



Mayor Beverly H. Burks

Councilmembers:

Jamie Carroll Laura Hopkins
Awet Eyasu Yterenickia Bell
Debra Johnson Susan Hood
Shawanna Qawiy, City Manager

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(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

Thursday, August 4, 2022 - 7:00PM
ZOOM

CITY COUNCIL MEETING AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

Approval of the 07/05/2022 City Council Meeting Minutes and 07/26/2022 City Council Work Session Minutes.

4. REPORTS

- A. Planning/Economic and Development Report
- B. City Manager's Report
- C. City Attorney's Report
- D. Council Remarks
- E. Mayor's Report

5. PUBLIC COMMENTS

Any member of the public may address the Council, during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 40 minutes, and it is not a time for dialogue. If your public comment contains a series of questions, please submit those to the City Clerk in writing. This will facilitate follow-up by the council or staff. The City Council desires to allow an opportunity for public comment; however, the business of the city must proceed in an orderly, timely manner.

6. OLD BUSINESS

7. CONSENT AGENDA

- A. Approval of declaring a 2000 Ford Sanitation Truck as surplus property to sale.

8. NEW BUSINESS

- A. Approval to adopt a resolution for a moratorium on storage companies.
- B. Approval to adopt a resolution for a moratorium on gas stations.
- C. Approval to adopt a resolution for a moratorium on small box variety stores.
- D. Approval to allocate \$150,000 - \$300,000 in ARPA funds for a Small Business Facade Program.



- E. Approval of a Memorandum of Understanding from AboutFace-USA, Incorporated to allocate \$22,100.00 in ARPA funds for the “Project GROW” Program.

9. ADJOURNMENT

PUBLIC PARTICIPATION BY VIDEO CONFERENCE

The City of Clarkston, Georgia will conduct the City Council Meeting at 7:00 p.m. on Thursday, August 4, 2022. The public may participate in the meeting by using the following information below:

<https://us02web.zoom.us/j/88923372827?pwd=YVkvZXozMGVzV2pDd2I2YldWVHV0UT09>

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 346 248 7799 US (Houston)
- +1 386 347 5053 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
- +1 253 215 8782 US (Tacoma)

Meeting ID: 889 2337 2827

Find your local number: <https://us02web.zoom.us/j/88923372827>

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA HELD
BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JULY 5, 2022

On the 5th day of July 2022, at 7:00 p.m., the City Council of Clarkston, Georgia met in regular session by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Debra Johnson; Laura Hopkins; Yterenickia Bell, and Susan Hood. Absent: None. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); Tomika R. Mitchell (City Clerk); and Stephen Quinn (City Attorney).

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

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ROLL CALL

All members of Council were present.

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

Approved the 06/07/2022 City Council Meeting Minutes; 06/16/2022 (10:00 a.m.) Special Called City Council Meeting Minutes; 06/16/2022 (6:30 p.m.) Special Called City Council Meeting Minutes; 06/28/2022 Special Called City Council Meeting Minutes; and 06/28/2022 City Council Work Session Minutes.

Councilmember Hopkins made a motion to approve the 06/16/2022 (10:00 a.m.) Special Called City Council Meeting Minutes; 06/16/2022 (6:30 p.m.) Special Called City Council Meeting Minutes; 06/28/2022 Special Called City Council Meeting Minutes; and 06/28/2022 City Council Work Session Minutes. Councilmember Hood duly seconded the motion.

City Clerk, Tomika R. Mitchell requested to add the 06/07/2022 City Council Meeting to the agenda, as the documents were submitted but the item was inadvertently left off the agenda.

Councilmember Hopkins amended her motion to add the 06/07/2022 City Council Meeting Minutes. Councilmember Hood duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0). Mayor Burks called for the vote and declared the motion approved (6-0).

Mayor Burks called for a vote for the motion to approve the 06/07/2022 City Council Meeting Minutes; 06/16/2022 (10:00 a.m.) Special Called City Council Meeting Minutes; 06/16/2022 (6:30 p.m.) Special Called City Council Meeting Minutes; 06/28/2022 Special Called City Council Meeting Minutes; and 06/28/2022 City Council Work Session Minutes. Mayor Burks called for the vote and declared the motion approved (6-0).

