



Agenda
City of Clarkesville
Regular Meeting
6:00 PM April 8, 2024

1. *Call to Order*
2. *Invocation and Pledge*
 - 2a. *Matthew Butler With Bethlehem Baptist Church Will Lead the Meeting in Prayer*
3. *Consent Agenda*
 - 3a. *Discuss and Consider Approval of the Minutes for the Following Meetings:*
 - March 11 Work Session*
 - March 11 Council Meeting*
 - March 11 Executive Session*
 - March 18 Called Meeting*
 - March 18 Executive Session*
4. *Committee Reports*
 - 4a. *Finance, Main Street, Fire, ESG, Planning and Zoning Will Present Monthly Reports*
5. *Unfinished Business*
 - 5a. *Discuss and Vote to Approve the Short Term Rental Ordinance*
6. *New Business*
7. *Public Comment*
8. *Consider Going Into Executive Session*
 - 8a. *Mayor and Council will Consider Entering Executive Session to Discuss Personnell*
9. *Adjournment*

OFFICIAL MINUTES
COUNCIL WORK SESSION

March 11, 2024
Minutes
City of Clarkesville
Council Work Session

The Council Work Session was held on Monday, March 11, 2024, at 5:00 PM at City Hall. Those present were Council Member Don Nix, Council Member Rick Wood, Council Member Angelia Kiker, Council Member Brad Coppedge, Council Member Franklin Brown, Mayor Barrie Aycock.

Agenda Item #1: *Call to Order*

Mayor Aycock called the meeting to order.

Agenda Item #2: *Unfinished Business*

Sub-Item #2a.: *Discuss Partnership Habersham*

Rope Roberts, with Partnership Habersham, requests that the Council approve a contribution of \$5000.00 for 2024, suggesting that Council votes annually going forward. Mr. Roberts addressed changes in the bi-laws that include implementing board member rotations, monthly meeting schedules, and the addition of two public positions and a Board of Education position. He also discussed the current public-private commitment percentages and that these percentages will be reported annually with the year end Treasurer's report. Franklin Brown asked for a financial statement every six months that showed the public-private percentages and what the funds were used for.

Council Member Angelia Kiker made a motion to approve contributing \$5000.00 to Partnership Habersham for 2024.

Seconded: Council Member Brad Coppedge

Passed (4 - 0)

Sub-Item #2b.: *Discuss the Short Term Rental Regulations*

Mr. Dickerson changed the suggested short term rental regulations to replace the 5% with a distance requirement of 1500 feet outside the downtown and highway districts. He also suggests making one further edit to add limiting two short term rentals per owner.

Council Member Brad Coppedge made a motion to approve the short term rental regulations as presented with the addition of only two per person outside of the downtown and highway districts.

Seconded: Council Member Don Nix

Passed (5 - 0)

Agenda Item #3: *New Business*

Sub-Item #3a.: *Discuss Sewer Repairs Utilizing GEFA*

Mr. Dickerson would like to begin the process of replacing and enlarging sewer lines by the river. He would like to use Falcon Design as the Engineers. Funding would be through GEFA. He would like to include spraying approximately 15 manholes with fiberglass. Funding application will begin in the fall.

Sub-Item #3b.: *Mr. Dickerson Will Provide an Update on the Bridge Water Line*

The water line across the Soque River at the Highway 115 bridge needs to be replaced. Most

of this work will be completed in-house.

Sub-Item #3c.: *Discuss Contract With Falcon Design to Evaluate Sewer for GDOT Project at Hwy 115 Bridge*

The bridge across the Soque River is going to be replaced by DOT in the new future. Falcon Design is evaluating the sewer lines and the need for possible replacement.

Sub-Item #3d.: *Discuss and Vote to Approve Resolution 2024-2; 2023 Budget Amendments*

Council Member Don Nix made a motion to approve the 2023 Budget Amendments.

Seconded: Council Member Franklin Brown

Passed (5 - 0)

Agenda Item #4: *Public Comment*

Lane Gresham discussed the history of the Main Street program and voiced her disappointment in the loss of the Main Street Designation.

Agenda Item #5: *Consider Going Into Executive Session*

Mayor and Council did enter Executive Session, however there were no motions or vote.

