

A G E N D A

REGULAR MEETING OF MAYOR AND COUNCIL FEBRUARY 20, 2017

6:00 P.M. Work Session

- City Managers report

I. Call to Order – 6:10 p.m. Mayor Lockhart

II. Invocation

III. Pledge of Allegiance

IV. Roll Call

V. Comment Period

VI. Approval of Minutes

1. Work Session of Mayor and Council of January 17, 2017
2. Regular Meeting of Mayor and Council of January 17, 2017
3. Work Session of Mayor and Council of February 6, 2017
4. Regular Meeting of Mayor and Council of February 6, 2017

VII. Agenda Items

Recess for One Public Hearing

Open Public Hearing on proposed Charter amendment.

Close Public Hearing on proposed Charter amendment.

1. Consider an Ordinance to amend the Charter of the City of Forest Park by revising Section 4.11 (“Chief Judge; Associate Judge”) of Article IV (“Municipal Courts”) therein; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and to provide for other lawful purposes.

BACKGROUND AND SUMMARY: House Bill 691 amended certain sections within Title 36 of the Official Code of Georgia relating to the appointment and removal of municipal court judges requiring the aforementioned amendments to city charter.

2. Consider an Ordinance to amend Chapter 5 (“Municipal Court”) of article A (“General Provisions”) of the Code of Ordinances, City of Forest Park, Georgia, by amending Sections 2-5-17, 2-5-18, 2-5-18.1, and 2-5-19; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and to provide for other lawful purposes.

BACKGROUND AND SUMMARY: Upon amendment of the city’s Charter, changes must be made to the Code of Ordinances to ensure compliance with the City’s Charter.

3. Consider a Resolution to establish compensation and frequency of payment of such compensation for the Chief, Associate and Judges Pro Tempore; to provide an effective date; and for other lawful purposes.

BACKGROUND AND SUMMARY: Reference Agenda Item #2.

4. Consider an Ordinance to amend the Code of Ordinances, City of Forest Park, Georgia, to establish a Department of Technology Services by amending Subsection A of Section 2-3-1 (Departments Established) in Article A (General Provisions) of Chapter 3 (Administration) in Title 2 (General Government) and by enacting Title 12 (Technology Services) and Chapter 1 (Department of Technology Services) in said Title; to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other lawful purposes.

BACKGROUND AND SUMMARY: City administration has become increasingly more dependent upon the use of information technology including, but not limited to, computers and data communication systems. The recent advancements and prevalent use of technology throughout all city departments have also increased along with the demand for professionally managed technology services. The proposed ordinance creates a new Department of Technology Services operating under the direction of a newly created Technology Services Director position.

5. Consider an Appointment of Technology Services Director.
6. Consider an Appointment of Chief Hobbs as interim assistant City Manager, effective immediately, which position will convert to interim City Manager on March 7, 2017, with a ten percent (10%) pay increase over his current compensation, which increase shall take effect immediately and continue until he ceases to serve as City Manager.

Recess for Two Public Hearings

Open Public Hearing on Proposed Rezoning.

Close Public Hearing on Proposed Rezoning.

Open Public Hearing on Board of Zoning Appeals Membership.

Close Public Hearing on Board of Zoning Appeals Membership.

7. Consider an Ordinance to amend the Official Zoning Map, City of Forest Park, Georgia by rezoning certain parcels of real property; to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other lawful purposes.

BACKGROUND AND SUMMARY: At some point in time in the past, some 19 parcels of real property in an otherwise residential zone (R-80, RM-85), were rezoned to General Commercial District (C-1). Over time, many of the businesses have closed and are vacant buildings and/or lots. The 2010-2030 Future Land Use Map adopted by the Mayor and Council and contained in the City's Comprehensive Plan, shows the entire study area as planned for residential use. The proposed rezonings are in compliance with the overall goal of the future land use plan outlined in the 2005-2025 Comprehensive Plan. Properties that are currently in compliance with the city's zoning regulations will be able to continue operating under the current zoning classification subject to the terms of non-conforming use ordinances.

8. Consider an Ordinance to amend Section 8-8-121 ("Establishment of Board of Appeals") of Article I ("Board of Zoning Appeals") of Chapter 8 ("Zoning") in Title 8 ("Planning and Development") of the Code of Ordinances, City of Forest Park, Georgia by repealing the current language in said Section in its entirety and enacting new regulations in lieu thereof; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and to provide for other lawful purposes.

BACKGROUND AND SUMMARY: In considering a member of the City Board of Zoning Appeals for another city board appointment, it became evident that the language in the current ordinance governing members of the Board of Zoning Appeals states that: "None of the members shall hold any other public office or position in the municipality, except that one member may also be a member of the planning commission." The purpose of this proposed ordinance would be to repeal the current language thus allowing members of the Board of Zoning Appeals to serve on any other boards.

VIII. Legal Matters

IX. Comments by Governing Body

X. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF FEBRUARY 6, 2017

Call to Order: The Work Session of Mayor and Council of February 6, 2017 called to order by Mayor David Lockhart at 6:00 p.m.

Present: Mayor Lockhart and Councilmembers, Tommy Smith, Dabouze Antoine, Sandra Bagley, Latresa Wells and Allan Mears.

Also present were Al Wiggins, City Manager; Mike Blandenburg, Director Finance; and City Attorney, Winston Denmark.

City Managers Report: Mr. Wiggins stated that we have initiated replacing the black trash bags with the installation of trash cans at the MARTA bus stops.