4. REPORTS

A. Planning/Economic and Development Report and the City Manager's Report

- Re-write Zoning Ordinance draft is listed on the city website.
- Messages and notifications are listed at the top of the city's website.
- The City's budget goal is at 40%.
- Transportation projects update.
- Milam Park Pool update.
- Next City Council Meeting scheduled for August 4, 2022.

B. City Manager's Report

- Report given earlier in the meeting.

C. City Attorney's Report

No report.

D. Council Remarks

- The Council members briefly gave an overview of meetings and events they have attended and projects they are currently working on.

E. Mayor's Report

- Mayor Burks gave a brief overview of meetings and events she attended and other news of the City.

5. PUBLIC COMMENTS

Brian Medford presented comments.

Nadia Osman presented comments.

6. OLD BUSINESS

A. To rescind the Fresh Harvest Memorandum of Agreement vote in December 2021.

City Manager, Shawanna Qawi stated there was a Memorandum of Understanding Agreement that was voted on in December 2021, Council reviewed it and now the background information is to rescind the vote that was made in December 2021.

The Council briefly discussed this item.

Councilmember Hood made a motion to rescind the City Council approval on December 7, 2021, for the use of \$40,000 in ARPA Funds for the Memorandum of Understanding Agreement between the City of Clarkston and Fresh Harvest. Vice Mayor Eyasu duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (4-2). Councilmembers Carroll and Bell voted "no"

B. A Memorandum of Understanding with Fresh Harvest.

Councilmember Hood made a motion to approve a Memorandum of Understanding Agreement between the City and Fresh Harvest for food distribution with the following changes: total amount of funding is \$20,000; vendors should distribute \$40,000 worth of fresh produce, as measured by the wholesale price; one report shall be submitted by applicant in 2023 (*due June 30, 2023*); the benchmark for delivery in 2023 shall be \$20,000 worth of produce (*due no later than June 30, 2023*), if not completed or terminated sooner, the MOU will automatically terminate on June 30, 2023; and to add a statement to the MOU that the funds are not to be used to the benefit of the Fresh Harvest Company. Councilmember Hopkins duly seconded the motion.

The Council briefly discussed this item with the City Attorney, Stephen Quinn and the Joshua Deaton of Fresh Harvest.

Mayor Burks called for the vote and declared the motion approved (5-0-1). Vice Mayor Eyasu abstained.

7. CONSENT AGENDA

- A. Approval of a resolution for the issuance and sale of a Tax Anticipation Note (TAN) in the amount of \$500,000.
- B. Approval of a resolution amending the FY 2021 Operating Budget from \$12,648,463 to \$12,720,463.

Councilmember Carroll made a motion to approve the Consent Agenda. Councilmember Bell duly seconded the motion. Mayor Burks called for the vote and declared the motion approved (6-0).

8. NEW BUSINESS

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

City Manager, Shawanna Qawiy stated this was a Public Hearing for a variance request from for the property located at 3747 Market Street, zoned NR-1, Low Density Neighborhood Residential to reduce the required side setback requirement of 10 feet for an accessory structure to 2 feet to expand the use to an accessory dwelling unit.

A variance request from the terms of the ordinance must not be contrary to the public and must be evaluated based on the 6 criteria points. A variance may be granted in an individual case of unnecessary hardship upon a finding by the City Council that all of the following conditions exist: There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; Such conditions are peculiar to the particular piece of property involved; Such conditions are not

the result of the actions of the applicant; A literal interpretation of the provisions of this ordinance would create an unnecessary hardship; The variance requested will not cause substantial detriment to the public good nor impair the purposes or intent of the zoning ordinance; and The variance is not a request to permit a structure or use of land not authorized in the applicable district.

Staff recommends denying the variance requests. The Planning and Zoning Board recommends approving the variance request.

The Council briefly discussed this item.

Brian Medford presented comments in support of this item.