Agenda Item #6: *Adjournment*

Council Member Brad Coppedge made a motion to adjourn the meeting.

Seconded: Council Member Franklin Brown

Passed (5 - 0)

Respectfully submitted,

Julie Poole, City Clerk

OFFICIAL MINUTES
REGULAR MEETING

March 11, 2024
Minutes
City of Clarkesville
Regular Meeting

The Regular Meeting was held on Monday, March 11, 2024, at 6:00 PM at City Hall. Those present were Council Member Don Nix, Council Member Rick Wood, Mayor Pro - Tempore Franklin Brown, Council Member Angelia Kiker, Council Member Brad Coppedge, Mayor Barrie Aycock.

Agenda Item #1: *Call to Order*

Mayor Aycock called the meeting to order.

Agenda Item #2: *Invocation and Pledge*

Sub-Item #2a.: *Pastor Grady Walden With Clarkesville Baptist Church Will Lead the Meeting in Prayer*

Pastor Walden led the meeting in prayer.

Agenda Item #3: *Consent Agenda*

Sub-Item #3a.: *Discuss and Consider Approval of the Following Minutes:*

February 5, 2024 Work Session

February 5, 2024 Council Meeting

February 14, 2024 Called Meeting

Council Member Rick Wood made a motion to approve the consent agenda.

Seconded: Council Member Brad Coppedge

Passed (5 - 0)

Agenda Item #4: *Committee Reports*

Sub-Item #4a.: *Monthly Reports Will Be Presented From Finance, Main Street, Fire, ESG, Planning and Zoning*

Monthly reports were presented.

Agenda Item #5: *Unfinished Business*

Agenda Item #6: *New Business*

Sub-Item #6a.: *Discuss and Approve Sale of Surplus Vehicles and Equipment*

Mayor Pro - Tempore Franklin Brown made a motion to approve the sale of surplus vehicles and equipment.

Seconded: Council Member Brad Coppedge

Passed (5 - 0)

Sub-Item #6b.: *Discuss Open Positions on the Habersham County Library Board*

Angelia Kiker volunteered to be on the board and suggested Barbara Strain for the second open seat. She will speak with Mrs. Strain.

Agenda Item #7: Public Comment

Kim Jackson at 175 Rocky Branch Road addressed Mayor and Council with concern about the potential of a bar and/or adult entertainment next to the liquor store on East Louise St. City Manager Kieth Dickerson assured her there will not be alcohol or a dance club as the location does not meet ordinance requirements. She also suggested that instead of tearing down the old Ingles building they could refurbish it. Mr. Dickerson explained that the building is not saveable at this point.

Agenda Item #8: Consider Going Into Executive Session

Sub-Item #8a.: Mayor and Council Will Enter Executive Session "to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B)".

Executive Session was completed at the Work Session

Agenda Item #9: Adjournment

Council Member Brad Coppedge made a motion to adjourn the meeting.

Seconded: Mayor Pro - Tempore Franklin Brown

Passed (5 - 0)

Respectfully submitted,

Julie Poole, City Clerk

OFFICIAL MINUTES
Executive Session

March 11, 2024
Unapproved Minutes
City of Clarkesville
Executive Session
Page 1 of 1

The Executive Session meeting of the Clarkesville Mayor and City Council was held Monday, March 11, 2024, at 5:00 p.m. at Clarkesville City Hall. Those present were Mayor Barrie Aycock, Council Members Franklin Brown, Angelia Kiker, Rick Wood, Don Nix and Brad Coppedge. City Manager Keith Dickerson was also present.

Agenda Item #1: *Call to Order.*

Mayor Barrie Aycock called the meeting to order.

Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).

Council did not motion or vote to enter into this Executive Session. All verbally agreed.

Agenda Item #2: *Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).*

Mr. Dickerson was asked by Habersham County to look at two proposals received and if they would be qualified in his opinion. He expressed the Mayor and Council's desire and contract to tear down the old courthouse but did review the proposals. One is not qualified as they provided no proposed plans. The second is qualified and they plan to use the existing building as a multi-use facility that will include retail and condominiums. Mayor and Council had a general discussion regarding the potential of the property rehab instead of demolition. While the Council would still prefer to own the property, the Council understands that a refurbishment by an experienced developer may be the most economical way forward.

