

AGENDA

REGULAR MEETING OF MAYOR AND COUNCIL OF MARCH 19, 2018

6:00 P.M. Work Session

- Call to Order
 - City Manager's Report
 - Presentation – "SUSTAINABILITY-Let's All Join
Hands to Nurture Our Community, Spirit, Soul
And Body!"
 - Adjournment
- Mayor Butler
Angela Redding
Matti Jo Hardgrave
& Sydney Dean

I. Call to Order – 6:30 p.m.

II. Invocation

III. Pledge of Allegiance

IV. Roll Call

V. Comment Period

VI. Approval of Minutes

1. Work Session of Mayor & Council of March 5, 2018
2. Regular Meeting of Mayor & Council of March 5, 2018

VII. Agenda Items

1. Proclamation presented to the family of Brandon J. Gamble, Sr.
2. Consider an Ordinance by the City Council for the City of Forest Park, Georgia to amend the 2017-2018 Operating Budget to transfer funds to cover Computer Hardware and Software Expenses, to repeal all Ordinances and parts of Ordinances in conflict herewith; to provide an effective date; and for other purposes

BACKGROUND AND SUMMARY: This Ordinance is to request the transfer of funds from the Reserve from Contingencies account to the Technology Department to cover unexpected cost associated with the discovery of two significant issues affecting the vast majority of computer chips made since 1995. The patch to resolve the issue on desktop computers has been installed. This request is to purchase the necessary software for the operating system on the servers. Additionally, the request includes the cost for hardware/software included in SPLOST. However, the costs for these items are ineligible to be paid with SPLOST funds.

3. Consider an Ordinance by the City Council for the City of Forest Park, Georgia to amend the 2017-2018 Operating Budget to transfer funds to cover Expenses related to Starr Park Master Plan; to repeal all Ordinances and parts of Ordinances in conflict herewith; to provide an effective date; and for other purposes

BACKGROUND AND SUMMARY: This Ordinance is to request the transfer of funds from the Reserve from Contingencies account to the Planning, Building and Zoning Department to cover the cost associated with the Starr Park Master Plan. Consultant fees were paid from SPLOST and this project is ineligible for SPLOST.

- VIII. Executive Session for Personnel, Litigation, and Real Estate Matters
- IX. Legal Matters
- X. Comments by Governing Body
- XI. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF MARCH 5, 2018

Call to Order: The Work Session of Mayor and Council was called to order by Mayor Angelyne Butler at 6:00 p.m.

Present: Mayor Angelyne Butler, Councilmembers Kimberly James, Allan Mears, Latresa Wells and Sandra Bagley. Councilman Dabouze Antoine was present via telephone.

Also present were: Angela Redding, City Manager; Director of Public Works Jeff Eady; Director of Support Services Christine Terrell; Director of Recreation and Leisure Services Elaine Corley; Darren Duke, Director of IT; Chief Eddie Buckholts; Chief Dwayne Hobbs; David New, Interim Director of Planning and Zoning; and City Attorney Michael Williams.

City Managers Report: Ms. Redding stated the Police Department is accepting applications for the 42nd Citizens Police Academy beginning March 27th.

She stated Atlanta Technical College has a presence in Forest Park and offers adult education classes at Paradise Community Development Corp. on Hendrix Drive.

She stated a Ribbon Cutting will be held on Wednesday, March 7th at 10 a.m. at Paradise Community Development located at 4295 Hendrix Drive.

Employee Appreciation Day: Ms. Bagley asked the Council to consider an Employee Appreciation Day for all our employees. She suggested we look into this and get everyone involved.

Presentation: Ms. Felicia Davis stated the Council sees Forest Park as a world class city and is looking to attract additional investments and improve the quality of life. The Sister City Program is a way to facilitate citizen diplomacy and relationships with other citizens of other countries. She stated there are 700 cities that participate with more than a few thousand Sister City partnerships. This program does people to people exchanges, trade and economic missions,

municipal/technical/professional missions, humanitarian assistance, sustainable development, art and culture and youth and education.