Mr. Wiggins stated that we will begin the renovations to City Hall during the months of March and April which will require us to relocate the Mayor & Council meetings. One location being considered is the Police Department and the other is the Main Street Community Center. The Police Department seems to be the best location at this time.

Mr. Wiggins stated that the painting of the mural on Main Street will begin February 7, 2017. The delay was the issue with the mortar on the wall. Public works will address this issue.

Mr. Wiggins stated that we will have a general information meeting tomorrow giving an explanation of the rezoning that will be taking place in the Springdale Rd. area.

Mr. Wiggins stated that for those that missed the MARTA meeting last week, another meeting will be held February 9, 2017, at the Frank Bailey Sr. Center, Clayton County. MARTA is holding meetings to receive comments to unveil their preliminary plans for transit initiatives in the Clayton County area.

Mr. Wiggins stated that the area between Finley & Phillips will be closed temporarily due to construction on Courtney Dr.

Pastor Reed Chambliss, First Baptist Church Forest Park, announced that 'Sunday in the Park', which will be part of their Missions Conference, will be held February 12, 2017, at Starr Park. Pastor Chambliss stated that at 10:45 a.m. February 26, 2017, First Baptist Church Forest Park, we're inviting all of the City employees to come for a service of appreciation and lunch following.

Ms. Arvis Walker, FPHS President, stated that we have FPHS PTSA t-shirts for sale. Ms. Walker stated that we are working with Mr. Wiggins to plan a Forest Park PTSA Day. Ms. Walker stated that we are in a membership madness which means that PTSA has come from 25 members last year to over 301 members right now. Ms. Walker stated that we have a fundraiser going on now to collect prom attire. Ms. Walker stated that our next PTSA meeting will be February 9, 2017, at FPHS at 6:15 p.m. in the cafeteria.

Councilwoman Bagley stated that AARP will be teaching their defensive driving course at the Sr. Center and this will save you some money on your car insurance. Please contact Ms. Corley or Ms. Joann at the Sr. Center for more information.

Ms. Sparkle Adams stated that she would like to take the Teen Council to the National League of Cities conference, March 10-15, 2017. Teen Council meetings are held every 2nd and 4th Tuesday in the Kiwanis Bldg., 6:30 p.m. An annual awards banquet will be held February 26, 2017, 4-6:30p.m.

Ms. Adams stated that she has been a member of the Atlanta Chapter of the Tuskegee Airmen for over 20 years. We're looking for a home in Forest Park for our artifacts and our meetings.

Mayor Lockhart asked for a motion to enter into Executive Session to discuss pending litigation and a personnel matter. Councilwoman Wells made the motion to so move. Councilman Smith seconded. Voting was unanimous.

Mayor Lockhart asked for a motion to enter back into Work Session. Councilman Smith made the motion to so move. Councilwoman Bagley seconded. Voting was unanimous.

Councilman Smith made a motion to adjourn the Work Session. Councilwoman Bagley seconded. Voting was unanimous.

Adjournment: Councilman Smith made a motion to adjourn the Work Session. Councilwoman Bagley seconded the motion. Voting was unanimous.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF FEBRUARY 6, 2017

Call to Order: The Regular Meeting of Mayor and Council of February 6, 2017, called to order by Mayor David Lockhart at 7:00 p.m.

Invocation: The invocation was given by Carl Evans followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor Lockhart and Councilmembers, Tommy Smith, Dabouze Antoine, Sandra Bagley, Latresa Wells and Allan Mears.

Also present were Al Wiggins, City Manager; Mike Blandenburg, Director Finance; and City Attorney, Winston Denmark.

Comment Period: L. B. Payne, 5652 Highland Street, Forest Park. I have a storm water problem since 1968. I'm asking the Council for help.

Approval of Minutes: Councilwoman Wells made a motion to table the minutes of January 17, 2017, due to several errors. Councilman Smith seconded. Voting for the motion was unanimous.

Mayor Lockhart asked for a motion to amend the agenda to add an item to discuss pending litigation. Councilwoman Wells made a motion to so move. Councilman Smith seconded. Voting was unanimous.

Mayor Lockhart stated that the City of Forest Park has sued one of our former officers who owes us some money and he's made us a settlement offer and has agreed to pay us \$5,000. Councilman Smith made a motion to accept the settlement offer of \$5,000. Councilwoman Bagley seconded. Voting was unanimous.

MOA: Memorandum of Agreement between the City of Forest Park and other Clayton County entities for the purpose of obtaining a lobbyist. Councilman Smith made a motion to accept the Memorandum of Agreement. Councilman Mears seconded. Councilman Smith made a motion to amend the motion to authorize our law firm, Fincher Denmark, specifically Steve Fincher, to execute this Memorandum on

our behalf. Councilwoman Wells seconded the proposed amendment. Voting was unanimous.

Resolution:
Lord, Aeck
Sargent, Inc.

Resolution authorizing the Mayor, on behalf of the City of Forest Park, Georgia, to execute a contract agreement with Lord, Aeck Sargent, Inc. for urban design, planning and landscape architecture consulting services. Councilwoman Wells made a motion to accept the Resolution. Councilman Smith seconded. Voting was unanimous.

Councilman Smith made a motion to amend the agenda to add a Public Hearing concerning the Charter amendment. Councilwoman Wells seconded. Voting was unanimous.

Mayor Lockhart opened the Public Hearing.

