

**CITY OF FOREST PARK
MAYOR & CITY COUNCIL AGENDA
REGULAR MEETING
July 2, 2018**

ANGELYNE BUTLER
MAYOR

Kimberly James
Ward 1

Dabouze Antoine
Ward 2

Sandra Bagley
Ward 3



Latresa Akins-Wells
Mayor Pro-Tem/ Ward 4

Allan Mears
Ward 5

**City Hall Council Chambers
745 Forest Parkway
Forest Park, GA 30297**

Work Session 6:00PM

- Call to Order
- City Manager's Report
- Discussion of Appointment to Clayton County Land Bank
- Discussion of 6th Annual Career Job Fair and Granting Usage of the Forest Park Gymnasium
- Adjournment

Mayor Butler
Angela Redding
Angela Redding

Angela Redding

Regular Meeting 7:00PM

- I.** Call to Order
- II.** Invocation
- III.** Pledge of Allegiance
- IV.** Roll Call
- V.** Comment Period
- VI.** Approval of Minutes

- 1. Work Session of Mayor & Council of June 18, 2018
- 2. Regular Meeting of Mayor & Council of June 18, 2018

**CITY OF FOREST PARK
MAYOR & CITY COUNCIL AGENDA
REGULAR MEETING
July 2, 2018**

VII. Agenda Items

1. Consider a Resolution by the Governing Authority for the City of Forest Park, Georgia, to Provide an Increase in Compensation for members of the Governing Authority in Accordance with O.C.G.A. Section 36-35-4; to provide that said Increase shall not take effect until January 1, 2020; to provide for severability; to Repeal all Ordinances and Resolutions and parts of Ordinances and Resolutions in Conflict Herewith; and for Other Purposes.
2. Consider Appointment to the Clayton County Land Bank.
3. Consider an Ordinance Amending the Code of Ordinances, City of Forest Park, Georgia with Respect to the Penalty for the Possession of Less than an Ounce of Marijuana; to Repeal Conflicting Ordinances; To Provide an Effective Date; and for other Purposes.
4. Consider an Ordinance Amending the Code of Ordinances, City of Forest Park, Georgia with Respect to the Boards and Authorities of the City; to Repeal Conflicting Ordinances; To Provide an Effective Date; and for other Purposes.

VIII. Executive Session for Personnel, Litigation and Real Estate Matters

IX. Legal Matters

X. Comments by Governing Body

XI. Adjournment

**STATE OF GEORGIA
COUNTY OF CLAYTON**

RESOLUTION NO. _____

A RESOLUTION BY THE GOVERNING AUTHORITY FOR THE CITY OF FOREST PARK, GEORGIA, TO PROVIDE FOR AN INCREASE IN COMPENSATION FOR MEMBERS OF THE GOVERNING AUTHORITY IN ACCORDANCE WITH O.C.G.A. SECTION 36-35-4; TO PROVIDE THAT SAID INCREASE SHALL NOT TAKE EFFECT UNTIL JANUARY 1, 2020; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES AND RESOLUTIONS AND PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, Sections 2-1-32 and 2-1-33 of the Code of Ordinances, City of Forest Park provides that increases in the compensation of the Mayor and Council shall be done by resolution;

WHEREAS, OCGA § 36-35-4 provides that the Mayor and Council may increase the compensation for the Mayor and Council subject to the following conditions: (1) any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date on which the action to increase the compensation was taken; (2) such action shall not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as such candidates and ending with the date members of the municipal governing authority take office following their election; and (3) such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the municipal corporation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken;

WHEREAS, the City of Forest Park has caused a notice of its intent to increase the compensation of the Mayor and Council to be published in the legal organ of Clayton County, Georgia once a week for three (3) consecutive weeks immediately preceding the week during which this action is to be taken.