Councilmember Hood made a motion to approve a variance request for property located at 3747 Market Street to reduce the required side setback from 10 feet to 2 feet, for conversion of an existing building to an accessory dwelling unit with the following conditions: the side of the accessory dwelling unit abutting 759 Market St. will have no windows; that the exterior lighting for the accessory dwelling unit will be directed downward and away from adjacent properties; and a minimum 7 foot tall privacy fence be constructed along the side of the lot abutting 3759 Market St. extending a minimum 20 feet in length from both ends of the accessory building. Vice Mayor Eyasu duly seconded the motion.

The Council briefly discussed the motion.

Mayor Burks called for the vote and declared the motion approved (6-0).

B. SPLOST 08 Market Street Resurfacing and Sidewalks Change Order #4.

Councilmember Carroll made a motion to approve the porous concrete option \$11,700 for this Change Order. Vice Mayor Eyasu duly seconded the motion.

The Council briefly discussed this item.

Mayor Burks called for the vote and declared the motion approved (5-1). Councilmember Hopkins voted “no”.

9. ADJOURNMENT

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

The meeting adjourned at 8:16 p.m.

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

MINUTES OF A WORK SESSION
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, JULY 26, 2022

On the 26th day of July 2022, at 7:00 p.m., the City Council of Clarkston, Georgia met in a Work Session by teleconference, Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following member of the Council Members were present: Vice Mayor Awet Eyasu; Councilmembers Jamie Carroll; Laura Hopkins; Debra Johnson; Yterenickia Bell, and Susan Hood. Absent: None. The following City staff were present: Shawanna Qawiy (City Manager); Dan Defnall (Finance Director); Tomika R. Mitchell (City Clerk); and Stephen Quinn (City Attorney).

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

1. CALL TO ORDER

2. ROLL CALL

All members of the City Council were present.

Councilmember Bell made a motion to amend the agenda by removing “Item 6B” and deferring it to the Public Safety and Legal Committee. Vice Mayor Eyasu seconded the motion. Mayor Burks called for the vote and declared the motion approved (5-0). Councilmember Hopkins was absent.

3. WORK SESSION – RESIDENT COMMENT POLICY

Mayor Burks read the Resident Comment Policy.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS

A. To consider declaring a 2000 Ford Sanitation Truck as surplus property to sale.

City Manager, Shawanna Qawiy stated the City of Clarkston Public Works Department requested a 2000 Ford Sanitation Truck, VIN# 3FDXF75R4YMA30880be declared as obsolete and surplus equipment in order to be auctioned for sale. This vehicle was acquired in February 2020 and has been in service for 22 years and has mileage of 86,626 miles.

The Council briefly discussed this item.

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

B. Presentation- Gainesville Police Department Mental Health Clinician Program

Councilmember Bell introduced Chief Jay Parrish from Gainesville Police Department.

Chief Parrish presented information on the Gainesville Police Department Mental Health Clinician Program, a system of response that ensures symptoms of mental illness and resource deficiencies lead to support and therapeutic intervention instead of incarceration.

The Council briefly discussed this item.

5. OLD BUSINESS

There was no Old Business to discuss.

6. NEW BUSINESS

- A. A discussion of a Memorandum of Understanding from AboutFace-USA, Incorporated to allocate \$22,100.00 in ARPA funds for the “Project GROW” program.

City Manager, Shawanna Qawiy stated “Project GROW” (Gardening, Rehabilitation, Outreach and Wellness) Program is a horticulture therapy of growing vegetables and plants for the benefit of the community, participants will develop and foster genuine relationships while gaining a viable skill that will help them with growing their own food.

Carol LaBranche gave a brief overview of the program history and success stories.

The Council briefly discussed this item.

Amy Medford and Brian Medford presented comments on this item.

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

- B. A discussion to adopt a resolution by the Clarkston City Council in support of reproductive rights and abortion related care.

This item was deferred to the Public Safety and Legal Committee.

- C. A discussion to adopt a resolution for a moratorium on storage companies, gas stations and small box variety stores.