Councilman Smith made a motion to close the Public Hearing and reconvene the Regular Meeting. Councilwoman Wells seconded. Voting was unanimous.

Ordinance:
Amending the
Charter

Ordinance to amend the Charter of the City of Forest Park by revising Section 4.11 (“Chief Judge; Associate Judge”) of Article IV (“Municipal Courts”). Councilman Smith made a motion to adopt the Ordinance to amend the Charter. Councilwoman Wells seconded. Voting was unanimous.

Ordinance:
Amendment
Code of Ord.
Section 2-5-19

Ordinance to amend Section 2-5-19 (“compensation”) of Chapter 5 (“Municipal Court”) of the Code of Ordinances, City of Forest Park, Georgia.

Councilman Smith made a motion to adopt this Ordinance. Councilwoman Bagley seconded. Voting was unanimous.

Resolution:
Municipal
Court Judge

Resolution authorizing the Mayor, on behalf of the City of Forest Park, Georgia to execute an agreement with the Chief Municipal Court Judge.

Councilman Smith made a motion to approve the Resolution. Councilwoman Bagley seconded. Voting was unanimous.

Resolution:
Assistant Judge
Environmental
Court

Resolution authorizing the Mayor, on behalf of the City of Forest Park, Georgia to execute an agreement with the Assistant Municipal Court Judge of Environmental Court.

Councilwoman Wells made a motion to approve the Resolution. Councilman Smith seconded. Voting was unanimous.

Resolution: Resolution authorizing the Mayor, on behalf of the City of
Municipal Forest Park, Georgia to execute agreements with certain
Court Judges persons as Municipal Court Judges Pro Tempore.
Pro Tempore

Councilwoman Wells made a motion to approve the Resolution. Councilman Mears seconded. Voting was unanimous.

Resolution: Resolution by the City Council of the City of Forest
Surplus Park declaring certain city property to be surplus property,
listed on "Exhibit A", and to provide for its proper disposal
either by auction or other methods pursuant to the city's
ordinances; and for other purposes.

Councilwoman Wells made a motion to approve the Resolution. Councilman Smith seconded. Voting was unanimous.

Resolution: Resolution authorizing the Mayor, on behalf of the City of
Telecommuni- Forest Park, Georgia, to enter in an agreement with
cations GEORGIA TAX AND REGULATORY SOLUTIONS, LLC
("GTRS") for various telecommunication related services.

Councilwoman Wells made a motion to approve the Resolution. Councilman Smith seconded. Voting was unanimous.

Legal Matters: None

Adjournment: Councilman Smith made a motion to adjourn. Seconded
by Councilwoman Wells. Voting was unanimous.

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF JANUARY 17, 2017

Call to Order: The Work Session of Mayor and Council of January 17, 2017 called to order by Mayor David Lockhart at 6:00 p.m.

Present: Mayor Lockhart and Councilmembers, Tommy Smith, Dabouze Antoine, Sandra Bagley, Latresa Wells and Allan Mears.

Also present were Al Wiggins, City Manager; Mike Blandenburg, Director Finance; Jonathan Jones, Director Planning, Building and Zoning; Jeff Eady, Director Public Works; Deputy Chief Matt Jackson, Fire; Elaine Corley, Director Recreation & Leisure Services; Chief Eddie Buckholts, Fire; Christine Terrell, Director Support Services; and City Attorney John O'Neal.

Agenda
Items:

Approval of signage for Councilman Smith Ward 1 - Most Beautiful Yard program. Councilman Smith stated that we are trying to keep Ward 1 beautiful by picking out a resident quarterly who maintains their yard well. A sign will be placed in their yard saying they are the winner of the Keep Ward 1 Beautiful Program.

Resolution to set and publish qualification fees for the 2017 General Election for the Office of Mayor and Council Wards 1 and 2.

Report of Audit Results for June 30, 2016 – Mauldin & Jenkins, CPA's.

Resolution by the City Council of the City of Forest Park authorizing the Mayor to execute a contract with Lefko Development, Inc., DBA Lefko Construction for renovation of the P B & Z Office. Ms. Bagley asked if these funds would be coming from SPLOST funds? Mr. Wiggins stated that yes this is on the Master List of all SPLOST projects.

Ordinance by the governing body of the City of Forest Park, Georgia, amending the budget for the 2015 SPLOST Capital Project Fund for the Fiscal Year 2016-2017. Mr. Wiggins stated that this is a simple revision to the initial SPLOST budget approved November of last year. The changes include a roof repair to PB&Z Department and this project was inadvertently left off that budget.

Ordinance authorizing the acceptance by the City of Forest Park, Georgia, of title to a donated tract of real property.

Councilwoman Bagley made a motion to enter into Executive Session to discuss the real estate matter. Seconded by Councilman Smith. Voting was unanimous.

Councilman Smith made a motion to enter back into Work Session. Seconded by Councilman Mears. Voting was unanimous.

Consider honorary naming of the Main Street Community Center located at 696 Main Street. Councilwoman Wells stated it had been considered to name a street after a community leader, Mr. Leonard Hartsfield, Sr., but naming a street takes a lot so since we have a community center and he did a lot in our community, we should contribute something. Councilwoman Wells suggested naming 696 Main Street after Mr. Hartsfield. Mayor Lockhart stated that he wasn't sure that 696 Main Street is the right way to memorialize his services. Mayor Lockhart stated that he didn't know the right particular location but Mr. Hartsfield is well worth memorializing.