Item #3: *Adjournment*

**Council Member Don Nix made a motion to go out of the Executive Session.
Seconded: Council Member Franklin Brown
Passed Unanimously**

Respectfully Submitted,

Julie Poole, City Clerk

OFFICIAL MINUTES
COUNCIL CALLED MEETING

March 18, 2024
Minutes
City of Clarkesville
Council Called Meeting

The Council Called Meeting was held on Monday, March 18, 2024, at 5:00 PM at . Those present were Council Member Don Nix, Council Member Rick Wood, Council Member Brad Coppedge, Mayor Pro - Tempore Franklin Brown, Mayor Barrie Aycock, Council Member Angelia Kiker.

Agenda Item #1: *Call to Order*

Mayor Aycock called the meeting to order.

Agenda Item #2: *Unfinished Business*

Agenda Item #3: *New Business*

Agenda Item #4: *Public Comment*

Agenda Item #5: *Consider Entering Executive Session*

Mayor Pro - Tempore Franklin Brown made a motion to enter executive session .

Seconded: Council Member Brad Coppedge

Passed (5 - 0)

Sub-Item #5a.: *Mayor and Council Will Enter Executive Session "to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B)".*

Agenda Item #6: *Adjournment*

Council Member Don Nix made a motion to adjourn the meeting.

Seconded: Council Member Brad Coppedge

Passed (5 - 0)

Respectfully submitted,

Julie Poole, City Clerk

OFFICIAL MINUTES

Executive Session

March 18, 2024
Unapproved Minutes
City of Clarkesville
Executive Session
Page 1 of 1

The Executive Session meeting of the Clarkesville Mayor and City Council was held Monday, March 11, 2024, at 5:00 p.m. at Clarkesville City Hall. Those present were Mayor Barrie Aycock, Council Members Franklin Brown, Angelia Kiker, Rick Wood, Don Nix and Brad Coppedge. City Manager Keith Dickerson, Rope Roberts, Charlie Fiveash, Eli Green, Kyle Jenks and Sam Higgins were also present.

Agenda Item #1: *Call to Order.*

Mayor Barrie Aycock called the meeting to order.

Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).

Council Member Franklin Brown made a motion to enter into Executive Session.

Seconded: Council Member Brad Coppedge

Passed Unanimously.

Agenda Item #2: *Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).*

Charlie Fiveash introduced potential developers for the old courthouse building. Parkside Partners has made an offer to purchase the property to refurbish the building into a multi-use facility. Eli Green, Kyle Jenks and Sam Higgins with Parkside Partners spoke about their company, prior projects and vision for the building. Their plan is to divide the building into for sale condominiums, restaurant, retail space and resident parking on the lowest floor. The group answered several questions and concerns from Council, who agreed to consider approval of the Memorandum of Understanding between Parkside Partners, Habersham County, Habersham Development Authority and the City of Clarkesville, once completed.

Item #3: *Adjournment*

Council Member Don Nix made a motion to go out of the Executive Session.

Seconded: Council Member Franklin Brown

Passed Unanimously

Respectfully Submitted,

Julie Poole, City Clerk

City of Clarkesville
(UNAUDITED)