Councilmember Bell gave a brief overview of the 2020 moratorium pertaining to the storage companies, gas stations and small box variety stores and inquire with Council to consider enacting a 6 or 12-month moratorium and possibly extending it before it expires.

The Council briefly discussed this item.

Amy Medford and Brian Medford presented comments on this item.

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

- D. A discussion to allocate \$150,000 - \$300,000 in ARPA funds for a Small Business Facade program.

Councilmember Bell stated the purpose of this façade grant program is to improve the street and store front exteriors of the small business owners, with a matching fund grant program.

The Council briefly discussed this item.

Amy Medford and Brian Medford presented comments on this item.

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

7. ADJOURNMENT

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

The meeting adjourned at 8:41 p.m.

ATTEST:

Tomika R. Mitchell
City Clerk

Beverly H. Burks
Mayor

CITY OF CLARKSTON

ITEM NO: 7A

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
City Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Vote

MEETING DATE: August 4, 2022

SUBJECT: Approve to adopt Resolution to Declare Property Surplus for City of Clarkston

DEPARTMENT: Public Works

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO

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

PURPOSE: To approve declaration of old and obsolete equipment as Surplus Property that can be sold and disposed of in compliance with O.C.G.A. 36-37-6(a).

NEED/ IMPACT: The City of Clarkston Public Works Department requests that the following vehicles be declared as obsolete and surplus equipment in order to be auctioned for sale.

2000 Ford Sanitation Truck VIN# 3FDXF75R4YMA30880

This vehicle was acquired in February 2020 and has been in service for 22 years and has mileage of 86,626 miles.

RECOMMENDATIONS:

Staff recommends that the Council vote to declare the above-mentioned vehicle as surplus property.

RESOLUTION NO. _____

**RESOLUTION TO DECLARE PROPERTY SURPLUS FOR THE CITY OF
CLARKSTON**

WHEREAS, the below described Public Works vehicle is no longer necessary, useful or suitable for municipal purposes for the City of Clarkston:

2000 Ford Sanitation Truck VIN#3FDXF75R4YMA30880

NOW, THEREFORE BE IT RESOLVED that the above mentioned vehicle be declared surplus property and the City Manager is hereby directed to sell said surplus equipment via public sale in compliance with O.C.G.A. 36-37-6(a).

SO RESOLVED, this 5th day of July, 2022.

CITY COUNCIL
CITY OF CLARKSTON, GEORGIA

BEVERLY H Burks, Mayor

Attest:

Tomika R. Mitchell, City Clerk

Approved as to Form:

Stephen Quinn, City Attorney

CITY OF CLARKSTON

ITEM NO: 8A

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
City Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Vote

MEETING DATE: August 4, 2022

SUBJECT: Approve the Moratorium on Storage Companies.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Yterenickia Bell,
Councilmember
PHONE NUMBER: 404-296-6489

PURPOSE: Due to an overabundance of small box variety stores, storage companies, and gas stations, it's favorable to consider to enact a 6 or 12-month moratorium with the hopes to extend it before it expires. Previous moratoriums on these entities have expired and the ultimate purpose to preserve land, since it's limited in Clarkston for strategically responsible and beneficial development for the residents and future residents of our city. Furthermore, we want to study economic impact, as we know that commercial tax was down as we assessed our mileage rate most recently. While also ensuring that we have nutritional options in our city. Currently, we have (2) Family Dollars, (1) Dollar General Store, (8) gas stations, and (3) storage facilities with an increase due to most recent approved business licenses, yet we are still receiving input on the zoning rewrite from residents. Finally, we know that the presences and increases of these types of companies, facilities, and entities will have a huge impact on our economic development and desire to curate a healthy community.

NEED/ IMPACT: To provide clarification, 'Small box variety store' means a retail store sized between 7,500 and 16,000 square feet which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including any combination of food or beverages for off-premises consumption, household products, personal grooming and health products, and other consumer goods. Small box variety stores do not include retail stores that:

- (1) dedicate at least 15% of shelf space to fresh or fresh frozen food;
- (2) dedicate less than 2% of shelf space to food of any kind; or
- (3) contain a prescription pharmacy.