Legal
Matters: None

City Manager
Report:
890 Conley Rd. Mr. Wiggins stated that the vacant and dilapidated Old Briarwood Forest Apartments located at 890 Conley Road will have legal notices posted on the property and a special lien placed against the property to address the nuisance conditions within the next 60 days. All the work and the cost associated with hiring our attorneys to act as a special prosecutor to get this issue addressed, we hope to recover the funds through sale of the property.

4666 Jonesboro Rd: Mr. Wiggins stated that 4666 Jonesboro Road is the old coin operated laundromat which has been in a state of disrepair and may also be a collapse hazard at this point. The property was sold last week and as soon as we are able to locate the owner, we will be able to begin the abatement process if the owner doesn't come into immediate compliance.

FPHS PTSA: Mr. Wiggins stated that the Forest Park High School PTSA is asking for gently used suits and dresses for their upcoming prom. They also have shirts for \$10. The membership to the Forest Park PTSA is \$10. Please support the PTSA. Mr. Wiggins stated that we will have membership forms at the next council meeting.

Drought Restrictions: Mr. Wiggins stated that we are still in a Level 2 drought restriction. The water restrictions are still in place and we don't have a foreseeable time where the restrictions will be lifted. Please remain in compliance with the water restrictions.

Capstone Project: Mr. Wiggins stated that the Andrew Young School of Policy through GA State University has awarded the City of Forest Park a grant to help us with studies in our Main Street Market Analysis for the use of properties on the Main Street corridor. A select few organizations receive this award.

Mr. Jones stated a more detailed explanation of the project.

Parks Master Plan: Mr. Wiggins stated that this is Starr Park, an 18 acre park that we are looking to revitalize. We went through an open bid process. Staff has a recommendation for a firm for us to choose, and we will submit that recommendation during the next Mayor & Council meeting to Mayor & Council.

City Hall Renovation: Mr. Wiggins stated that during the month of March to replace the HVAC system and to do a few repairs to our bathroom primarily to bring them into compliance with the Americans with Disabilities Act.

GRM HOF: Mr. Wiggins stated that they are indeed coming to the City of Forest Park. Target date is April 1, 2017.

MARTA: Mr. Wiggins stated that MARTA will hold a series of public hearings for proposed changes to bus services. The only meeting that will be held in Clayton County will be at the Clayton County Commission Chambers, Tuesday, January 24, 2017, @ 7pm. There is a proposed change to Route 195 which is Forest Parkway.

Mr. Wiggins stated that MARTA will also host a high capacity transit initiative meeting at our Main St. Community Center. The meeting will be about future expansions involving MARTA, one being rail and larger buses and transit hubs. More information will be forwarded as we receive it.

Main St. Mural: Mr. Wiggins stated that the building adjacent to the fountain has a rectangular box painted on the side of the wall. Our artist has begun the painting of the mural.

Fallview Rd.
Expansion: Mr. Wiggins stated that this is a project that will take place in Ward 5. This is an extension of a road that abuts the common jurisdictional boundary line of the City of Forest Park and unincorporated Clayton County.

Adjournment: Councilman Smith made a motion to adjourn the Work Session. Councilwoman Bagley seconded the motion. Voting was unanimous.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF JANUARY 17, 2017

Call to Order: The Regular Meeting of Mayor and Council of January 17, 2017, called to order by Mayor David Lockhart at 7:00 p.m.

Invocation: The invocation was given by Minister Shemena Connely followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor Lockhart and Councilmembers, Tommy Smith, Dabouze Antoine, Sandra Bagley, Latresa Wells and Allan Mears.

Also present were Al Wiggins, City Manager; Mike Blandenburg, Director Finance; Jonathan Jones, Director Planning, Building and Zoning; Jeff Eady, Director Public Works; Deputy Chief Matt Jackson, Fire; Elaine Corley, Director Recreation & Leisure Services; Major Chris Matson, Police; Christine Terrell, Director Support Services; and City Attorney John O'Neal.

Comment Period: Mr. Carl Evans, 4726 Burks Rd., addressed the building renovations at PB&Z. Mr. Evans stated that the building that the mural is going on is already peeling. Mr. Evans suggested a more highly visible memorial for Mr. Hartsfield, Sr.

Ms. LaWanda Fulami, 1080 Lloyd Drive, addressed a concern of naming the Parks & Recreation after Ms. Corley. Ms. Fulami addressed a concern of placing Mr. Hartsfield, Jr.'s name in the city.

Ms. Marcella Leavy, 404 Cynthia Lane, addressed a concern about the City of Forest Park being in one accord. Ms. Leavy addressed a concern about renaming community buildings.

Approval of Minutes: Councilman Smith made a motion to approve the Regular and Work Session Meeting Minutes of January 3, 2017, together. Councilwoman Wells seconded the motion. Voting for the motion was unanimous.

Swearing in: Judge Ronald J. Freeman, Sr.

Presentation: Mrs. Edith Yongue – 2016 Servant Leadership Award
Leadership Award

Approval: Councilman Smith made a motion to amend the agenda to
Signage read Wards 1, 2, 3, and 5. Seconded by Councilwoman Bagley. Voting was unanimous.

Councilman Smith made a motion to approve the construction of Most Beautiful Yard signs for Wards 1, 2, 3, and 5. Seconded by Councilwoman Wells. Voting was unanimous.