Financial Report - As of February 29 2024					2023
	Budget	Actual	Difference	%Budget	Actual
General Fund					
Administrative Revenue	2,726,726	1,907,937	(818,789)	70%	1,649,842
Main Street	18,500	16,161	(2,339)	87%	11,355
Fire Revenue	24,000	0	(24,000)	0%	3,200
Planning Revenue	28,000	4,341	(23,659)	16%	1,845
Police Revenue	94,000	12,314	(81,686)	13%	17,864
Streets Revenue	29,226	0	(29,226)	0%	28,046
Hotel/Motel	3,500	262	(3,238)	7%	662
ARPA	0	0	0	0%	0
Total General Fund Revenues	2,923,952	1,941,015	(982,937)	66%	1,712,814
Expenses					
Administration	1,118,034	103,071	(1,014,963)	9%	329,904
Main Street	185,922	34,801	(151,121)	19%	28,006
Fire	516,801	65,735	(451,066)	13%	52,433
Parks	10,300	41,387	31,087	402%	869
Planning & Zoning	91,901	13,369	(78,532)	15%	11,965
Police	828,184	133,125	(695,059)	16%	137,802
Streets	175,311	21,118	(154,193)	12%	23,072
Total General Fund Expenses	2,926,453	412,606	(2,513,847)	14%	584,051
General Fund Revenues over Expenses	0	1,528,409	(3,496,784)		1,128,763
Water/Sewer Fund					
Water Revenues	1,399,292	217,083	(1,182,209)	16%	232,415
Sewer Revenues	565,500	98,739	(466,761)	17%	94,195
Sanitation Revenues	206,000	34,567	(171,433)	17%	33,078
Total Water/Sanitation/Sewer Revenues	2,170,792	350,389	(1,820,403)	16%	359,688
Administration Expense	1,449,153	222,517	1,226,636	15%	218,524
Water Plant Expense	351,200	53,499	297,701	15%	51,934
Water Distribution Expense	34,839	5,678	29,161	16%	696
Waste Water Plant Expense	82,000	6,429	75,571	8%	4,321
Waste Water Collection	47,600	3,270	44,330	7%	9,771
Sanitation	206,000	31,371	174,629	15%	29,911
Total Water/Sanitation/Sewer Expenses	2,170,792	322,764	1,848,028	15%	315,157
W/S/S Revenues over Expenses	0	27,625	27,625		44,531
Total City Fund Revenues over Expenses	0	1,556,034	(3,469,159)		1,173,294

Fire Department Council Report April 2024

March Responses

Total 66

Fires 1

EMS 42

MVA 4

Service 5

Canceled/False 14

Inside City 42

Outside 24

Statistics are as of March 28, 2024 @ 0800hrs

Main Street Report March 2024

Events

- Easter in the Garden- 100 children, 5 volunteers
- Paws for Cause pet adoption and pop up market
- Ribbon Cutting at Monroe Package Store
- Ribbon Cutting at Blue Ridge Health
- In town events
 - Total of 45 events
 - Total Attendance of 1050

Public Arts Committee

- Met on March 21
- Creating a plan
- Incorporating an art component into all events

Economic Development Committee

- Met on March 20
- Create a database of rental property
- Collecting data from businesses

Upcoming events

- Arbor Day - April 26
- Ribbon Cutting at Sweet Southern Café – April 26th, 10 am
- First Friday - May 3
- 62nd Mountain Laurel Festival – May 18
- First Friday – June 7

Departmental Activity Report for the Month of March

The following permits were issued for the month of March:

1 Permanent Sign

1 Temporary Sign

0 Plan Review

4 Building

5 Plumbing

4 Electrical

4 Mechanical

2 Tree Removal

45 Construction inspections

0 Code enforcement actions

COs Issued: 0

Planning Activities: Followed through with the demolition of the old Ingles. Work on the demo is about complete. Fencing and other items will start shortly.



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2024 Zoning Ordinance Recommended Amendments

Section 731. Short-term Rentals

The Planning Commission has been working on amendments to the Zoning Ordinance. These are the recommended amendments:

This new section will address regulating Short-term rentals within the city limits of Clarkesville by zoning.

Article III – Definitions

- Added – Short-term Rentals

Short-term Rentals: Short-term rentals are typically defined as a rental of any residential home unit or accessory building for a short period of time. This generally includes stays of less than a month (30 days). Such examples are Airbnb and Vrbo.

Article VII – General Provisions

- Added – Sections 731 through 736

Section 731. Short-term Rentals; Purpose.

The purpose of this article is to establish regulations for the use of a residential structure or any part thereof as a short-term rental in the City of Clarkesville while minimizing the negative, secondary effects on surrounding properties, to ensure proper safety precautions are in place, and to facilitate the collection and payment of hotel/motel taxes as allowed by state law and city code.



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Section 732. License required.

It is unlawful for any person to operate or advertise as a short-term rental within the city without a valid business occupational tax license, and authorization to collect hotel/motel tax.

Section 733. Permitted uses.