Fresh or fresh frozen food means food for human consumption that is unprocessed, or otherwise in its raw state; food that was quickly frozen while still fresh. This includes unprocessed meat and seafood. In additional to the moratorium, it would be great to allocate funds to conduct a study to assess trends of these types of businesses emerging in municipalities, especially during the pandemic and their economic impact in our city for future decisions on our economic development and growth

RECOMMENDATION:

N/A.

RESOLUTION NO.

BY THE CLARKSTON CITY COUNCIL TO IMPOSE A TEMPORARY MORATORIUM ON DEVELOPMENT OF MINI-WAREHOUSES AND SELF-STORAGE FACILITIES IN ORDER TO PRESERVE THE STATUS QUO PENDING ZONING ACTION TO REVISE PERMITTED USES IN THE LIGHT INDUSTRIAL (I) DISTRICT.

WHEREAS, Clarkston and the surrounding unincorporated area currently have an over-abundance of “mini-warehouse and self-storage” facilities, including three such facilities within Clarkston; and

WHEREAS, the City Council is concerned that such uses have a negative impact on the natural environment and the aesthetics of the City; and

WHEREAS, the City Council finds that “mini-warehouse and self-storage” facilities are contrary to the intent of the Light Industrial District to encourage and enable light manufacturing uses; and

WHEREAS, the City Council is hereby initiating the zoning decision process to amend the list of permitted uses in the Light Industrial District and finds that it is in the public interest to preserve the status quo during such process.

NOW, THEREFORE, BE IT RESOLVED by the Clarkston City Council that a moratorium is hereby declared to prohibit the acceptance of any application or granting of any permit for the development of new “mini-warehouse” or “self-storage” facilities in the City; and

BE IT FURTHER RESOLVED that this moratorium shall take effect immediately and will expire on February 4, 2023, unless repealed sooner by act of the City Council.

SO RESOLVED, this 4th day of August, 2022.

ATTEST:

Tomika R. Mitchell, City Clerk

BEVERLY H. BURKS, Mayor

CITY OF CLARKSTON

ITEM NO: 8B

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
City Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Vote

MEETING DATE: August 4, 2022

SUBJECT: Approve the Moratorium on Gas Stations.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Yterenickia Bell,
Councilmember
PHONE NUMBER: 404-296-6489

PURPOSE: Due to an overabundance of small box variety stores, storage companies, and gas stations, it's favorable to consider to enact a 6 or 12-month moratorium with the hopes to extend it before it expires. Previous moratoriums on these entities have expired and the ultimate purpose to preserve land, since it's limited in Clarkston for strategically responsible and beneficial development for the residents and future residents of our city. Furthermore, we want to study economic impact, as we know that commercial tax was down as we assessed our mileage rate most recently. While also ensuring that we have nutritional options in our city. Currently, we have (2) Family Dollars, (1) Dollar General Store, (8) gas stations, and (3) storage facilities with an increase due to most recent approved business licenses, yet we are still receiving input on the zoning rewrite from residents. Finally, we know that the presences and increases of these types of companies, facilities, and entities will have a huge impact on our economic development and desire to curate a healthy community.

NEED/ IMPACT: To provide clarification, 'Small box variety store' means a retail store sized between 7,500 and 16,000 square feet which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including any combination of food or beverages for off-premises consumption, household products, personal grooming and health products, and other consumer goods. Small box variety stores do not include retail stores that:

- (1) dedicate at least 15% of shelf space to fresh or fresh frozen food;
- (2) dedicate less than 2% of shelf space to food of any kind; or
- (3) contain a prescription pharmacy.

Fresh or fresh frozen food means food for human consumption that is unprocessed, or otherwise in its raw state; food that was quickly frozen while still fresh. This includes unprocessed meat and seafood.

In additional to the moratorium, it would be great to allocate funds to conduct a study to assess trends of these types of businesses emerging in municipalities, especially during the pandemic and their economic impact in our city for future decisions on our economic development and growth

RECOMMENDATION:

N/A.