Resolution: Councilman Smith made a motion to adopt the Resolution
2017 to set and publish qualification fees for the 2017 General
Qualification Election for the Office of Mayor and Council Wards 1 and 2.
Fees Councilwoman Bagley seconded the motion.

Councilwoman Wells made a motion to amend the pending motion to correct the election date to November 7th and to adopt the Resolution with that change. Seconded by Councilwoman Bagley.

Mayor Lockhart stated that now on the motion before us is to approve it with that change. Voting was unanimous.

Audit Results: Mr. Tim Lyons reported the results of the audit.

Resolution: Councilman Mears made a motion to adopt the Resolution
Lefko Develop- authorizing the Mayor to execute a contract with Lefko
ment/PB&Z Development, Inc., DBA Lefko Construction for renovation of
the P B & Z Office. Seconded by Councilman Smith. Voting
was unanimous.

Ordinance: Councilwoman Wells made a motion to adopt the Resolution.
Budget Amend- amending the budget for the 2015 SPLOST Capital Project
ment 2015 Fund for the Fiscal Year 2016-2017. Seconded by Councilman
SPLOST Smith. Voting was unanimous.

Ordinance: Councilman Smith made a motion to adopt the Ordinance
Donated Real authorizing the acceptance of title to a donated tract of real
Property property. Councilwoman Wells seconded the motion. Voting
was unanimous.

Honorary Naming: Main St. Community Bldg. Councilwoman Bagley made a motion to name the Main St. Community Center the Frank Woodward Brandon, III, Community Center. Councilman Mears seconded the motion. Mayor Lockhart discussed the accomplishments of Mr. Brandon. Councilmembers in favor were Bagley, Mears, and Smith. Opposed were Councilmembers Antoine and Wells. Motion carried.

Legal Matters: None

Adjournment: Councilman Smith made a motion to adjourn. Seconded by Councilwoman Bagley. Voting was unanimous.

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF FOREST PARK BY REVISING SECTION 4.11 (“CHIEF JUDGE; ASSOCIATE JUDGE”) OF ARTICLE IV (“MUNICIPAL COURTS”) THEREIN; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia (hereinafter the “City”) is the Mayor and Council thereof; and

WHEREAS, House Bill 691 was passed by the State of Georgia in 2016; and

WHEREAS, House Bill 691 amends Article I of Chapter 32 of Title 36 of the Official Code of Georgia; and

WHEREAS, Article I of said Title and Chapter regulates municipal courts, including but not limited to the appointment and removal of municipal judges; and

WHEREAS, prior to the passage of House Bill 691, Section 36-32-2 of said Article, Title and Chapter provided, that municipal judges served at the pleasure of the municipality’s governing authority; and

WHEREAS, House Bill 691 amends Section 36-32-2 of said Article, Title and Chapter to provide that municipal court judges shall serve definite terms and are removable only for cause; and

WHEREAS, the City desires to amend its Charter by home rule ordinance; and

WHEREAS, a synopsis of this ordinance has been advertised once per week for three (3) weeks within sixty (60) days preceding the final adoption of this ordinance, in accordance with Section 36-35-3(b)(1) of the Official Code of Georgia; and

WHEREAS, a synopsis of the ordinance was advertised in the Clayton News Daily newspaper on January 25, 2017; February 1, 2017; and February 8, 2017; and

WHEREAS, the notice of the adoption of this ordinance provided that a copy of the proposed ordinance was available for inspection in the Office of the Forest Park City Clerk and the Office of the Clayton County Superior Court Clerk, in accordance with Section 36-35-3(b)(1) of the Official Code of Georgia, and a copy of the proposed ordinance was placed in said locations; and

WHEREAS, this ordinance has been considered at two (2) consecutive public meetings, no less than seven (7) and no more than sixty (60) days apart, in accordance with Section 36-35-3(b)(1) of the Official Code of Georgia; and

WHEREAS, this ordinance was considered at public meetings held on February 6, 2017 and February 20, 2017; and

WHEREAS, the amendments contained herein would benefit the health, safety, morals and welfare of the citizens of the City.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA THAT, and by the authority thereof:

Section One. Section 4.11 (“Chief Judge; Associate Judge”) of Article IV (“Municipal Court”), of the Charter of the City of Forest Park, Georgia is hereby amended by deleting the existing text and inserting the following text, to read and to be codified as follows:

“Sec. 4.11. – Municipal Judges.

- (a) The municipal court shall be presided over by a chief judge and such part-time, full-time, or acting judges as shall be provided by ordinance.
- (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless he or she has met all requirements imposed by state law.
- (c) All judges shall be appointed by mayor and city council pursuant to the method of selection established by ordinance.
- (d) Compensation of the judges shall be fixed by ordinance or resolution of mayor and city council.
- (e) The appointment of any judge to the municipal court shall be of a term of no less than one year. The length of such term shall be established by ordinance, resolution, or written agreement between the judge and the mayor and city council.
- (f) Notwithstanding the duration of the term of the judge, he or she may be removed from office. Such removal shall occur as authorized by state law.
- (g) Notwithstanding the duration of the term of the judge, unless he or she is removed from office or he or she has resigned, he or she shall serve until mayor and city council appoint a successor.
- (h) Before assuming office, each judge shall take an oath, given by the mayor, that he or she will honestly and faithfully discharge the duties of his or her office to the best of his or her ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of the city council journal.”

Section Two. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section Three. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

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

(b) It is hereby declared to be the intention of the Mayor and 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 Mayor and 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 phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Five. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.