She stated we have two cities interested in the Sister Cities. The first is Mirebalais, Haiti/Caribbean and Yenne, Senegal/West Africa. She stated Senegal is a small community with a brand new contemporary airport. Haiti is a developing community but with an interesting culture. She stated these cities have expressed interest from their Mayors and Council. She stated from the City's perspective, any opportunity for additional resources that elevate us in terms of trade and exchanges is great.

Agenda Items: *Resolution regarding the Downtown Development Authority:* Mayor Butler stated this item will be discussed more extensively in Executive Session and asked that Council amend the agenda to move this item to the end of the agenda.

Appointment of Solicitor: Mayor Butler stated this item will also be discussed during Executive Session and requested a member of Council amend the agenda and place this item at the end of the agenda.

Resolution repealing a certain Moratorium relating to the enforcement of the Assembly Use Provisions: Ms. James asked if the property on Main Street will be affected which is next to Forest Park Baptist Church? Ms. Redding stated no, this allows the City to use the previous ordinance in regards to enforcement of places of assembly. She stated last year the Council voted not to enforce the Ordinance and this allowed the church that moved into Parkway Chapel and the Community Center on Main Street time to submit their application and complete the permitting process. She stated in November, a 183 day moratorium was placed on the enforcement of the Ordinance, and since then those two organizations have completed all permitting requirements. This Ordinance removes the moratorium so the City can enforce what we already have on the books in regard to the Ordinance.

Ms. Bagley asked what does the City have on the books? Ms. Redding stated the Ordinance adopted in 2007 regarding places of assembly has a distance requirement of 500 ft. from any other place of assembly. She explained the

definition of places of assembly includes, social, fraternal, club, hotels, motels, funeral homes, parlors, churches, temples, auditoriums, stadiums, dance halls, and public library.

Adjournment: Ms. James made a motion to adjourn, seconded by Ms. Bagley. Voting for the motion was unanimous.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF MARCH 5, 2018

- Call to Order: The Regular Meeting of Mayor and Council was called to order by Mayor Angelyne Butler at 6:30 p.m.
- Invocation: The invocation was given by Dr. Wesley Greene of Amazing Grace World Outreach Church followed by the Pledge of Allegiance to the American Flag.
- Roll Call: Mayor Angelyne Butler, Councilmembers Kimberly James, Allan Mears, Latresa Wells and Sandra Bagley. Councilman Dabouze Antoine was present via telephone.

Also present were: Angela Redding, City Manager, Director of Public Works Jeff Eady; Director of Support Services Christine Terrell; Director of Recreation and Leisure Services Elaine Corley; Darren Duke, Director of IT; Chief Eddie Buckholts; Chief Dwayne Hobbs; David New, Interim Director of Planning and Zoning; and City Attorney Michael Williams.

- Comment Period: Zack Parker – stated last time he was here he expressed his displeasure to the City council appointing Naeem Thobhani to two boards which he is on. He pointed out certain members of the present council were offended and wanted to draw a distinction between the current council and previous council. He referred to the Council Meeting of January 17, 2017 and stated the four remaining members all had a hand in this appointment.

Roy Lunsford – stated he felt nothing is getting done in code enforcement and suggested giving less time between a warning and citation or giving citations immediately. He stated things are getting left out of the minutes and asked Council put a stop to animosity and vindictiveness against those not in office anymore.

Mattie Hartsfield – thanked the Mayor and Council for the dedication service at 696 Main Street Community Building in honor of the late Leonard Hartsfield, Sr. She stated it was beautiful because of their hard work.

Samuel Ibanez – stated things are being said about the previous council and what they did does not affect them.

Gregory Haynes – stated we have a recreation department that is basically empty most of the time and asked if there is any way we can get our kids in our gym. He stated he would like to see our kids have somewhere to go and have supervised recreation.

