

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 5<sup>th</sup> 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 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 Qawiy 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.

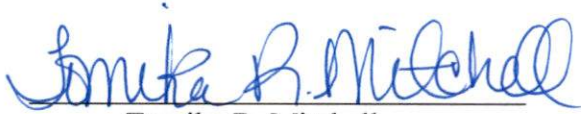
Mayor Burks called for the vote and declared the motion approved (5-1). Councilmember Hopkins voted “no”.

9. ADJOURNMENT

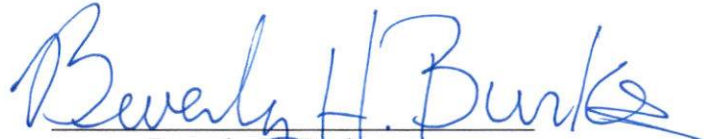
Vice Mayor Eyasu made a motion to adjourn. Councilmember Carroll duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned (6-0).

The meeting adjourned at 8:16 p.m.

ATTEST:



Tomika R. Mitchell  
City Clerk



Beverly H. Burks  
Mayor