Section Six. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this 6th day of February, 2017.

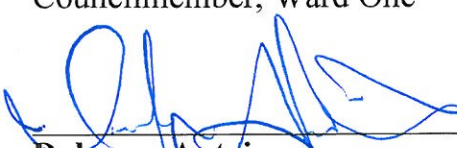
CITY OF FOREST PARK, GEORGIA



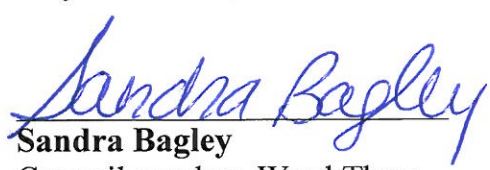
David Lockhart, Mayor



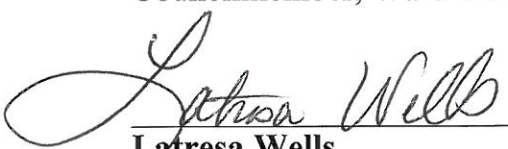
Tommy Smith
Councilmember, Ward One



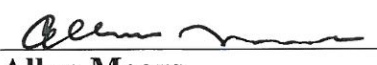
Dabouze Antoine
Mayor Pro-tem, Ward Two



Sandra Bagley
Councilmember, Ward Three



Latresa Wells
Councilmember, Ward Four



Allan Mears
Councilmember, Ward Five

ATTEST:



Mike Blandenburg, City Clerk

APPROVED BY:



City Attorney

**CITY OF FOREST PARK
PUBLIC NOTICE
PROPOSED CHARTER AMENDMENT**

The City of Forest Park Mayor and Council, at their February 6, 2017 and February 20, 2017 regular meetings, will consider and hold public hearings regarding an ordinance to amend the City's Charter. The ordinance will amend certain provisions within Article IV of the City's Charter regarding municipal judges. Copies of the proposed charter amendment will be available for examination and inspection with the clerk of the Clayton County Superior Court and the Forest Park City Clerk. All concerned citizens are invited to the public hearings, which will be held in City Council Chambers located at City Hall – 745 Forest Parkway, Forest Park, Georgia 30297 at 6:00 p.m.

**Mike Blandenburg
City Clerk**

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 5 (“MUNICIPAL COURT”) OF ARTICLE A (“GENERAL PROVISIONS”) OF THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA, BY AMENDING SECTIONS 2-5-17, 2-5-18, 2-5-18.1, AND 2-5-19; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia (hereinafter the “City”) is the Mayor and Council thereof; and

WHEREAS, House Bill 691 was passed by the State of Georgia in 2016, and it amended Article I of Chapter 32 of Title 36 of the Official Code of Georgia; and

WHEREAS, Article I of said Title and Chapter regulates municipal courts—including but not limited to the appointment and removal of municipal judges; and

WHEREAS, the determined that due to the amendment of state law and as a matter of course, changes to its charter and Code of Ordinances were necessary; and

WHEREAS, the City amended its Code of Ordinances to comply with state law on January 3, 2017; and

WHEREAS, the City amended its charter to comply with state law by home rule ordinance adopted February 6, 2017 and February 20, 2017; and

WHEREAS, the City desires to further amend its Code of Ordinances due to such amendments to its charter; and

WHEREAS, the governing authority of the City determines that further amendments to its Code of Ordinances will provide for the health, safety, and welfare of the inhabitants of the City.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA THAT:

Section One. Section 2-5-17 (“Method of selection of chief municipal judge, municipal court judge pro tem, and assistant court judge”), of Chapter 5 (“Municipal Court”), of Article A (“General Provisions”) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting the existing text and inserting the following text, in lieu thereof, to read to and to be codified as follows:

“Sec. 2-5-17. – Appointment and duties of municipal court judges.

- (a) The mayor and council may appoint a chief judge to preside over the city’s municipal court.
 - (1) The chief judge shall be responsible for the general supervision of the municipal court and shall promulgate all rules necessary for the supervision, conduct, and administration of the court.
 - (2) A member of the governing body shall nominate any qualified person for the office of chief judge, said nomination shall be seconded, and, in the event more than one (1) qualified person is nominated, the person obtaining the vote of the majority of the governing body shall be appointed chief judge.
- (b) The governing body shall also appoint an assistant judge who shall preside over sessions of a division of the municipal court to be known as the environmental division.
 - (1) Said appointment shall follow the same procedure for appointment as that of the chief judge.
- (c) The governing body shall also appoint as many judges pro tempore as it may deem necessary from time to time.
 - (1) Said appointments shall follow the same procedure for appointment as that of the chief judge.
 - (2) Such judges pro tempore shall be acting chief municipal court judge or assistant municipal court judge in the absence, disability or disqualification of such judges.

The judges pro tempore shall have all the powers and perform all the duties of the chief or assistant judge.”

Section Two. Section 2-5-18 (“Chief judge”), of Chapter 5 (“Municipal Court”), of Article A (“General Provisions”) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting the existing text and inserting the following text, in lieu thereof, to read to and to be codified as follows:

“Sec. 2-5-18. – Terms of municipal court judges.

Municipal judges shall serve a term of one year, unless modified by written agreement between the governing body and the judges, which agreements shall otherwise comply with state law.”

Section Three. Section 2-5-18.1 (“Municipal Court Judge Pro Tem”), of Chapter 5 (“Municipal Court”), of Article A (“General Provisions”) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by repealing its existing text.