- (a) Short-term rentals are allowed as a permitted use in DB Downtown Business District and HB Highway Business District. Short-term rentals in the Downtown Business District shall not be permitted on first-floor or street-level spaces.
- (b) Short-term rentals are allowed as a conditional use in R-1 Residential Single-Family, R-1A Residential Single-Family, R-1B Residential Single-Family, R-2 Residential Multi-Family, PRO Professional, and CB Community Business Districts. Short-term rental properties in these districts will have to acquire a conditional use permit through the process outlined in this ordinance and obtain an occupational tax license and hotel/motel tax authorization certificate, prior to renting the property.
- (c) Short-term rentals are prohibited in R Single-Family Residential, INS Institutional, and M-1 Light Industrial Districts.
- (d) Conditional use permits for short-term rentals will not be issued to property owners in subdivisions unless short-term rentals are specifically allowed by the subdivision or homeowners association covenants - or with a signed majority of the homeowners in the subdivision if there is no homeowners association.



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Section 734. Applications and Location.

Short-term rental conditional use permit applications have to comply with Appendix D, Section 3 of the Zoning Ordinance and in addition:

- 1) Acknowledge that the applicant will keep the total number of guests to that number which can safely stay on the premises and that the applicant may be subject to the State of Georgia's fire safety code regulations.
- 2) Certify that there are no deed restrictions and/or covenants on a property that prohibit the use of the property as a short-term rental.
- 3) Certify that the owner has commercial or specific short-term rental insurance for the property.
- 4) Attest by the Zoning Administrator or third-party inspector that short-term rentals meet applicable International Building Codes, International Fire Code regulations, and NFPA 101 Life Safety Codes. Refer to Clarkesville's Certificate of Occupancy/Pre-Fire Plan Checklist for common items that are required.
- 5) Short-term rentals must be located at least fifteen hundred (1,500) feet from an existing short-term rental. This measurement is from property line to property line.
 - a. Exceptions to this distance requirement for businesses in operation at the time of adoption of this ordinance, may be allowed during the Conditional Use approval process.
 - b. Conditional Use and the Occupational Tax license will expire upon change of ownership.



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Section 735. Short-term rental requirements.

This section applies to all short-term rental properties in the City of Clarkesville. It is in addition to any rules that the property is subject to via any land covenants, homeowner association covenants, subdivision rules, etc.

Parking. Vehicles shall not be parked on any public right-of-way so as to hinder access to such and shall not be parked along any roadways which would cause safety issues, hinder access to such roadways or be in violation of any laws, subdivision rules, etc.

Solid waste/trash. Trash and refuse shall not be left or stored in such a way that would cause safety issues, hinder access to the public right-of-way, violate subdivision rules, etc.

Noise. Short-term rentals shall not violate any noise or sound regulations, subdivision rules, etc.

Hours of operation. Check-in/departure and other rental-related activities should occur between 3 p.m. and 10 p.m.

Additional information. Short-term rental owners or responsible parties must provide the City of Clarkesville Clerk's office with the following information:

1. Full contact information for a local contact (responsible party) who is available 24 hours a day to respond within two hours to any complaint about the property or guest behavior.
2. The 911 address for all properties owned/operated by the occupational tax license owner or responsible management company within the City of Clarkesville.
3. Certify that there are no unpaid financial obligations to the City of Clarkesville.



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4. Business occupation tax certificate and hotel/motel tax authorization certificate must be prominently displayed at the property.

Section 736. Violations.

All violations will be dealt with in accordance with article XXVI of this Ordinance.



March 12, 2024

To: Planning Commission

RE: Proposed amendments to the Zoning Ordinance, City of Clarkesville, Georgia – Short-term Rentals.

Upon a request from the Governing Body, the Planning Commission was tasked with creating an update to the City of Clarkesville Zoning Ordinance. Section 731 Short-term Rentals is the proposed amendment. The purpose of this amendment is to add a new section that would regulate Short-term rental within the city limits of Clarkesville.

Attached you will find a list of items that were amended.

I recommend that the amendment be approved by the Planning Commission and forwarded to the Governing Body for consideration.

Please see the attached documents.

Respectfully,

A handwritten signature in black ink, appearing to read "Caleb Gaines", followed by a long horizontal flourish.

Caleb Gaines
Zoning Administrator