RESOLUTION NO. _____

BY THE CLARKSTON CITY COUNCIL TO IMPOSE A TEMPORARY MORATORIUM ON DEVELOPMENT OF AUTOMOBILE SERVICE CENTERS AND AUTOMOBILE SERVICE STATIONS (FILLING STATIONS) IN ORDER TO PRESERVE THE STATUS QUO PENDING ZONING ACTION TO REVISE PERMITTED USES IN THE CITY'S ZONING CODE.

WHEREAS, Clarkston and the surrounding unincorporated area currently have an over-abundance of business selling fuel for vehicles, including seven such facilities within Clarkston; and

WHEREAS, the City Council is concerned that such uses have a negative impact on the natural environment and the aesthetics of the City; and

WHEREAS, the City Council is hereby initiating the zoning decision process to amend the list of permitted uses in the Zoning Ordinance and finds that it is in the public interest to preserve the status quo during such process.

NOW, THEREFORE, BE IT RESOLVED by the Clarkston City Council that a moratorium is hereby declared to prohibit the acceptance of any application or granting of any permit for the development of new "automobile service center" or "automobile service station (filling station)" uses in the City; and

BE IT FURTHER RESOLVED that this moratorium shall take effect immediately and will expire on February 4, 2023, unless repealed sooner by act of the City Council.

SO RESOLVED, this 4th day of August, 2022.

ATTEST:

Tomika R. Mitchell, City Clerk

BEVERLY H. BURKS, Mayor

CITY OF CLARKSTON

ITEM NO: 8C

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
City Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Vote

MEETING DATE: August 4, 2022

SUBJECT: Approve the Moratorium on Small Box Stores.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Yterenickia Bell,
Councilmember
PHONE NUMBER: 404-296-6489

PURPOSE: Due to an overabundance of small box variety stores, storage companies, and gas stations, it's favorable to consider to enact a 6 or 12-month moratorium with the hopes to extend it before it expires. Previous moratoriums on these entities have expired and the ultimate purpose to preserve land, since it's limited in Clarkston for strategically responsible and beneficial development for the residents and future residents of our city. Furthermore, we want to study economic impact, as we know that commercial tax was down as we assessed our mileage rate most recently. While also ensuring that we have nutritional options in our city. Currently, we have (2) Family Dollars, (1) Dollar General Store, (8) gas stations, and (3) storage facilities with an increase due to most recent approved business licenses, yet we are still receiving input on the zoning rewrite from residents. Finally, we know that the presences and increases of these types of companies, facilities, and entities will have a huge impact on our economic development and desire to curate a healthy community.

NEED/ IMPACT: To provide clarification, 'Small box variety store' means a retail store sized between 7,500 and 16,000 square feet which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including any combination of food or beverages for off-premises consumption, household products, personal grooming and health products, and other consumer goods. Small box variety stores do not include retail stores that:

- (1) dedicate at least 15% of shelf space to fresh or fresh frozen food;
- (2) dedicate less than 2% of shelf space to food of any kind; or
- (3) contain a prescription pharmacy.

Fresh or fresh frozen food means food for human consumption that is unprocessed, or otherwise in its raw state; food that was quickly frozen while still fresh. This includes unprocessed meat and seafood.

In additional to the moratorium, it would be great to allocate funds to conduct a study to assess trends of these types of businesses emerging in municipalities, especially during the pandemic and their economic impact in our city for future decisions on our economic development and growth

RECOMMENDATION:

N/A.