Section Four. Section 2-5-19 (“Compensation”), of Chapter 5 (“Municipal Court”), of Article A (“General Provisions”) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting the existing text and inserting the following text, in lieu thereof, to read and to be codified as follows:

“Sec. 2-5-19. – Compensation of municipal court judges.

The amount and frequency of compensation of municipal judges shall be established from time to time by resolution of the governing authority.”

Section Five. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section Six. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

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

(b) It is hereby declared to be the intention of the Mayor and 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 Mayor and 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 phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Eight. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Nine. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2017.

CITY OF FOREST PARK, GEORGIA

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney

STATE OF GEORGIA

CITY OF FOREST PARK

RESOLUTION NO. _____

A RESOLUTION TO ESTABLISH COMPENSATION AND FREQUENCY OF PAYMENT OF SUCH COMPENSATION FOR THE CHIEF, ASSOCIATE AND JUDGES PRO TEMPORE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia (the “City”) is the Mayor and Council thereof; and

WHEREAS, pursuant to Section 4.11 of the City’s Charter, compensation of municipal court judges shall be fixed by ordinance or resolution; and

WHEREAS, Section 2-5-19 of the Code of Ordinances, City of Forest Park, Georgia, provides that such compensation and the frequency of such compensation will be established from time to time by resolution of the governing authority; and

WHEREAS, the public health, safety, and general welfare of the citizens of the City will be positively impacted by the adoption of this Resolution.

BE IT RESOLVED by the governing authority of the City of Forest Park, Georgia that the compensation for the chief judge of the municipal court of Forest Park shall be paid at the rate of four hundred twenty-five dollars (\$425.00) per court session over which he or she may preside. Compensation for the assistant municipal judge or judge pro tem of the municipal court of Forest Park shall be paid at the rate of three hundred dollars (\$300) per court session over which he or she may preside; and

BE IT FURTHER RESOLVED that the compensation set forth above shall be paid on a monthly basis.

SO RESOLVED this _____ day of _____, 2017.

CITY OF FOREST PARK, GEORGIA

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA, TO ESTABLISH A DEPARTMENT OF TECHNOLOGY SERVICES BY AMENDING SUBSECTION A OF SECTION 2-3-1 (DEPARTMENTS ESTABLISHED) IN ARTICLE A (GENERAL PROVISIONS) OF CHAPTER 3 (ADMINISTRATION) IN TITLE 2 (GENERAL GOVERNMENT) AND BY ENACTING TITLE 12 (TECHNOLOGY SERVICES) AND CHAPTER 1 (DEPARTMENT OF TECHNOLOGY SERVICES) IN SAID TITLE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing body of the City of Forest Park, Georgia (the “City”) is the Mayor and Council thereof; and

WHEREAS, the administration of the City has become increasingly more dependent upon the use of information technology including, but not limited to, computers and data communication systems, with advancements in, and the prevalence of use of, said technology in recent years; and

WHEREAS, the governing body previously has established various departments of the City in Section 2-3-1 of the Code of Ordinances, City of Forest Park, Georgia (the “Code”) but no department presently exists to address exclusively information technology issues; and

WHEREAS, the governing body desires to establish a Department of Technology Services to oversee the planning and the management of the City’s increasing use of information technology; and

WHEREAS, Section 3.10 of the Charter of the City of Forest Park, Georgia authorizes the governing body to establish, by ordinance, departments of the City; and

WHEREAS, the public health, safety, and general welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, and by the authority thereof:

Section 1. The Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text of subsection (a) of Section 2-3-1 (“Departments established”) in Article A (“General Provisions”) of Chapter 3 (“Administration”) in Title 2 (“General Government”) and enacting new text in lieu thereof, to read and to be codified as follows:

- “(a) The following departments of the city are hereby established:
- (1) Police;
 - (2) Finance;
 - (3) Public works;
 - (4) Parks and recreation;
 - (5) Public services;
 - (6) Fire; and
 - (7) Technology services.”

Section 2. The Code of Ordinances, City of Forest Park, Georgia is hereby amended by enacting Title 12, to read and to be codified as follows:

“Title 12 – Technology Services”

Section 3. The Code of Ordinances, City of Forest Park, Georgia is hereby amended by enacting Chapter 1 in Title 12 (“Information Technology”), to read and to be codified as follows:

“Chapter 1 – DEPARTMENT OF TECHNOLOGY SERVICES

Section 12-1-1. – Department established; purpose; director.

- (1) There is hereby established a department of technology services for the purpose of planning and managing the informational systems and data communications equipment utilized by the City.
- (2) The department of technology services shall be composed of a director who shall oversee said department and such other officer and employees as are

from time to time deemed necessary by the mayor and council. The director of the department of technology services shall be nominated by the city manager with confirmation of such appointment by the governing body in accordance with Section 3.14 of the Charter of the City. The director shall report to the city manager.

Section 12-1-2. – Duties and responsibilities of the director and department; establishment of rules and regulations.