LaWanda Folomi – stated we are going to agree to disagree and everyone has a vision of what Forest Park can be. She asked how long the negativity is going to continue. She stated you can't reason if you are in disagreement before you get to the table and stated we need to be positive in this community.

Approval of
Minutes:

Mayor Butler asked the following correction be made in the comment period of the Regular Meeting of February 19th: Mr. Parker stated that appointments were made January 3, 2018, and it should be 2017.

Ms. Bagley made the following correction: under Governor's Glen Presentation, Mr. Andrew *Bell* should be Mr. Andrew *Ball*. In the comment period, Dr. Beeler stated he bought *1000 Main Street*, but the address is on Forest Parkway, and that should be corrected.

Ms. James made a motion to approve the minutes of the Work Session and Regular Meeting of February 19th, with the above corrections, seconded Mr. Mears. Voting for the motion was unanimous.

Recess:

Ms. James made a motion to recess for a Public Hearing, seconded by Ms. Bagley. Voting for the motion was unanimous.

Mayor Butler opened the Public Hearing to receive comments on the proposed rezoning of 0 Scott Road, Forest Park, Parcel 13015C A006 from R-80 Residential to C-1 Commercial.

Mr. Scott Benning stated he is asking for the rezoning of Scott Road. He stated this will be used as an office and would like it rezoned either Light Commercial or Commercial for this property.

Ms. Benning stated they currently operate out of Clayton County and the City of Atlanta and felt it would be a great venture to add us to your team in Forest Park.

Ms. Kay Holtsclaw was present to speak in opposition to this rezoning. She stated she lives at 738 Scott Road and explained they have no more buffers where this commercial building is to take place. She does not want all the trees taken down. She stated there were 6 family owned homes when they began there and there are 3 homes now. At the present time, JB Hunt stirs up dirt, fumes and smoke and if he removes all those trees, or even a few of them, we will be able to see the truck line all the time. There is no other privacy left. She asked that those trees not be removed.

Mr. Frank Holtsclaw (738 Scott Road) – he stated the property where the trees would be removed is 77 feet from where he lives. He said that is the only buffer they have and would destroy their quality of life. He stated there is a small problem with unwanted traffic there now and is not designed for that kind of traffic. He said this is a residential area. He presented pictures showing where they want to remove the trees and it is the only buffer they have at the present time.

Ms. Flournoy – stated Scott Road is the only place she brings her kids to play and run through the woods. She stated the area to be rezoned is very close to her mother and will remove all the trees and an area for her children to play.

Ms. Felicia Davis – She stated given if a business has invested in a piece of property and it is decided the City does not want to disturb that area, we have other properties that are commercial and she would be in favor of a solution that might provide them another location.

Ms. Lawanda Folomi – stated since JB Hunt is right at the back door and by removing those trees, you will see all of their activity which is a 24 hr a day operation. She is concerned about noise and is against this rezoning.

Mr. Scott Benning stated he has been an electrical contractor for 30 years and the building itself will serve as a buffer, which takes away some of the noise, and they will not be taking down all the trees, only a portion to actually set the building in place and do the administrative work. He

stated there are no trucks coming into the facility and all of his technicians drive their vehicles home.

Mayor Butler asked Mr. New since there is a portion of that area already zoned light industrial and some residential zoning, if this could be spot zoning. Mr. New stated no, JB Hunt is LI, two vacant properties across the street are HI, so it's not all R80. He stated a sound barrier might be required to be installed if that is what it takes to resolve the issue. He stated trees do not create that much of a sound barrier.

Ms. Wells made a motion to close the public hearing and reconvene the regular meeting, seconded by Ms. Bagley. Voting for the motion was unanimous.

Ms. James made a motion to amend the agenda to move the presentation of the proclamation to the beginning of the agenda, seconded by Ms. Bagley. Voting for the motion was unanimous.

Proclamation: Mayor Butler presented a proclamation to the Forest Park High School Wrestling Team.

