



## AGENDA

### REGULAR MEETING OF MAYOR AND COUNCIL OF FEBRUARY 5, 2018

6:00 P.M. Work Session

- Call to Order Mayor Butler
  - City Manager's Report Angela Redding
  - Atlanta Regional Commission Presentation -  
Comprehensive Plan
  - Discussion of pay raises for Mayor & Council
  - Discussion of a Resolution in support of The City of Stockbridge
  - Executive Session for Personnel, Litigation, and Real Estate
  - Adjournment
- I. Call to Order – 6:10 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 January 2, 2018
  2. Regular Meeting of Mayor & Council of January 2, 2018
  3. Special Called Meeting of Mayor & Council of January 9, 2018
  4. Work Session of Mayor & Council of January 16, 2018
  5. Regular Meeting of Mayor & Council of January 16, 2018

- VII. Recess for Public Hearing
- VIII. Open Public Hearing to receive comments on the rezoning request to rezone 4888 College Street from RM-85 to C-1.
- IX. Close Public Hearing and reconvene meeting
- X. Agenda Items
  - 1. Consider a permanent City Manager and all matters directly related thereto including the appointment of a City Manager. City Manager contract matters and Resolution and or Ordinances to effectuate the will of Council with respect to the appointment of a City Manager.
  - 2. Consider an Addendum to the Contract for Probation Supervision and Rehabilitation Services by and between the City of Forest Park and Professional Probation Services, Inc. (PPS)

**BACKGROUND AND SUMMARY:** The Georgia Department of Community Supervision's (DCS) Misdemeanor Probation Oversight Unit (MPOU) has reviewed the Contract for Probation Supervision and Rehabilitation Services which was executed by and between the City of Forest Park and Professional Probation Services, Inc. (PPS) on March 6, 2017, and requires that we modify the contract's period of service.

According to DCS Board Rules, misdemeanor probation contracts must contain, "Default and contract termination procedures with specific expiration date not to exceed five (5) years unless authorized by statute."

- 3 Consider a Resolution to adopt the meetings times of the Council as 6:00pm for work sessions and 6:30pm for regular meetings of the City Council on the 1<sup>st</sup> and 3<sup>rd</sup> Mondays in the City Hall Chamber.

**BACKGROUND AND SUMMARY:** It is proposed that the City Council meet for its work session at 6:00pm and for its regular session at 6:30pm. The current practice provides for the regular session to begin immediately following the end of the work session. This has resulted in many citizens missing all or part of the regular session meeting. Additionally, it has reduced the amount of time citizens could interact with members of Council between the work session and the regular session. Adoption of the resolution would allow for such interaction and make it possible for more citizens to attend the regular session meeting.

4. Consider an Ordinance to amend Section 9-2-7 (b) to extend the hours of operation for sales of alcoholic beverages for consumption on premises to 3:30am on Monday through Saturday and 2:55am on Sunday.

**BACKGROUND AND SUMMARY:** The City has been asked to consider extending the hours during which alcohol may be served for consumption on the premises. The proposal would make Forest Park establishments more competitive and economically viable by being able to stay open for that additional period of time.

5. Consider the proposed rezoning of 4888 College Street from RM-85 to C-1.

**BACKGROUND AND SUMMARY:** A request has been made to rezone 4888 College Street from RM-85 to C-1. This property has been utilized for office space for the last few decades, but was never rezoned. Since the current lessee has moved, the new lessee needs it to be rezoned to C-1 in order to lease the building for office space. The surrounding properties are either C-1 or C-2. The building has been renovated for office space and can no longer be used as a residence; therefore, the only use for the building would be commercial.

6. Consider a Resolution activating the Downtown Development Authority of The City of Forest Park, naming and appointing Directors of the Downtown Development Authority, and designating a downtown development area.

XI. Legal Matters

XII. Comments by Governing Body

XIII. Adjournment

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO DESIGNATE MEETING TIMES DATES AND LOCATIONS OF THE CITY COUNCIL**

WHEREAS, the City of Forest Park (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds;

WHEREAS, Section 2.20 of the City Charter provides that the “city council shall hold regular public meetings at a stated time and place as provided by ordinance but not less often than twice a month;

WHEREAS, Sec. 2-1-1 of the Code of Ordinances, City of Forest Park, Georgia provides that the City Council “shall establish from time to time by resolution the times, dates, and locations of regular meetings”;

WHEREAS, the Mayor and Council desire in this Resolution to establish the meeting times of the Council in accordance with the City Charter and City Code; and

WHEREAS, the Mayor and Council desire for work sessions to begin at 6:00 p.m. and for regular meetings to begin at 6:30 p.m. on the days when the City Council meets;

THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES:

**SECTION 1. Designation of Meeting Times.** The City Council hereby adopts the schedule of meeting times, dates and locations for its work sessions and regular meetings as shown on the attached Exhibit A.