RESOLUTION NO. _

**BY THE CLARKSTON CITY COUNCIL TO IMPOSE A TEMPORARY
MORATORIUM ON DEVELOPMENT OF SMALL BOX VARIETY STORES IN
ORDER TO PRESERVE THE STATUS QUO PENDING ZONING ACTION TO
REVISE PERMITTED USES IN THE CITY'S ZONING CODE.**

WHEREAS, Clarkston and the surrounding unincorporated area currently have an overabundance of small box variety stores (as defined below), including three such stores within Clarkston; and

WHEREAS, the City Council is concerned that such uses have been found by numerous studies (including the City of New Orleans' "Small Box Retail Diversity Study" dated December 18, 2018, which is hereby adopted by reference) to have a negative impact on public health and welfare because they rarely if ever offer healthy fresh food and they tend to drive out retailers that do offer healthy food options; and

WHEREAS, the availability of fresh healthy food at locations within Clarkston is especially important because many Clarkston residents do not own a motor vehicle and walk to purchase food products; and

WHEREAS, the City Council desires to protect the public health and welfare, as well as the aesthetics of the City, by temporarily prohibiting small box variety stores while it studies this issue further; and

WHEREAS, the City Council is hereby initiating the zoning decision process to amend the list of permitted uses in the Zoning Ordinance and finds that it is in the public interest to preserve the status quo during such process.

NOW, THEREFORE, BE IT RESOLVED by the Clarkston City Council that a moratorium is hereby declared to prohibit the acceptance of any application or granting of any permit for the development of new "small box variety stores," which are defined for purposes of this resolution as follows:

Small box variety store means a retail store sized between 7,500 and 16,000 square feet which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including any combination of food or beverages for off-premises consumption, household products, personal grooming and health products, and other consumer goods. Small box variety stores do not include retail stores that:

- (1) dedicate at least 15% of shelf space to fresh or fresh frozen food;
- (2) dedicate less than 2% of shelf space to food of any kind; or
- (3) contain a prescription pharmacy.

Fresh or fresh frozen food means food for human consumption that is unprocessed, or otherwise in its raw state; food that was quickly frozen while still fresh. This includes unprocessed meat and seafood.

BE IT FURTHER RESOLVED that this moratorium shall take effect immediately and will expire on February 4, 2023, unless repealed sooner by act of the City Council.

SO RESOLVED, this 4th day of August, 2023.

ATTEST:

Tomika R. Mitchell, City Clerk

BEVERLY H. BURKS, Mayor

CITY OF CLARKSTON

ITEM NO: 8D

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Vote

HEARING TYPE:
City Council

MEETING DATE: August 4, 2022

SUBJECT: To approve a Small Business Façade Grant Program.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Yterenickia Bell,
Councilmember

PHONE NUMBER: 404-296-6489

PURPOSE: The purpose of this façade grant program is to improve the street and store-front exteriors of the small business owner’s building structure by providing matching grants. As well as improve the aesthetic of commercial coordinators which face challenges associated with vacant and underutilized properties. These matching grants program is to assist with curating an beautified and consistently looking downtown business center. Funds can be used for new signage, based on the approved design from the city options, widows, painting, siding, doors, nighttime lighting, outdoor seating structures, and design changes. Street facing murals and public art on commercial facades will be assessed on a case-by-case basis, as they may require permitting fees for the work.

NEED/ IMPACT: The grant program’s structure will require the businesses to apply for funds and add supplemental documentation to indicate the cost of these improvements, so that the city can reimburse or provide a check to a small business for up to 50% of the cost of the project in amounts ranging from \$1,000 to \$20,000 for the completed work, not including city fees. Detailed project budget outlining all costs for construction, contractor fees, financing (or source of funds) to complete the project in a single document, as well as drawings of the improvements to be completed and photos would be highly recommended for the application. Ideally, we highly recommend that you identify a Clarkston based contractor or business to conduct the façade improvement projects.

The desired budget allocation for this measure would be between \$150,000 - \$300,000 from ARPA funds.

RECOMMENDATION:
N/A.

CITY OF CLARKSTON

ITEM NO: 8E

HEARING TYPE:
City Council

CLARKSTON CITY COUNCIL MEETING

BUSINESS AGENDA / MINUTES

ACTION TYPE:
VOTE

MEETING DATE: August 4, 2022

SUBJECT: Approve a MOU with AboutFace-USA, Inc.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

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

PURPOSE: To approve developing “Project GROW” (Gardening, Rehabilitation, Outreach and Wellness) Program.

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

STAFF RECOMMENDATION:

This item is deferred to the August 30, 2022 City Council Work Session.