Mayor Butler asked for a motion to move items #1 (Resolution - Downtown Development Authority) and #2 (Appointment of Solicitor) to the end of the agenda, so they can be discussed in Executive Session.

Ms. James made a motion to move those items to the end of the agenda, seconded by Ms. Bagley. Voting for the motion was unanimous.

Rezoning:
0 Scott Road: Request was made to consider a rezoning request of 0 Scott Road, Forest Park, Parcel 13015C A006 from R-80 Residential to C-1 Commercial.

Ms. James made a motion to deny the request for the rezoning, seconded by Ms. Wells. Ms. James went by this particular property and she does not want it to be rezoned commercial at the end of this street. Ms. Wells stated she also viewed the property and she would not want to interrupt our resident's lifestyle. Ms. Bagley also viewed the property and had a concern that he just purchased this property in January and suggested we look at other areas where he could operate his business. She said any increase in traffic

could be detrimental to this area and she is also opposed to the business at that location, not to the business itself.

Voting for the motion were Ms. James, Ms. Wells, Mr. Antoine and Ms. Bagley. Voting against the motion was Mr. Mears. The motion carried.

Ordinance-
Operating
Budget
Amendment:

Request was made to consider an Ordinance to amend the 2017-2018 Operating Budget to appropriate funds to cover cost of the Legislative Department; providing for severability; repealing inconsistent Ordinances; providing for an effective date; and for other purposes.

Ms. Wells made a motion to approve the Ordinance, seconded by Ms. Bagley.

Ms. Redding stated in previous years, the budget has been reduced in supplies and capital outlay in both the City Managers and Finance Directors budget. Since we are incurring additional costs with the new administration, we would now like to add line items in the Legislative Department for supplies and Capital Outlay.

Voting for the motion was unanimous.

Resolution:

Request was made to consider a Resolution repealing a certain Moratorium relating to the Enforcement of the Assembly Use Provisions of the Zoning code; authorizing the Execution of all Documents necessary to effectuate the purpose of this Resolution; authorizing the City Clerk to attest signatures and affix the Official Seal of the city, as necessary; providing for an effective date of this Resolution; and for other purposes.

Ms. Wells made a motion to approve this Resolution, seconded by Ms. James. Voting for the motion was unanimous.

Executive
Session:

Ms. Wells made a motion to enter into Executive Session to discuss personnel, litigation, and real estate matters, seconded by Ms. Bagley. Voting for the motion was unanimous.

Mayor and Council entered into Executive Session at 7:26 p.m.

Ms. Bagley made a motion to adjourn the Executive Session and reconvene the Regular Meeting, seconded by Ms. James. Voting for the motion was unanimous.

Resolution:
*Downtown
Development
Authority:*

Tabled from February 19, 2018 Regular Meeting:

Request was made to consider a Resolution regarding the Downtown Development Authority of the City of Forest Park, Filling Certain Expired Terms in the offices of the Directors of the Downtown Development Authority; Designating a revised Downtown Development Area; providing for severability; repealing inconsistent Resolutions; providing for an effective date of this Resolution; and for other purposes.

Ms. Wells made a motion to approve the Resolution and reactivate the Downtown Development Authority with the following members:

Angela Redding
Angelyne Butler
Steve Bernard (Jasber Development)
Lois Wright
Eliot Lawrence
Pamela Cisneros (Heritage Bank)
Jeremy Stratton (Chamber of Commerce)

Seconded by Ms. James. Voting for the motion were Ms. Wells, Ms. James, Ms. Bagley, and Mr. Antoine. Voting against the motion were Mr. Mears and Ms. Bagley. The motion carried.

Appointment-
Solicitor:

Request was made to appoint a City Solicitor.

Ms. Wells made a motion to appoint Leslie Miller Terry as City Solicitor, seconded by Ms. James. Voting for the motion was unanimous.

Adjournment:

Ms. Wells made a motion to adjourn, seconded Ms. James. Voting for the motion was unanimous.