**SECTION 2. Public Record.** This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Forest Park.

**SECTION 3. Authorization of Execution.** The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

**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. Effective Date.** This resolution 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 RESOLVED this 5<sup>th</sup> day of February 2018.

\_\_\_\_\_  
Mayor Angelyne Butler

\_\_\_\_\_  
Council Member Kimberly James, Ward 1

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Council Member Dabouze Antoine, Ward 2

\_\_\_\_\_  
Council Member Sandra Bagley, Ward 3

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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 HOURS OF OPERATION FOR CERTAIN ALCOHOL PERMITTEES; 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 9-2-7(b) of 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:

*“(b) Sales of alcoholic beverages for consumption on the premises shall be prohibited between the hours of 3:30 a.m. and 9:00 a.m. Monday through Saturday and between the hours of 2:55 a.m. and 12:30 p.m. on Sunday.*

**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.** Except as otherwise provided herein and not including any provisions of Chapter 12 – Adult Entertainment Establishments, 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

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Council Member Dabouze Antoine, Ward 2

\_\_\_\_\_  
Council Member Sandra Bagley, Ward 3

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Council Member Latresa Wells, Ward 4

\_\_\_\_\_  
Council Member Allan Mears, Ward 5

ATTEST:

\_\_\_\_\_  
City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**STATE OF GEORGIA  
COUNTY OF CLAYTON  
CITY OF FOREST PARK**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ACTIVATING THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF FOREST PARK; NAMING AND APPOINTING DIRECTORS OF THE DOWNTOWN DEVELOPMENT AUTHORITY; DESIGNATING A DOWNTOWN DEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Forest Park (“City”) is a municipal corporation located within Clayton County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, O.C.G.A. § 36-42-1 *et seq.* provides a process whereby Georgia cities can activate downtown development authorities in order to assist in the revitalization and redevelopment of central business districts of the municipal corporations of the state; and

WHEREAS, it has been determined by the Mayor and Council of the City of Forest Park, Georgia (the “City”) that there is a continuing need in the City for the revitalization and redevelopment of the central business district of the City to develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities and to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade, and commerce and the development of existing industry, trade, and commerce within the City; and

WHEREAS, it has been determined by the Mayor and Council of the City that revitalization and redevelopment of the central business district of the City will develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities, and will promote the general welfare of the State of Georgia; and

WHEREAS, it has been determined by the Mayor and Council of the City that it is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to continue to revitalize and develop the central business district of the City; and

WHEREAS, O.C.G.A. § 36-42-1 *et seq* (the “Downtown Development Authorities Law”) creates in and for each municipal corporation in the State of Georgia a downtown development authority for the purpose of revitalizing and redeveloping the central business district of such municipal corporation and promoting the public good and general welfare, trade, commerce, industry, and employment opportunities, and promoting the general welfare of the State of Georgia; and

WHEREAS, O.C.G.A. § 36-42-5(a) requires that in its resolution activating its downtown development authority, the governing body *SHALL* (1) designate as the downtown development area that geographical area within the municipal corporation which, in the judgment of the governing body, constitutes the central business district and (2) appoint the initial directors of the authority; and

WHEREAS, the City Council finds that this is a proper resolution with respect to activation of the Downtown Development Authority of the City of Forest Park and is necessary and beneficial to its citizens.

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVE AS FOLLOWS;

Section 1.     **Board of Directors** – The Mayor and City Council of the City of Forest Park resolve that there are hereby named and appointed as members of the Board of Directors of the Downtown Development Authority of the City of Forest Park the following seven (7) named persons, each of whom, in the judgment of the Mayor and City Council, meets the qualifications set forth in the Downtown Development Authorities Law:

| <u>Names</u> | <u>Terms of Office</u>    |
|--------------|---------------------------|
| _____        | until January _____, 2020 |
| _____        | until January _____, 2020 |
| _____        | until January _____, 2022 |
| _____        | until January _____, 2022 |
| _____        | until January _____, 2024 |
| _____        | until January _____, 2024 |
| _____        | until January _____, 2024 |

The Mayor and Council of the City further resolve that commencing with the date of adoption of this resolution each of the persons named above as directors shall serve in such capacity for the term set forth opposite his or her respective name, however, that after the expiration of their initial terms, the terms shall be as provided under the Downtown Development Authorities Law.

