Pursuant to Section 11-7 of the Clarkston Code of Ordinances, please consider this my client's appeal of said denial letter. As the letter was received on January 22, 2020, the appeal is timely under the provisions of Article 1, Section 11-7.

As to the identification of the specific objections or exceptions to the decision of the City of Clarkston to purportedly deny the Occupational Tax Certificate, please be advised it is my position that the denial violates the Orders entered by the Superior Court of DeKalb County. Specifically, the injunction entered on December 27, 2019 expressly prohibited the enforcement of the Ordinance attached to the Injunction. The Ordinance attached to the Injunction included Sections 11-121 (hours of operation) and 11-113 (distance). The Interlocutory Injunction entered on January 24, 2020 again attached the entire Ordinance and specifically restrained all of the Defendants from enforcing said Ordinance against TitleMax. Accordingly, it is our contention that, as the City has been ordered not to enforce the Ordinance against TitleMax, the City cannot utilize an alleged violation of the Ordinance as a basis for the denial of the Occupational Tax Certificate.

That said, it is not my belief that the City intended to intentionally violate the Order so I am simply asking that the denial letter be immediately withdrawn and the license issued.¹ I am

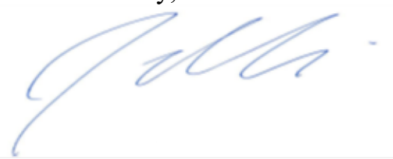
¹ I do not agree that any representative of TitleMax admitted to any violation of any ordinance of the City of Clarkston.

Tracy Ashby, City Clerk
City of Clarkston, Georgia
February 3, 2020
Page 2

forwarding this letter to you in order, out of an abundance of caution, to comply with the appeal provisions contained within the City's Code of Ordinances. However, as you are represented by the City Attorney and there is ongoing litigation involving the Ordinance, please do not reply directly to me unless you are expressly authorized by your City Attorney who is also copied on this letter. Thank you in advance for your time and cooperation.

TAYLOR ENGLISH DUMA LLP

Sincerely,



James A. Balli

cc: TitleMax of Georgia, Inc.
Robin Gomez, City Manager – via email only
Stephen Quinn, Esq. – via email only



Mayor
Ted Terry

City Council

YT Bell
Jamie Carroll
Laura Hopkins

Awet Eyasu, Vice Mayor
Ahmed Hassan
Debra Johnson

City Manager
Robin I. Gomez

February 13, 2020

VIA USPS #: 70190160000021396159
& Email: jballi@taylorenghish.com

James A. Balli, Esq.
Taylor English Duma, LLP
1600 Parkwood Circle, Suite 400
Atlanta, GA 30339

RE: Appeal of Denial of Application For Permit to Operate a Pawn Shop or Title Pawn for TitleMax Pawnbroker located at 4222 E. Ponce de Leon Ave.

Dear Mr. Balli:

The City of Clarkston received your letter dated February 3, 2020, appealing the above referenced denial of TitleMax's application for permit to operate a pawn shop or title pawn. Pursuant to City Code Section 11-126, TitleMax's appeal will be heard by the Clarkston City Council at its regular meeting to take place on March 3, 2020, beginning at 7:00 p.m. at Clarkston City Hall, located at 3921 Church St in Clarkston, GA.

CORDIALLY,

Robin I. Gómez, Clarkston City Manager

Copy: Ashley Cantrell
Stephen G. Quinn, City Attorney