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. - _____

AN ORDINANCE BY THE CITY COUNCIL FOR THE CITY OF FOREST PARK, GEORGIA, TO AMEND THE 2017-2018 OPERATING BUDGET TO TRANSFER FUNDS TO COVER COMPUTER HARDWARE AND SOFTWARE EXPENSES; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 6.33 of the City Charter (“the City Charter”) for the City of Forest Park, Georgia (“the City”) provides that the City Council “shall by ordinance adopt the final operating budget” for the City for each fiscal year, and a final operating budget has been adopted for the current fiscal year; and

WHEREAS, Section 6.35 of the City Charter provides that the City Council “may make changes in the appropriations contained in the current operating budget” with the limitations provided for therein; and

WHEREAS, the Department of Administration and Finance requires funding in order to pay for computer hardware and software expenses,

WHEREAS, in order to pay the computer hardware and software expenses for the remainder of the 2017-2018 budget year, an appropriation of \$152,000 from 100-22-1510-57-9000, Reserve for Contingencies, to Line Item 100-24-1535-53-2401, Computer Hardware/Software Expenses in the Department of Technology Services is required.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Forest Park,

Section 1. The sum of \$152,000 is hereby appropriated from Line Item No. 100-22-1510-57-9000, Reserve for Contingencies, to Line Item 100-24-1535-53-2401, Computer Hardware/Software Expenses in the Department of Technology Services for the 2017-2018 annual budget for the City of Forest Park, Georgia.

Section 2. That the changes to the ordinances set forth above shall not be included in the City of Forest Park Code of Ordinances.

Section 3. Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance 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 Ordinance, which such portions shall remain in full force and effect.

Section 4. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall be in full force and effect immediately upon and after its final passage.

SO ORDAINED this _____ day of _____, 2018.

Angelyne Butler, **Mayor**

Kimberly James
Councilmember, Ward One

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Mayor Pro-tem, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

(THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA)

Approved as to form:

City Attorney

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. - _____

AN ORDINANCE BY THE CITY COUNCIL FOR THE CITY OF FOREST PARK, GEORGIA, TO AMEND THE 2017-2018 OPERATING BUDGET TO TRANSFER FUNDS TO COVER STARR PARK MASTER PLAN; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 6.33 of the City Charter (“the City Charter”) for the City of Forest Park, Georgia (“the City”) provides that the City Council “shall by ordinance adopt the final operating budget” for the City for each fiscal year, and a final operating budget has been adopted for the current fiscal year; and

WHEREAS, Section 6.35 of the City Charter provides that the City Council “may make changes in the appropriations contained in the current operating budget” with the limitations provided for therein; and

WHEREAS, the Department of Planning, Building and Zoning requires funding in order to pay for the Starr Park Master Plan,

WHEREAS, in order to pay the for the Starr Park Master Plan the remainder of the 2017-2018 budget year, an appropriation of \$150,000 from 100-22-1510-57-9000, Reserve for Contingencies, to Line Item 100-55-7410-52-1202, Starr Park Master Plan in the Department of Planning, Building and Zoning is required.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Forest Park,

Section 1. The sum of \$150,000 is hereby appropriated from Line Item No. 100-22-1510-57-9000, Reserve for Contingencies, to Line Item 100-55-7410-52-1202, Starr Park Master Plan, in the Department of Planning, Building and Zoning for the 2017-2018 annual budget for the City of Forest Park, Georgia.

Section 2. That the changes to the ordinances set forth above shall not be included in the City of Forest Park Code of Ordinances.

Section 3. Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance 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 Ordinance, which such portions shall remain in full force and effect.

Section 4. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall be in full force and effect immediately upon and after its final passage.

SO ORDAINED this _____ day of _____, 2018.

Angelyne Butler, **Mayor**

Kimberly James
Councilmember, Ward One

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Mayor Pro-tem, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

(THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA)

Approved as to form:

City Attorney