NO THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA, AS FOLLOWS:

Section 1. The compensation paid by the City of Forest Park, Georgia to the elective members of the governing authority for the City shall, on the effective date provided for herein, be fixed as follows: the compensation for the Mayor of the City shall be increased from \$1,920.00 per month to \$2,112.00 per month; and the compensation for each of the members of the City Council of the City shall be increased from \$1,200.00 per month to \$1,320.00 per month. The per diem for the Mayor and City Council shall remain at \$500 per month.

Section 2. The increases in compensation provided for in Section 1 above shall not take effect until January 1, 2020.

Section 3. Severability. If any section, paragraph, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional for any reason by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, which such portions shall remain in full force and effect.

Section 4. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall take effect as provided for in Section 2 hereinabove.

SO RESOLVED this _____ day of _____, 2018.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Sandra Bagley, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA WITH RESPECT TO THE PENALTY FOR THE POSSESSION OF LESS THAN AN OUNCE OF MARIJUANA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Section 11-1-25 the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

"Sec. 11-1-25. - Possession of marijuana unlawful; penalty

It shall be unlawful for any person to possess one ounce or less of marijuana within the corporate limits of the city. Any person found guilty of violating this section shall be punished by a fine not exceeding \$75.00, and shall not be punished by imprisonment for any term; provided that any defendant charged with possession of one ounce or less of marijuana shall be entitled on request to have the case against such defendant transferred to the court having general misdemeanor jurisdiction in the county wherein the alleged offense occurred."

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 6. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, 2018.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Sandra Bagley, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA WITH RESPECT TO THE BOARDS AND AUTHORITIES OF THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Title 2, Chapter 3 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by adding a new Article C as shown on the attached Exhibit A.

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid,

unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 6. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO ORDAINED this _____ day of _____, 2018.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Sandra Bagley, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

“Article C – Boards and Authorities

Sec. 2-3-30. – Oath of Office for Board and Authority Members.

Prior to taking office, the oath of office shall be administered to each board or authority member of the City by the Mayor as provided for in Section 3.15(f) of the City Charter and shall, to the extent that it comports with federal and state law, including O.C.G.A. § 45-3-1, be as follows:

“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 Forest Park; that I will well and truly perform the duties as a _____
_____ Board Member; that I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which by the laws of the State of Georgia I am prohibited from holding; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia; and that I will to the utmost of my skill and ability endeavor to promote the interest and property of said city, without fear, favor, or affection. So help me God.”

Sec. 2-3-31. – Residency Affidavit.

- (a) Every board or authority member of the City shall annually execute an affidavit in a form approved by the City Attorney that such board or authority member (1) is a resident of the City; (2) has maintained their residency in the City during their term of office; (3) has otherwise maintained all of the requirements for membership on such board or authority during their terms of office; and (4) reaffirming their oath of office.
- (b) Failure to provide the affidavit within 5 business days of its request by the City shall be grounds for removal from any such board or authority.”

STATE OF GEORGIA

COUNTY OF CLAYTON

AFFIDAVIT

PERSONALLY appeared before the undersigned officer, duly authorized by law to administer oaths, _____, who after being duly sworn deposes and says as follows:

1.

I am over eighteen years of age, am mentally sound, and am competent to testify.

2.

I have been serving as a board member of *[insert name of board or authority]* since

_____.

3.

During all times serving in such capacity, I have maintained and continue to maintain my residency and domicile within the corporate city limits of the City of Forest Park.

4.

During all times serving in such capacity, I have maintained my qualifications to serve on the *[insert name of board or authority]*.

5.

I hereby reaffirm each and every part of the oath of office I took prior to assuming such office.

6.

Under penalty of perjury, I swear that the above information is, to the best of my knowledge and belief, true and correct.

SO SWORN this _____ day of _____, 2018.

[SIGNATURE]

[PRINT NAME]

Sworn to and subscribed before me
this _____ day of _____, 2018.

Notary Public

My Commission Expires:

[NOTARIAL SEAL]