Section 2.     **Designation of Downtown Development Area** – Pursuant to O.C.G.A. § 36-42-5(a), the Mayor and City Council hereby designate the area shown within the blue of the map attached hereto as Exhibit A and made a part hereof as if fully set forth herein as the Downtown Development Area of the City of Forest Park.

Section 3.     **Documents** – The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 4.     **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 5.     **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 6.     **Effective Date** - This Resolution shall be effective immediately upon the date of its adoption by the City Council and Mayor as provided in the City Charter.

[Signatures on following page.]

SO RESOLVED, this the 5<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor Angelyne Butler

\_\_\_\_\_  
Council Member Kimberly James, Ward 1

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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:

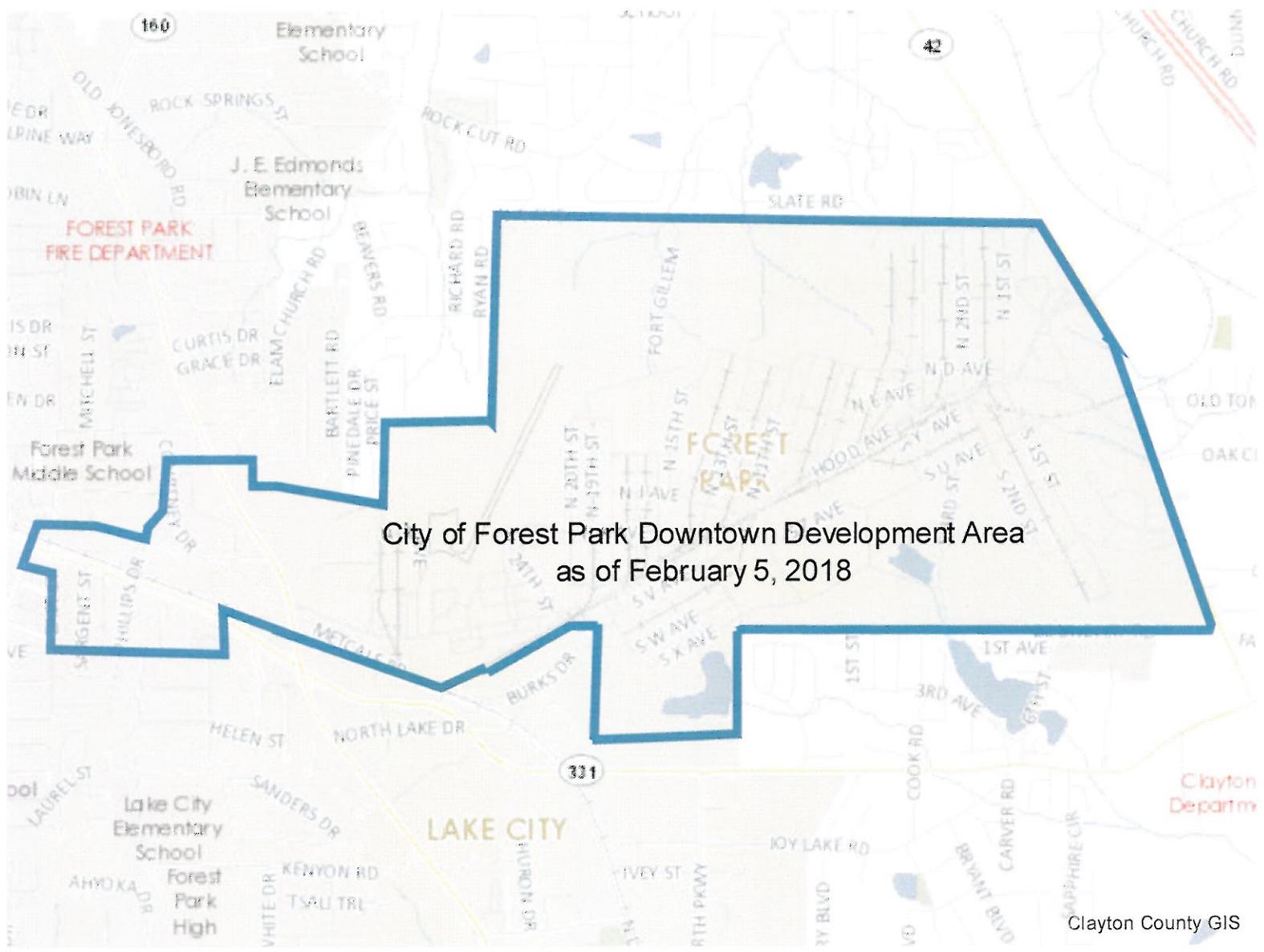
\_\_\_\_\_  
City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Exhibit A

Downtown Development Area



City of Forest Park Downtown Development Area  
as of February 5, 2018