- (1) Under the direct supervision of the city manager, the director of technology services shall be responsible for the planning and management of the information systems and data communications equipment utilized by the departments, officials, employees and agents of the City. These responsibilities shall include, but are not limited , the following:
 - a) Overseeing the development of the City-wide information and technology strategy;
 - b) Coordinating all telephony, voice, and data equipment and communications to and from the departments, officials, employees and agents of the City;
 - c) Overseeing and maintaining network security of the City’s informational systems and data communications equipment;
 - d) Overseeing network and server administration;
 - e) Overseeing application system administration; and
 - f) Providing end-user support to the various departments, officials, employees and agents of the City.
- (2) The director of the department of technology services shall establish such rules and regulations as shall, from time to time, be necessary to the performance of the duties and the functions of the department of technology services pursuant to this Chapter. The director shall recommend to the City Manager for submission to and approval by the governing body any changes which he deems desirable in the provisions of this Chapter, other provisions of the Code of Ordinances or resolutions of the City affecting the department of technology services.

Section 12-1-3. – Assignment of additional duties.

In addition the duties as provided in Section 12-1-2, the department of technology services shall perform any and all other duties which be assigned to it by the City Manager, in writing or otherwise, and the department shall have all power and authority necessary to carry out such additional assigned duties.”

Section 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and 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 Mayor and 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 phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 8. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this _____ day of _____, 2016.

CITY OF FOREST PARK, GEORGIA

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. 2017 - _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF FOREST PARK, GEORGIA BY REZONING CERTAIN PARCELS OF REAL PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing body of the City of Forest Park, Georgia (the “City”) is the Mayor and Council thereof;

WHEREAS, the governing body of the City desires to rezone, from C-1 General Commercial District to R-80 Residential District, 19 parcels of real property located within the municipal limits of the City, said parcels also lying and being in Land Lot 50, 51, or 78 of the 13th District of Clayton County, Georgia; and

WHEREAS, the health, safety and welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA, and by the authority thereof:

Section 1. The following parcels of real property are hereby rezoned from the zoning designation of C-1 General Commercial District to the zoning designation of R-80 Residential District as said district is defined in the Zoning Ordinance of the City of Forest Park, Georgia:

- The parcel commonly known as 5087 West Street according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051D A002);
- The parcel commonly known as 5258 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051D A002A);

- The parcel commonly known as 5210 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051D A001);
- The parcel commonly known as 5067 Davis Circle according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051C A040);
- The parcel commonly known as 5160 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051C A037);
- The parcel commonly known as 5124 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051C A036);
- The parcel commonly known as 5120 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051C A035);
- The parcel commonly known as 5114 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051C A034);
- The parcel bearing an unnumbered address on Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13051C A033);
- The parcel commonly known as 5279 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A021);
- The parcel commonly known as 5273 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A055);
- The parcel commonly known as 5269 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A022);
- The parcel commonly known as 5125 West Street according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A020);
- The parcel commonly known as 5163 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A051);
- The parcel commonly known as 5149 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A052);

- The parcel commonly known as 5145 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 130785B A053);
- The parcel commonly known as 5135 Springdale Road according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13078B A054);
- The parcel commonly known as 5089 Lake Drive according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13050C F007); and
- The parcel commonly known as 655 Bridge Avenue according to the present system of numbering real property in the City (Clayton County Tax Parcel Identification Number 13050C F011).

Section 2. The rezonings indicated in Section 1 are to be noted on the official Zoning Map of the City of Forest Park, Georgia approved by the Mayor and Council as soon as reasonably possible following adoption of this Ordinance, along with an editorial note on the official Zoning Map of the City of Forest Park, Georgia specifying the parcels affected by this Ordinance and the date of the adoption of this Ordinance.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and 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 Mayor and 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 phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this _____ day of February, 2017.

CITY OF FOREST PARK, GEORGIA

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 8-8-121 (“ESTABLISHMENT OF BOARD OF APPEALS”) OF ARTICLE I (“BOARD OF ZONING APPEALS”) OF CHAPTER 8 (“ZONING”) IN TITLE 8 (“PLANNING AND DEVELOPMENT”) OF THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA BY REPEALING THE CURRENT LANGUAGE IN SAID SECTION IN ITS ENTIRETY AND ENACTING NEW REGULATIONS IN LIEU THEREOF; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing body of the City of Forest Park (the “City”) is the Mayor and Council thereof; and

WHEREAS, the City has the power to adopt ordinances relating to the administrative officers, bodies, and agencies for the efficient exercise of its zoning power granted by the 1983 Constitution of the State of Georgia, including but not limited to Article IX, Section II, Paragraph IV; the authority granted by the General Assembly of the State of Georgia, including but not limited to O.C.G.A. § 36-66-2; and

WHEREAS, Section 8-8-121 of the Code of Ordinances prohibits Board of Zoning Appeals members from holding any other public office or position in the City; and

WHEREAS, the governing body desires to remove this prohibition in order to improve the management and administration of the Board of Zoning Appeals; and

WHEREAS, the health, safety, and welfare of the citizens of the City will be positively impacted by the adoption of the Ordinance.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA, and by the authority thereof:

Section 1. The Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking, in its entirety, the existing text in Section 8-8-121 (“Establishment of Board of Appeals”) of Article I (“Board of Zoning Appeals”) of Chapter 8 (“Zoning”) in Title 8 (“Planning and Development”) and inserting the following text in lieu thereof to read and to be codified as follows:

“A board of zoning appeals is hereby established. Said board shall consist of five (5) members appointed by the mayor and council for overlapping terms of not less than three (3) nor more than five (5) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members will be removed for cause by the appointing authority upon written charges and after public hearing. Members shall be paid an amount that will be fixed from time to time by the governing body by resolution.”

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and 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 Mayor and 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 phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2017.

[Signatures on following page]

CITY OF FOREST PARK, GEORGIA,

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney