



CITY COUNCIL WORK SESSION

Monday, July 17, 2023 at 6:00 PM
Council Chambers and YouTube Livestream

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.4720

FOREST PARK CITY HALL
745 Forest Parkway
Forest Park, GA 30297

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James
The Honorable Hector Gutierrez
The Honorable Allan Mears

The Honorable Dabouze Antoine
The Honorable Latresa Akins-Wells

Ricky L. Clark Jr, City Manager
Michelle Hood, Interim City Clerk
Mike Williams, City Attorney

AGENDA

VIRTUAL NOTICE

DISCLAIMER: For in-person attendance, all CDC requirements of Masks and Social Distancing is recommended.

To watch the meeting via YouTube - <https://bit.ly/3c28p0A>

The Council Meetings will be livestream and available on the City's

YouTube page - "**City of Forest Park GA**"

CALL TO ORDER/WELCOME:

ROLL CALL - CITY CLERK:

PRESENTATION(S):

1. Presentation from the Executive Director of the Clayton Housing Authority as a general introduction to the community and to provide a general overview of the Housing Authority.
2. Presentation Regarding "READY REBOUND" – Getting employees back on the job faster. - Marcus Laurinaitis, Account Executive.

Background/History:

When public safety employees get injured, their absence has a profound impact on a department's morale, budget and staffing. Ready Rebound uses the principles of sports medicine to quickly bring your valuable team members "back to the field".

OLD BUSINESS:

3. Council Consideration of Request to Reconsider Previous Vote on Redistricting– Legislative Offices

Background/History:

The Mayor has proposed that the City Council reconsider its vote from last week's special called meeting regarding redistricting the City's Wards in order to balance their populations. The City Manager and City Attorney have previously recommended that the Ward populations be balanced in order to assure that each resident's vote counts equally to every other resident's vote.

The vote to approve the revised districts failed by 3 votes against and 2 votes in favor. In order for a reconsideration vote to be duly considered, only one of the three who voted against the matter may make the motion to reconsider.

NEW BUSINESS:

4. Council Discussion and Approval on Conditional Use Permit (CUP-2023-05) - 4140 Jonesboro Rd for Self-Storage – Planning & Community Development

Background/History:

This is a request for a conditional use permit to allow a 6,152 square foot renovation in the rear of the International Discount Mall to build self-storage units in the rear of the facility. The self-storage units will be rented by existing mall tenants and the general public. The property is currently zoned GC(General Commercial). The subject property fronts Jonesboro Road and is surrounded by several commercial and retail businesses to the North, West, and South. Parcels located in unincorporated Clayton County is East of the property, and Scott Road is west of the property. Mini-warehouses and storage facilities under the current code are permitted as a conditional use if approved by the governing body. The Planning Commission recommended Approval with the following conditions: (1) The applicant must obtain a building permit for interior renovations; (2) The applicant will provide a letter of approval/consent from the property owner; (3) The applicant will provide detail renderings of what proposed additions will look like; (4) The applicant will provide storage policies for owners; (5) The applicant will provide a circulation plan for entry and exit of the location for self-storage.

5. Council Discussion and Approval on Rezoning from RS to GC-4233 Thurman Rd. – Planning & Community Development

Background/History:

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to GC (General Commercial). The property is located at 4233 Thurman Road, parcel #1317A B014, Forest Park, Georgia, and is 0.287 acres. Records reflect that a structure was built in 1965, and the In-N-Out Groceries convenience store operated at the location since 2014. A fire destroyed the building in 2022. The store prior to the fire was a pre-existing non-conforming commercial use. The purpose of the rezoning is to bring the use into conformance of the current zoning category of GC. **The Planning Commission recommended to Approve the Rezoning from RS to GC with the following conditions: Reduce the front setback from 25 ft. to 14.62 ft., reduce the side setback from 10 ft. to 2.50 ft., reduce the rear setback from 30 ft. to 12.42 ft, the property shall be for a convenience store only, with no automobile gas sales, the building exterior shall be of brick, stone, or combination thereof, and landscaping shall be planted around the perimeter of the building.** If the rezoning with the noted conditions is

approved the applicant will be required to submit an application to the Urban Design & Review Board for review and approval of landscaping and exterior design of the building façade prior to receiving a building permit. Any changes or deviations from the recommended approval will have to go back before the Planning Commission.

6. Council Discussion and Approval on Conditional Use Permit (CUP-2023-04)- 5370 Ash Street – Planning & Community Development

Background/History:

The applicant is requesting a Conditional Use Permit to operate a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program at 5370 Ash St. This property is located within the Single-Family Residential District (RS). Per Section 8-8-28 Single Family Residential District (RS), Places of worship, private school and daycare centers require conditional use permits to operate in the Single-Family Residential District. A church currently exists on the subject property. The Planning Commission recommended **Denial of a Conditional Use Permit** at its meeting on June 15, 2023, based on the potential of a liability of children and adult activities that include clinics, recovering alcoholics and offenders mixing. The following combination would not be allowed as a combined use.

7. Council Discussion and Approval on Rezoning from RS to RM- Scott Rd. (RZ-2023-02)– Planning & Community Development

Background/History:

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to RM (Multi-Family Residential). The property is currently wooded and undeveloped. Three single-family homes are currently located on Scott Road. Surrounding land uses include light industrial, west, and single-family residential north, south and east of the subject property. The intent is to build 16 townhouses on the property. **The Planning Commission recommended to Approve the Rezoning from RS to RM with the following conditions:** 1. Scott Road shall be improved to city standards prior to development, (2) All buildings shall be constructed of brick, stone, wood, stucco or any combination thereof, (3) There shall be different architectural features between units, no adjacent units shall have the same design characteristics, features or identical, (4) Each unit shall provide 2-car garages, (5) Adhere to the buffer standards as specified in the current code between industrial and residential development, (6) There shall be only 4 rental units on this parcel, and rental units shall be distributed throughout various buildings of the development so that rental units are not segregated in one building; (7) Any deviations from the conditions shall be approved by the Planning Commission.

8. Council Discussion and Approval on Rezoning from RS to RM- Scott Rd.(RZ-2023-02) – Planning & Community Development

Background/History:

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to RM (Multi-Family Residential). The property is currently wooded and undeveloped. Three single-family homes are currently located on Scott Road. Surrounding land uses include light industrial, west, and single-family residential north, south and east of the subject property. The intent is to build 16 townhouses on the property. **The Planning Commission recommended to Approve the Rezoning from RS to RM with the following conditions:** 1. Scott Road shall be improved to city standards prior to development, (2) All

buildings shall be constructed of brick, stone, wood, stucco or any combination thereof, (3) There shall be different architectural features between units, no adjacent units shall have the same design characteristics, features or identical, (4) Each unit shall provide 2-car garages, (5) Adhere to the buffer standards as specified in the current code between industrial and residential development, (6) There shall be only 4 rental units on this parcel, and rental units shall be distributed throughout various buildings of the development so that rental units are not segregated in one building; (7) Any deviations from the conditions shall be approved by the Planning Commission.

9. Council Discussion and Approval on City of Forest Park Accident Review Committee – Executive Offices

Background/History:

In reviewing our property, casualty & loss insurance renewal, we were alarmed by the increase based on recurring incidents involving city property. As an organization, we must always remain extremely conscious of the safety of our employees and the citizens of our community. As an employer, we recognize our obligation to ensure the safest possible workplace for our employees. As a governmental entity, we recognize our responsibility to provide a safe environment for the public we serve. It is our belief that most accidents are preventable. In accordance with this belief, we have allocated resources to administer an aggressive loss control program in our municipality.

10. Council Discussion and Approval of CDBG Funds Reallocation – Executive Offices

Background/History:

It is proposed that the City's 2021 CDBG Funds be reallocated from Starr Park renovations to perform certain renovations of the former Rite Aid building.

The vision for the new project reallocation request is for a food hall, commissary kitchen and workspace at the old Rite Aid Pharmacy building located on Forest Parkway that the city recently acquired.

With a large percentage of low-to-moderate income individuals residing in our community and the lack of opportunities to adequately provide them with sustainable food options, the City has embarked upon this innovative initiative. This project will provide culinary entrepreneurs with a space to prepare, sale, and market their goods, while also providing alternative food options for residents and people who live or work in Forest Park. This project will connect to the new City Center Complex that we are aggressively planning for, which will be developed on city-owned property that overlooks Starr Park. The city has hired an architect to develop a conceptual floor plan and renderings to be available within four weeks.

Currently \$276,642 remains in Program Year 2021 funds.

11. Council Discussion and Approval of Revised Resignation and Paid Leave Policy – Executive Offices

Background/History:

It is proposed that the City's resignation and paid leave policy be revised to address the issue of employees abusing the process by tendering their resignation and immediately utilizing their paid sick or personal leave for the remainder of the service. This practice has resulted in significant disruptions in City operations and prevents the orderly transfer of duties and functions from the separating employee to other employees.

Under the revised rule, employees would have to tender their resignations at least 10 days in advance and would not be permitted to use their personal leave during this period. They may use their sick leave only if they present a certification from a licensed health care provider stating that they are under the provider's care or treatment for the days in question and that it was the provider's recommendation that the employee remain home from work for that period.

12. Council Discussion and Approval of Revision to Personnel Manual With Respect to Employee Terminations – Executive Offices

Background/History:

It is proposed that the City's Personnel Manual be revised to ensure that Department Heads receive the approval of the City Manager prior to terminating any employee.

With the alarming rate of litigation, personnel changes, and change of administration, the City Manager issued an emergency directive to all Department Heads requiring that all terminations be approved by the City Manager as a safeguard for the organization. This measure aims to maintain a set of standards that ensures all terminations are reasonable, fair, and equitable. The goal is to ensure that on the front end, all processes are handled to ensure ease of terminations when necessary, hence allowing the government to justify any/all separations properly.

It is recommended that this emergency measure be made permanent and be included in the City's Personnel Manual.

13. Council Discussion and Approval of Forest Park Fire Department Employee Referral Program – Executive Offices

Background/History:

Faced with a competitive labor market in both the public and private sectors, the City Manager sought out a creative way to stand out to potential employees. After brainstorming with the Command Staff of the Forest Park Fire Department, in an effort to ensure we attract the very best fire personnel, we are recommending the implementation of an employee referral program. The employee referral program is designed as a partnership between the City and its most valued asset and best recruiters, our employees.

As governments all across our region experience a diminished pool of well-qualified candidates, we recognize that our number one hiring tool is our employees. There is substantial competition amongst cities, counties, private agencies, and paid internships to recruit staff successfully. In Forest Park, we want to ensure that as part of our ongoing effort to recruit, we only want the best of the best working for Clayton County's largest, full-service municipality.

14. Council Discussion and Approval on Purchase of Ford Interceptors - Police Department

Background/History:

The Police Department currently has an aging fleet and is in need of replacing some of the older emergency vehicles. The Police Department seeks ratification for an Emergency Purchase with Brannen Ford in Unadilla, Georgia for the purchase of fifteen (15) 2023 Ford Police Interceptors at \$44,700.00 each for a total amount of \$670,500.00. Due to a shortage in the automobile industry and the lack of availability of public safety vehicles, the Police Department requests an emergency purchase to ensure the city maintains

essential services to its citizens. The emergency purchase process is reserved for rare and extreme circumstances. Therefore, rarely will the emergency purchase process be utilized.

15. Council Discussion and Approval on Reorganization of the Police Department – Police Department

Background/History:

The Forest Park Police Chief recently completed a thorough review of the department and seeks to implement a restructuring of the operational command staff. The reorganization will ensure that employees are in the best position to address community needs, respond to emerging crime trends, and build genuine, positive relationships with the community members. Furthermore, it will allow for a clear command structure.

The previous organizational chart had (2) Deputy Police Chief positions, and each chief had 1 Major reporting to them.

The highlights of the reorganization include:

* The deletion of (1) Deputy Police Chief (salary savings of \$86,115.57)

* The Department will be divided into 2 bureaus, Support Services and Uniform. The Major/Commander of these 2 units will report to the remaining Deputy Police Chief.

16. Council Discussion and Approval on Forest Park Fire Department Sign-On Bonus – Executive Offices

Background/History:

Like many other municipalities, the City of Forest Park is currently experiencing difficulty attracting and retaining Firefighter candidates. The City is also preparing and anticipating staffing issues due to future retirements at all levels in the organization and is working on how to attract and, most importantly, how to retain the best staff to continue to deliver superior service. Ideas for recruiting are endless and endlessly challenging, but the time and effort invested in attracting top talent for the City is well worth it. The City desires to be the employer-of-choice, and implementing the Signing Bonus for “difficult-to-fill positions” incentivizes new employees to join the City of Forest Park.

EXECUTIVE SESSION: (When an Executive Session is required, one will be called for the following issues: Personnel, Litigation or Real Estate)

ADJOURNMENT:

File Attachments for Item:

2. Presentation Regarding "READY REBOUND" – Getting employees back on the job faster. - Marcus Laurinaitis, Account Executive.

Background/History:

When public safety employees get injured, their absence has a profound impact on a department's morale, budget and staffing. Ready Rebound uses the principles of sports medicine to quickly bring your valuable team members "back to the field".



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Presentation Regarding "READY REBOUND" – Getting employees back on the job faster. -- A presentation by Marcus Laurinaitis, Account Executive.

Submitted By: SANDRA DAVIS – FIRE DEPT. OFFICE COORDINATOR

Date Submitted: June 27, 2023

Work Session Date: July 17, 2023

Council Meeting Date: July 17, 2023

Background/History:

When public safety employees get injured, their absence has a profound impact on a department's morale, budget and staffing. Ready Rebound uses the principles of sports medicine to quickly bring your valuable team members "back to the field".

Cost: \$ TBD (Post Discussion)

Budgeted for: _____ Yes No

Financial Impact: To be determined (Post Discussion)

Action Requested from Council: This is a presentation only. Will discuss further with City Manager. Presentation by Marcus Laurinaitis. Introduction by Fire Chief Latosha Clemons.

Ready Rebound

Item #2.



*SERVING FIRST RESPONDERS
AND THEIR FAMILIES*

Page 9

Member:

- Quality of Life
- Dedicated Service
- First Class Care
- Peace of Mind
- Career Satisfaction
- Work Performance

Ready Rebound Elite Sports Healthcare

Finance & Administration:

- Overtime
- Insurance
- Medical Savings

Department Leadership:

- Team Member Care
- Team Safety
- Team Health

Human Resources:

- Health & Wellness
- Retention & Recruiting
- Satisfaction

Risk Management:

- Lost Days
- Claims Expense
- Litigation



Ready Rebound
Recover: Luis Rivera

Item #2.



**Luis Rivera, Founder
Ready Rebound**



"I started Ready Rebound because we wanted to get people back to their jobs as quickly as possible, to their families as quickly as possible and back to their lives as quick as possible."

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Ready Rebound
Proven Success

Item #2.

285+

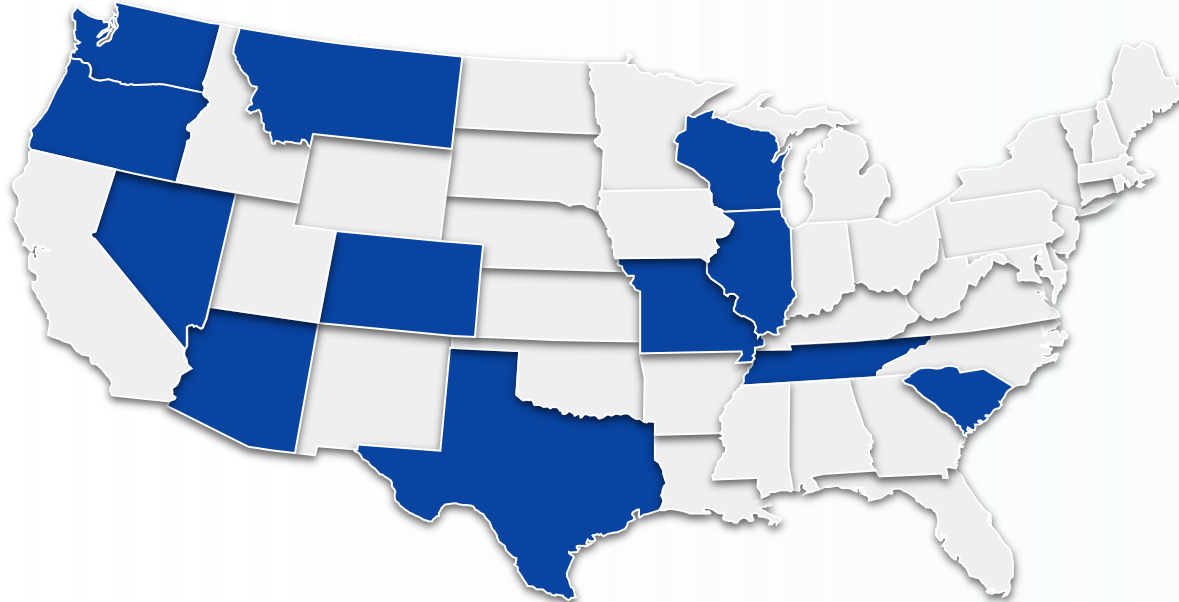
Active Clients

12

States Served

95+

Net Promoter
Score



58,000

Members +
Families

98%

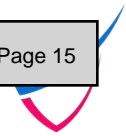
Client
Retention

These personnel injuries cost municipalities and employers thousands, and sometimes millions, of dollars per year in backfill overtime, indemnity, medical spend and higher insurance premiums.

RECOVER



Pro athletes get specialized high-level of quality orthopedic care. We believe the same expedited, quality care should be available to our local heroes.

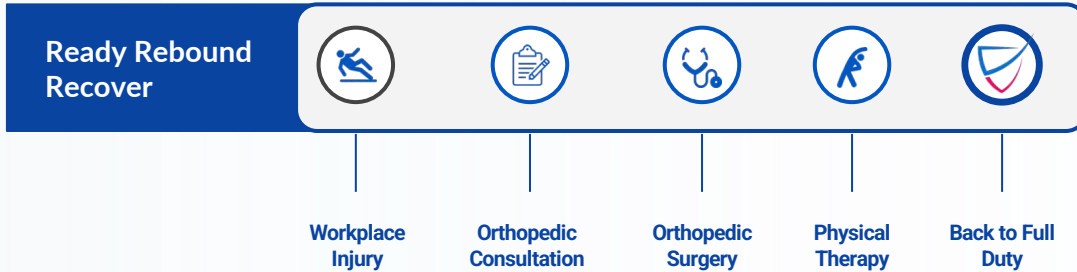


Ready Rebound

Recover: Member Journey

Item #2.

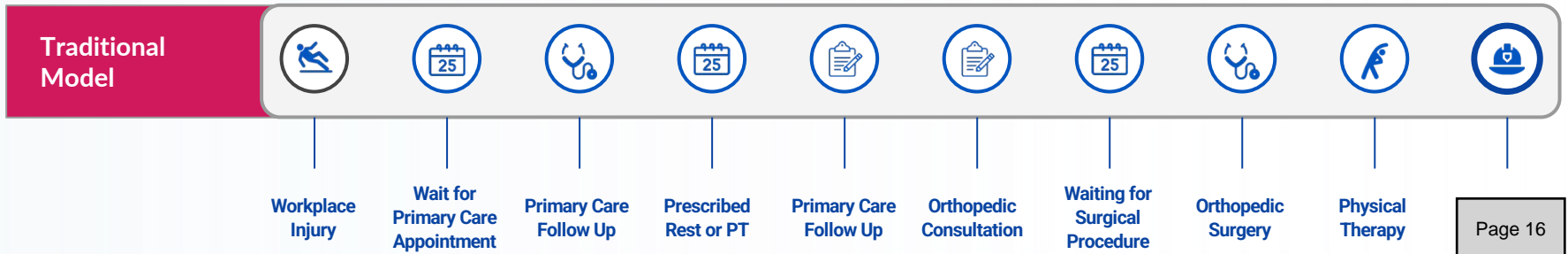
6 Months



Recovery up to 12-Weeks Faster

Ready Rebound expedited, concierge model eliminates unnecessary waiting periods and ensures members are seen by the right specialist, right away.

9 Months



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Ready Rebound
Who We Serve

We take great pride in establishing **trustworthy, transparent** and **mutually beneficial partnerships** with **municipalities, insurance companies, healthcare providers** and our **members.**

**Fire
Departments**



Item #2.

**Emergency
Medical Services**



**Law
Enforcement**



**Department of
Public Works**



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Ready Rebound

Recover: Who is Covered

Family Members

**Member
Off Duty Injuries**

Admin Staff

Retired Members

Item #2.

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Provider Network

Network: We have **950+** providers in our network

Access: Our providers commit to giving each of our members the VIP experience that all professional athletes receive. This includes priority scheduling and collaborative communication.

Training: Our doctors and therapists gain insight into our members' physically demanding jobs through hands-on training and continuing education.

Proven Process Drives Benefits

Benefit Statement Summary

- Backfill (Overtime)
- Lost Time (Indemnity)
- Off Duty Injuries (Overtime)
- Retention of Staff
- Recruiting/Training
- Legal Expenses
- Claims Experience
- Mental Well Being
- Family Well Being
- Administrative Burden
- Safety

Municipality	Total Member Count	2022 Members Serviced	Number of Days Saved	2022 Overtime Cost Saving
Milwaukee Fire	836	110	3,071	\$1,362,207
Pierce County Sheriff Dept	614	62	944	\$428,225
Tacoma Fire & Rescue	430	59	1,167	\$700,200
Spokane Fire	310	65	1,165	\$532,571
Memphis Fire & DPW	2450	123	2,238	\$87


Ready Rebound Recover: Client Dashboard

Item #2.

Memphis Fire Savings Estimation

View another municipality Year to Date

My Advocate



Erin Donahue
edonahue@readyrebound.com

Total Number of Cases 85 On duty 25 Off duty 110	Number of Wait Days Saved Combined days saved from all interventions 2197	Total Overtime Savings Estimate [Ⓢ] Estimated cost per backfill/OT shift \$1089 \$854,476.07
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Total Cases to MD 104	Total Cases to MRI 48
Rebound Total Days to Initial MD for all cases	291
Rebound Average number of days to initial MD	3
Typical days to initial MD per case	14
Typical total days to initial MD for all cases	1456
Total days saved to initial MD visit	1165
Rebound Total Days to MRI	329
Rebound Average number of days to MRI	7
Typical days to MRI per case	14
Typical total days to MRI for all cases	672
Total days saved to MRI	343

Total Cases to Physical Therapy 53	Total Cases to Surgery 12
Rebound Total Days to PT for all cases	390
Rebound Average number of days to PT	7
Typical days to PT per case	14
Typical total days to PT for all cases	742
Total days saved to Physical Therapy	352
Rebound Total Days to Surgery	383
Rebound Average number of days to surgery	32
Typical days to surgery per case	60
Typical total days to surgery for all cases	720
Total days saved to Surgery	337

Total Number of Courtesy Cases

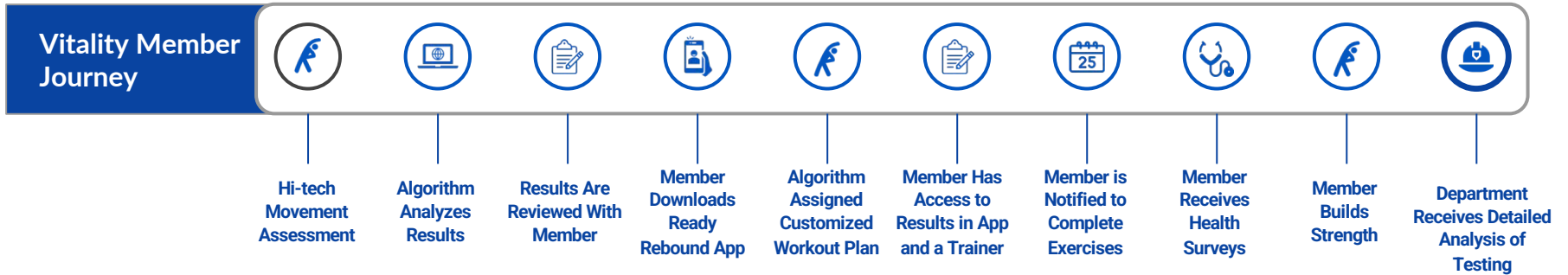
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VITALITY

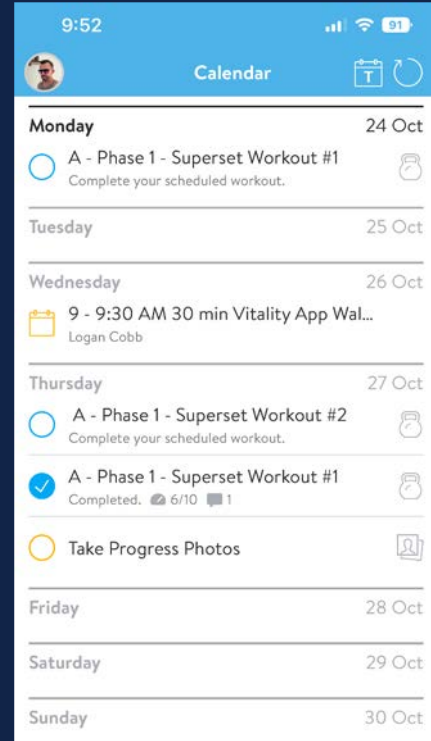
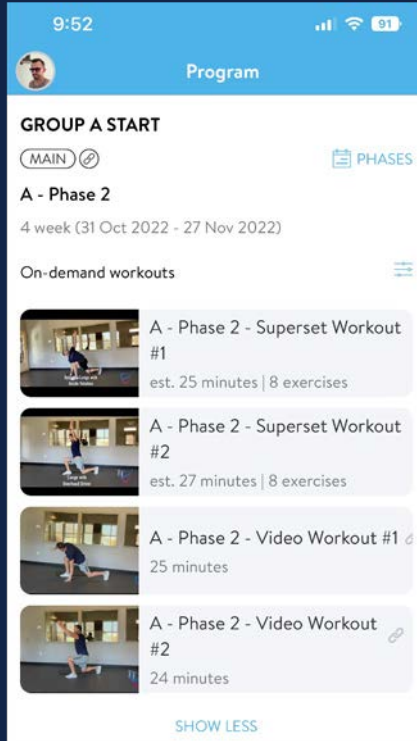


Vitality: Member Journey



Ready Rebound Vitality: Member App

Item #2.



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Ready Rebound

Vitality: Designed for Results

Item #2.

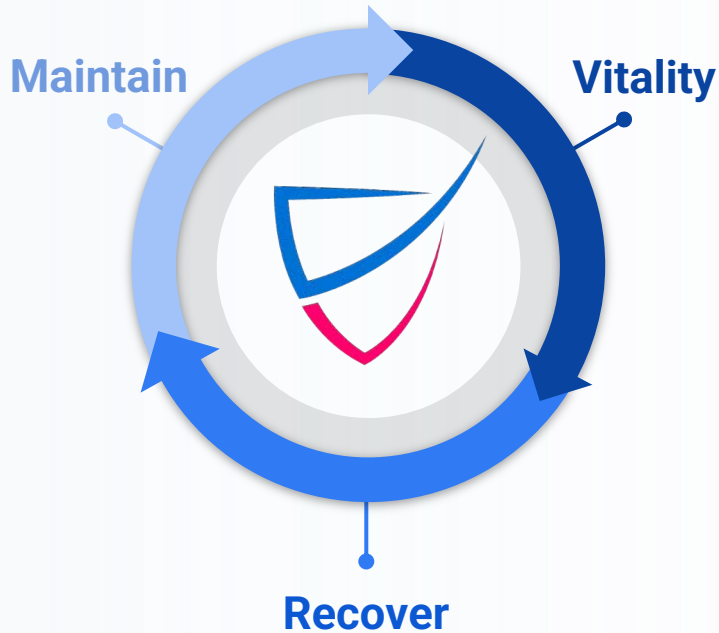
**Fewer
Injuries**

**Healthier
Team**

**Reduced
Costs**

Ready Rebound

Health & Wellness Lifecycle



Vitality | Proprietary evaluation and screening to Item #2.

- **Assess** baseline health and wellness measures on a defined interval based across care domains
- Empower Members with **preventive** care routines that support continued health and wellness maintenance

Recover | Concierge inspired sports medicine principles:

- Rapid **triage** of Member health vulnerability by leveraging clinical expertise
- Timely **diagnosis** through wide availability of and access to the *right* providers
- Durable **treatment** outcomes delivered by highly qualified care providers

Maintain | High-touch Member advocacy and wellness:

- Engaged in Side x Side advocacy throughout **recovery** up to and through the “return to duty” status
- Connected with Member in preventive care Page 26
Ready Rebound **Vitality App**



Questions?



Back on the job. Faster.



Hello!

Ready Rebound began simply: An injured firefighter needed surgery but was facing a six week delay.

As a physical therapist and athletic trainer who worked in sports-medicine, I couldn't believe this dedicated public safety worker was facing that kind of lag in care. In the sports world, delays just didn't happen for my pro athlete clients.

I had to help.

I arranged for that firefighter to see a sports-medicine trained orthopedic surgeon who scheduled surgery for later that week. Quickly, the firefighter returned to good health and work, and his department experienced dual wins of increased morale and financial savings.

Ten years later, Ready Rebound is delivering that same expedited, top-notch healthcare to injured public safety workers across the country.

Thank you for your interest in Ready Rebound, and we look forward to creating a true partnership with your department.

Sincerely,

Luis Rivera
Founder and CEO, Ready Rebound



Employees return to work **30% faster** after an injury with Ready Rebound's elite injury navigation model.



Departments countrywide report that our program **pays for itself within 10 weeks** through backfill overtime savings.



Support from our staff and treatment from our elite network of providers means **employees feel cared for and valued.**

The Ready Rebound Difference.

When public safety employees get injured, their absence has a profound impact on a department's morale, budgets and staffing.

Ready Rebound uses the principles of sports medicine to quickly bring your valuable team members "back to the field," just like professional sports injury management. On average, our treatment approach will return your employees to good health and work three months faster than a traditional treatment journey.

Here's how we do it:



Our **Navigators** are athletic trainers whose careers were forged in the assessment, treatment and rehabilitation of injuries in collegiate and professional sports. We bring this same expertise to your injured workers who put their bodies to the test every day.

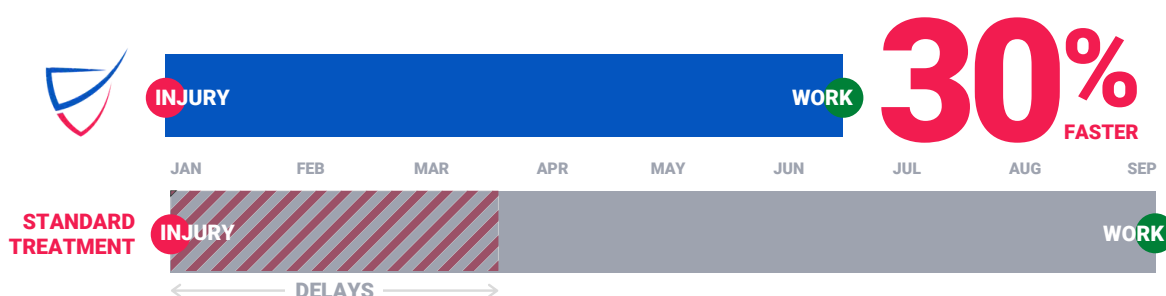


Ready Rebound **Advocates** assist employees every step of the way in their injury recovery. They eliminate healthcare roadblocks so that workers concentrate on just one thing: getting better. They follow up after every doctor appointment and keep all stakeholders informed.



Our network of **clinicians and therapists** are experts at treating patients with physically demanding jobs. They are dedicated to giving your workers priority scheduling and procedures, and they complete Ready Rebound training to understand our members' needs.

READY REBOUND VS. STANDARD TREATMENT



Why we do what we do.

CLICK TO WATCH



Bouncing back to health

Firefighter Tom M. shares his priority care following a harrowing work injury.



Revolutionizing healthcare

How Ready Rebound is improving healthcare for first responders - because it's the right thing to do.



Providers who are honored to treat you

Hear firsthand why clinicians and therapists in our network want to offer the best care possible

What we believe.

Our **MISSION** is to deliver expedited, high-quality healthcare advocacy person to person, heart to heart.



Our **VISION** is to be the standard in which healthcare is delivered in the United States.

We **PROMISE** to answer the phone the moment you need us. In doing so, we create an exquisite, curated and frictionless health experience.

Our Values

People-centered 

Collaborative 

Reliable & trustworthy 



Empathetic

 Responsive & timely

 Authentic & transparent

 Unafraid

We get it. We've been there.

Our team is led by sports medicine trained therapists, experienced first responders and caring advocates who uniquely understand the challenges your employees face.

We protect those who protect us.

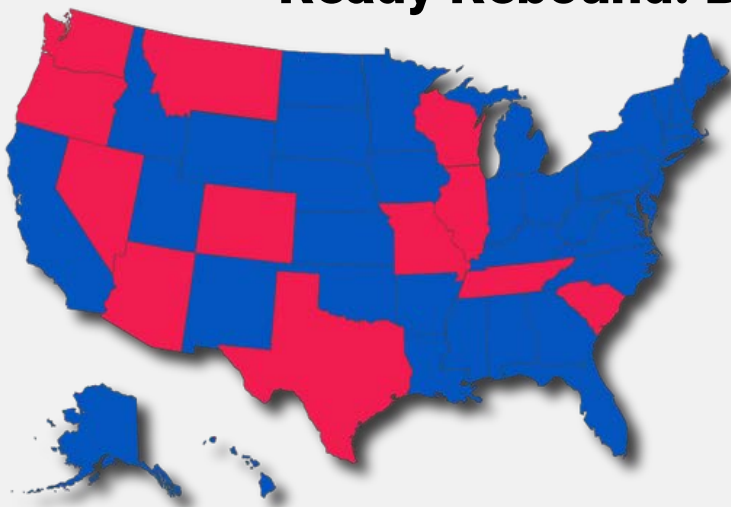
100+ YEARS

expertise in sports medicine and patient healthcare advocacy

90+ YEARS

combined in law enforcement, firefighting and education

Ready Rebound: By the Numbers



12
States
(and expanding)



60,000+
Lives Protected
(and growing)







221
Municipal
Departments
(and building)

10+

Years' Experience

MINORITY OWNED BUSINESS
with proven track record



-  (800) 781-2320
-  hello@readyrebound.com
-  www.readyrebound.com
-  2505 N Oakland Ave, Milwaukee WI 53211

File Attachments for Item:**3. Council Consideration of Request to Reconsider Previous Vote on Redistricting–** Legislative Offices**Background/History:**

The Mayor has proposed that the City Council reconsider its vote from last week's special called meeting regarding redistricting the City's Wards in order to balance their populations. The City Manager and City Attorney have previously recommended that the Ward populations be balanced in order to assure that each resident's vote counts equally to every other resident's vote.

The vote to approve the revised districts failed by 3 votes against and 2 votes in favor. In order for a reconsideration vote to be duly considered, only one of the three who voted against the matter may make the motion to reconsider.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Consideration of Request to Reconsider Previous Vote on Redistricting–
Legislative

Submitted By: City Manager at the request of the Mayor

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: July 17, 2023

Background/History:

The Mayor has proposed that the City Council reconsider its vote from last week's special called meeting regarding redistricting the City's Wards in order to balance their populations. The City Manager and City Attorney have previously recommended that the Ward populations be balanced in order to assure that each resident's vote counts equally to every other resident's vote.

The vote to approve the revised districts failed by 3 votes against and 2 votes in favor. In order for a reconsideration vote to be duly considered, only one of the three who voted against the matter may make the motion to reconsider.

Cost: \$ N/A

Budgeted for: _____ Yes _____ No

Financial Impact:

Action Requested from Council:

Approval of reconsideration. If a motion to reconsider is approved, the Council would have to ALSO vote on the redistricting matter itself.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: City of Forest Park Redistricting – Executive Office

Submitted By: Ricky L. Clark, Jr., City Manager

Date Submitted: July 6, 2023

Special Meeting Date: July 10, 2023

Special Meeting Date: July 10, 2023

Background/History:

After each decennial US Census, the City must review and make and necessary adjustments to Ward boundaries to ensure they have substantially equal populations. It involves making difficult decisions constricted by extremely complicated federal and state jurisprudence in the context of a political process. In an effort to get a jumpstart, the City Manager has reached out to the Legislative and Congressional Reapportionment Office to begin the process which occurs only every ten years. The Legislative and Congressional Reapportionment Office is a joint office of the Georgia General Assembly responsible for providing the General Assembly with redistricting services. The office uses data provided to the State of Georgia by the U.S. Census Bureau for the purpose of redistricting. In addition to providing the technical assistance to redistrict, the office provides an array of maps and up-to-date data reports which include information on demographics, precincts, and local redistricting. Because the state code does not mandate that cities automatically reapportion after every census, it is important for local governments to understand the Constitutional law factors that may require it. Municipal redistricting can be accomplished either through a Local Act of the General Assembly or directly by cities through their Home Rule powers.

The overriding legal principle that triggers the necessity for reapportionment is referred to as “one person, one vote” as stated in Baker v. Carr. The principle dictates that in order for every citizen to enjoy his or her Equal Protection rights under the 14th Amendment, every citizen’s vote should be of generally equal mathematical weight. In other words, the voting strength of citizens living in one district should not be greater than the voting strength of the citizens in another simply because a great deal fewer people in one district enjoy the same amount of representation compared to another more populated district.

Based upon census information, the population range of each ward in Forest Park ranges from 3,676 to 4,273 which leaves the deviation percentage at about 7.20% for Ward One and a -7.78% for Ward 4. “Deviation” is the technical term utilized to describe the degree to which a plan fails to apportion population evenly among districts. Although districts should ideally be as even as possible, other constraints often make this impossible. From a historical abstract, according to the 2010 census, the population estimate was 18,468; however, recent population estimates for the 2020 census are at 19,932 – a 7.927% increase.

With the revised lines, as provided by the Reapportionment Offices, our deviation average is now .033%. The population range of the wards is between 3,957 to 4,008. The City Manager is recommending that Council closely

review the maps as the revisions were done with no political intent in mind. Further the City Manager believes that the Council's final choice should be based on balancing the population within the respective wards vs. waiting until 2030.

While we recognize that this process is happening fast, with the new City Manager coming on board and no work being done, we reached out to the State as fast as we could. We will do our best to make this a public process so that all citizens are notified as soon as possible if adopted by the governing body.

Cost: \$

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

Action Requested from Council:

User: ForestPark

Plan Name: ForestParkcc-prop1-14data-2020data

Plan Type: Local

Population Summary

Friday, June 30, 2023

9:04 AM

Summary Statistics:

Population Range:	3,676 to 4,273
Ratio Range:	0.16
Absolute Range:	-310 to 287
Absolute Overall Range:	597
Relative Range:	-7.78% to 7.20%
Relative Overall Range:	14.98%
Absolute Mean Deviation:	196.80
Relative Mean Deviation:	4.94%
Standard Deviation:	223.83

District	Population	Deviation	% Devn.	[18+ _Pop]	[% 18+ _Pop]	[% NH_Wht]	[% NH_Blkl]	[% Hispanic Origin]	[% NH_Asn]	[% NH_Ind]	[% NH_Hwn]	[% NH_Oth]	[% NH_2+ Races]
001	4,273	287	7.20%	2,963	69.34%	9.99%	50.92%	32.65%	3.21%	0.16%	0%	0.49%	3.71%
002	3,994	8	0.20%	2,966	74.26%	11.87%	58.01%	23.54%	2.4%	0.43%	0.13%	0.7%	3.94%
003	3,805	-181	-4.54%	2,771	72.83%	11.09%	46.28%	35.03%	4.1%	0.32%	0.03%	0.45%	3.72%
004	3,676	-310	-7.78%	2,716	73.88%	13.3%	46.84%	28.02%	10.09%	0.16%	0.03%	0.35%	1.62%
005	4,184	198	4.97%	3,035	72.54%	15.65%	30.88%	35.83%	14.7%	0.12%	0.05%	0.55%	3.06%

Total: 19,932

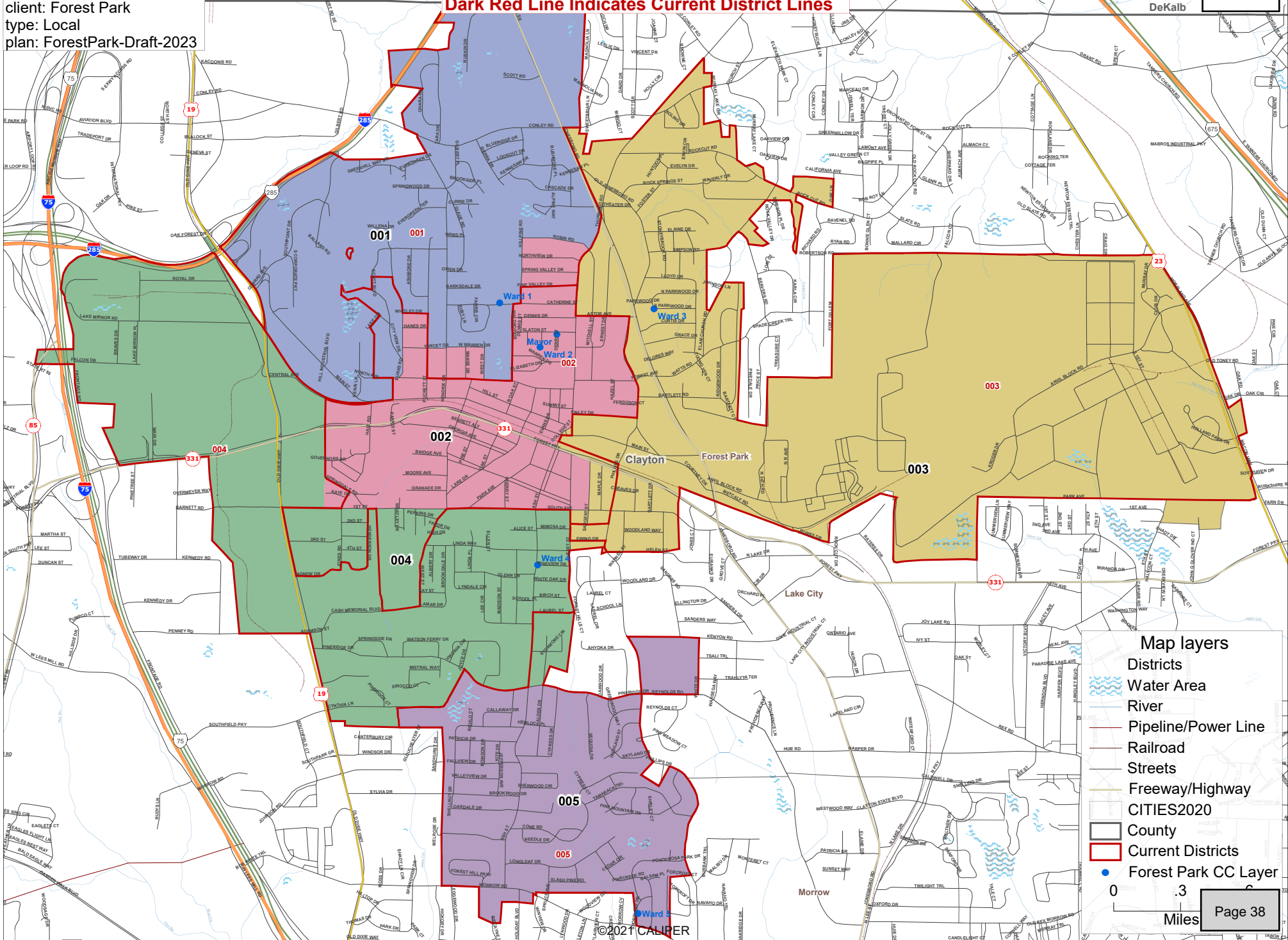
Ideal District: 3,986

Draft of Forest Park City Council Districts

Item #3.

client: Forest Park
type: Local
plan: ForestPark-Draft-2023

Dark Red Line Indicates Current District Lines



Population Summary

Monday, June 26, 2023

11:07 AM

Summary Statistics:

Population Range:	3,957 to 4,008
Ratio Range:	0.01
Absolute Range:	-29 to 22
Absolute Overall Range:	51
Relative Range:	-0.73% to 0.55%
Relative Overall Range:	1.28%
Absolute Mean Deviation:	13.20
Relative Mean Deviation:	0.33%
Standard Deviation:	16.78

District	Population	Deviation	% Devn.	[18+ _Pop]	[% 18+ _Pop]	[% NH_Whit]	[% NH_Blck]	[% Hispanic Origin]	[% NH_Asn]	[% NH_Ind]	[% NH_Hwn]	[% NH_Oth]	[% NH_2+ Races]
001	3,983	-3	-0.08%	2,742	68.84%	9.64%	52.72%	31.89%	2.64%	0.13%	0%	0.4%	3.76%
002	3,991	5	0.13%	2,973	74.49%	12%	56.93%	23.63%	2.98%	0.48%	0.1%	0.8%	4.14%
003	3,957	-29	-0.73%	2,878	72.73%	11.9%	45.44%	35.05%	4.17%	0.3%	0.05%	0.43%	3.65%
004	3,993	7	0.18%	2,948	73.83%	12.8%	46.91%	28.98%	9.67%	0.15%	0.03%	0.38%	1.49%
005	4,008	22	0.55%	2,910	72.6%	15.52%	30.56%	35.93%	14.97%	0.12%	0.05%	0.55%	3.16%

Total: 19,932

Ideal District: 3,986

File Attachments for Item:**4. Council Discussion and Approval on Conditional Use Permit (CUP-2023-05) - 4140 Jonesboro Rd for Self-Storage – Planning & Community Development****Background/History:**

This is a request for a conditional use permit to allow a 6,152 square foot renovation in the rear of the International Discount Mall to build self-storage units in the rear of the facility. The self-storage units will be rented by existing mall tenants and the general public. The property is currently zoned GC (General Commercial). The subject property fronts Jonesboro Road and is surrounded by several commercial and retail businesses to the North, West, and South. Parcels located in unincorporated Clayton County is East of the property, and Scott Road is west of the property. Mini-warehouses and storage facilities under the current code are permitted as a conditional use if approved by the governing body. The Planning Commission recommended Approval with the following conditions: (1) The applicant must obtain a building permit for interior renovations; (2) The applicant will provide a letter of approval/consent from the property owner; (3) The applicant will provide detail renderings of what proposed additions will look like; (4) The applicant will provide storage policies for owners; (5) The applicant will provide a circulation plan for entry and exit of the location for self-storage.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Conditional Use Permit for Self-Storage – Planning & Community Development

Submitted By: LaShawn Gardiner

Date Submitted: June 21, 2023

Work Session Date: July 3, 2023

Council Meeting Date: July 3, 2023

Background/History:

This is a request for a conditional use permit to allow a 6,152 square foot renovation in the rear of the International Discount Mall to build self-storage units in the rear of the facility. The self-storage units will be rented by existing mall tenants and the general public. The property is currently zoned GC(General Commercial). The subject property fronts Jonesboro Road and is surrounded by several commercial and retail businesses to the North, West, and South. Parcels located in unincorporated Clayton County is East of the property, and Scott Road is west of the property. Mini-warehouses and storage facilities under the current code are permitted as a conditional use if approved by the governing body. The Planning Commission recommended Approval with the following conditions: (1) The applicant must obtain a building permit for interior renovations; (2) The applicant will provide a letter of approval/consent from the property owner; (3) The applicant will provide detail renderings of what proposed additions will look like; (4) The applicant will provide storage policies for owners; (5) The applicant will provide a circulation plan for entry and exit of the location for self-storage.

Cost: \$ N/A

Budgeted for: _____ **Yes** _____ **No**

Financial Impact: N/A

EnterText here

Action Requested from Council:

Approval of Conditional Use Permit with Conditions.



Planning & Community Development Department
785 Forest Parkway
Forest Park, Georgia 30297
(404) 608-2300 Fax: (404) 608-2306

Staff Report – Conditional Use Permit

Public Hearing Date: June 15, 2023

City Council Meeting: July 3, 2023

Case: CUP-2023-05

Current Zoning: GC – General Commercial District

Proposed Request: Conditional Use for self-storage.

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Approval

APPLICANT INFORMATION

Owner of Record:	Applicant:
Name: Old Peachtree Properties, LLC	Name: Gerald Tirella
Address: 645 Elmwood D.	Address: 4140 Jonesboro Rd.
City/State: Forest Park, GA 30297	City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13015D C007	Acreage: 0.43
Address: 4140 Jonesboro Rd., Forest Park, GA 30297	FLU: Commercial

SUMMARY & BACKGROUND

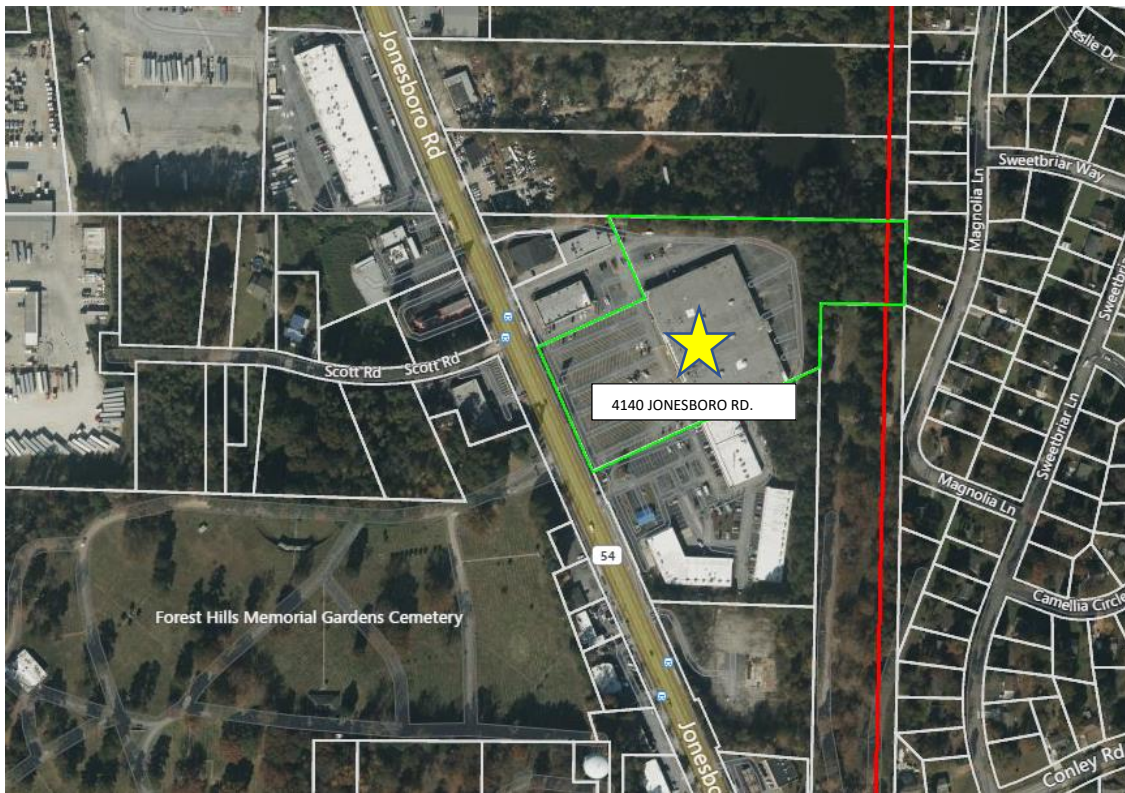
The applicant is requesting a Conditional Use Permit to allow a 6,152-square foot renovation of the rear of the International Discount Mall to build self-storage units in the rear of the facility to be rented by existing mall tenants and general public. Presently, the space is utilized as an International Discount Mall at 4140 Jonesboro Rd. This property is currently zoned General Commercial (GC). The intent of the GC district is to provide a land use category for a diversity of commercial uses that provide products and services on a regional level. Per Sec 8-8-40 General Commercial District (GC) mini-warehouses and storage buildings are only permitted under a conditional use permit. West of the arterial street is Scott Rd. The street frontage for this parcel is Jonesboro Rd; North, West and South of the parcel are commercial/retail businesses and east of the parcel is outside the city limits.

Property Zoned Institutional Commercial (IC)

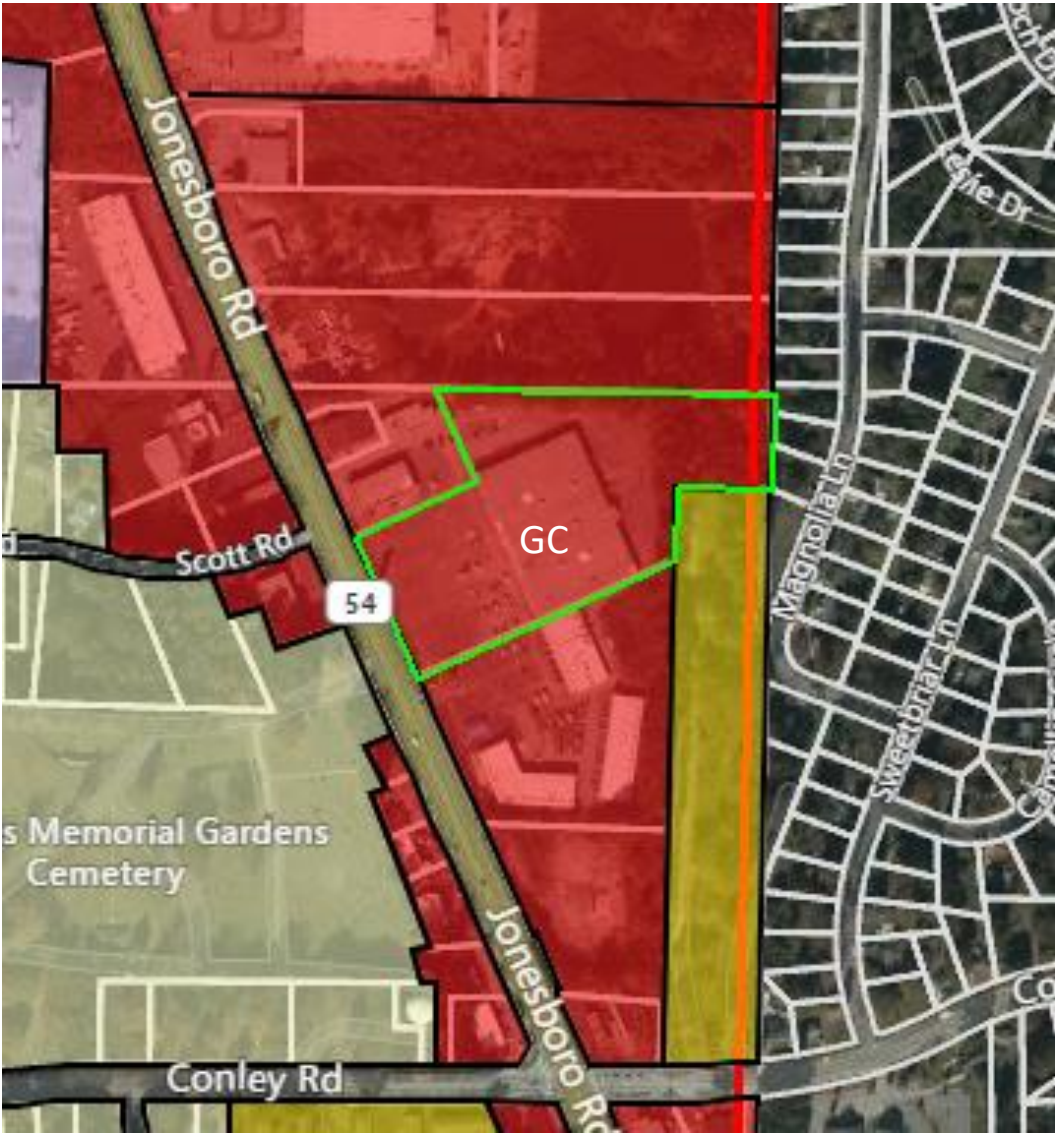
ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

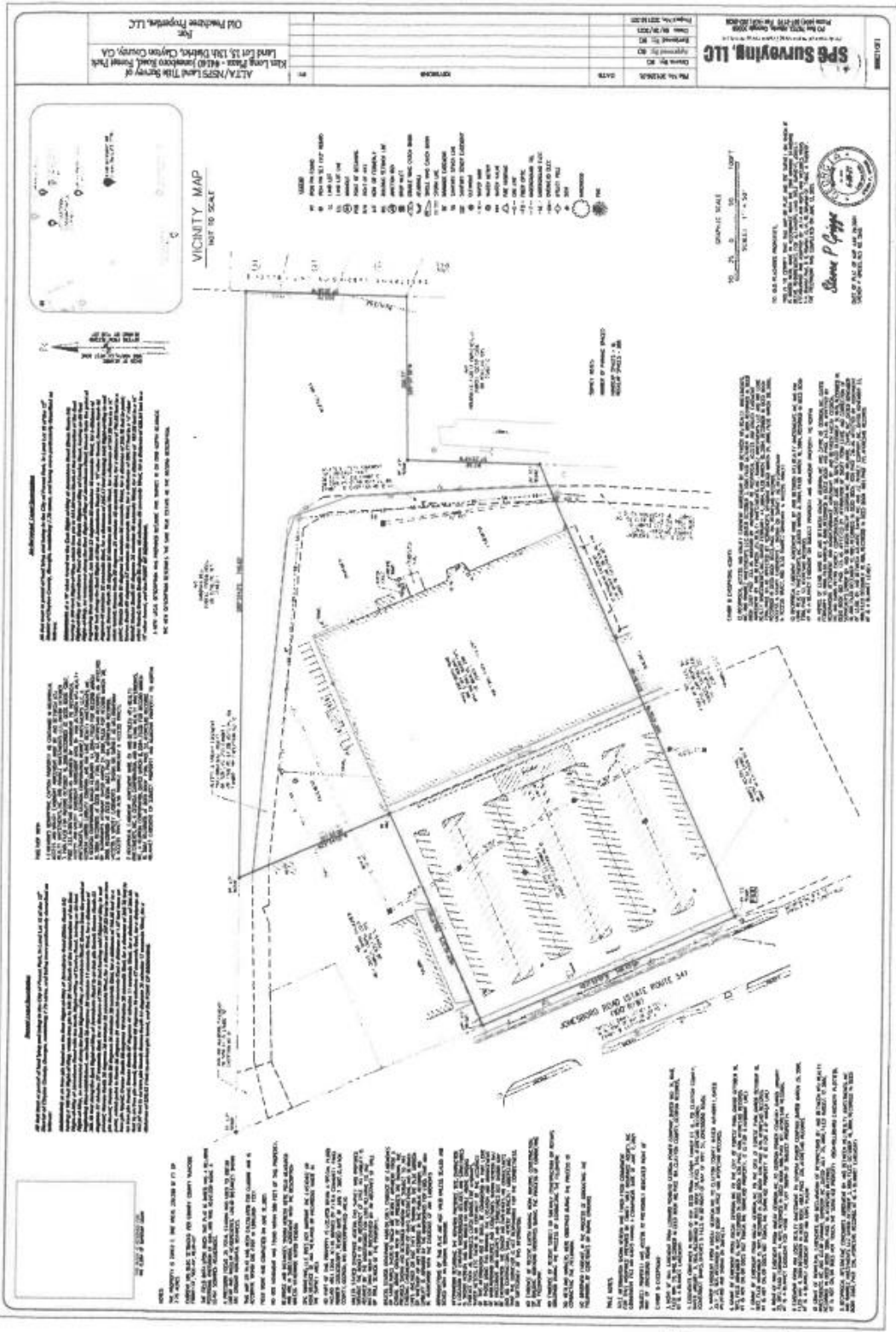
Direction	Zoning & Use	Direction	Zoning & Use
North	GC: General Commercial District	East	Outside of City Limits
South	GC: General Commercial District	West	GC: General Commercial District

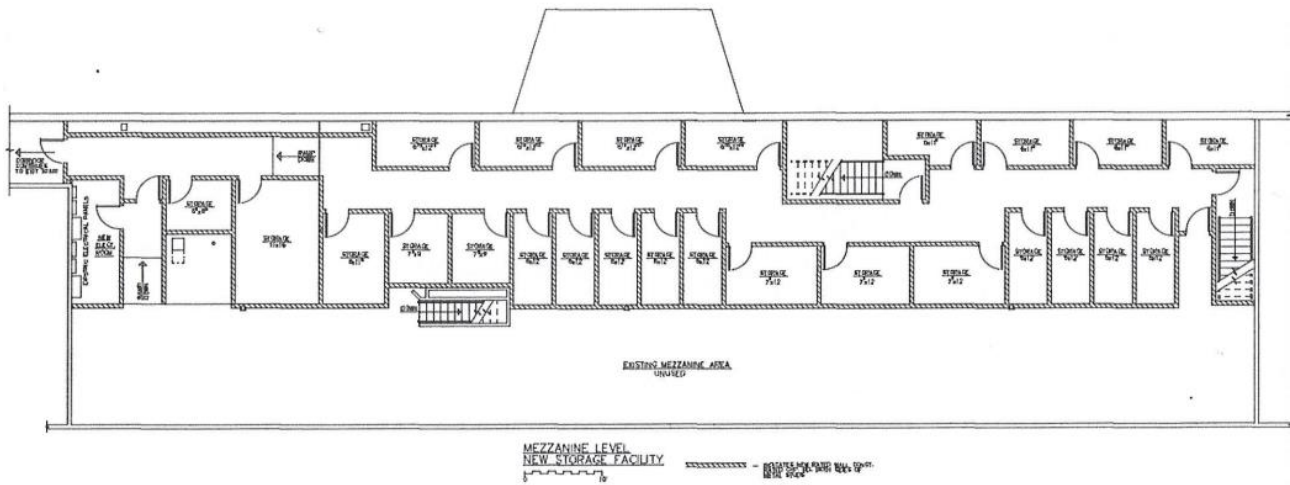
AERIAL MAP



ZONING MAP







SITE PHOTOS – MARCH 2023



ZONING CRITERIA AND ANALYSIS

1. **Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives?** The proposed use is compatible and consistent with the City's land use and development goals and objectives. The new interior addition to the existing discount mall will be built as self-storage for mall tenants. There will not be any renovations to the exterior of building.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposal will not cause a significant impact on the transportation infrastructure.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed use will not have an increase, decrease of the relationship to safety from fire and other dangers if event space attendee numbers are minimized.
4. **Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the City?** The proposed development does not appear to be a detriment to the public health, safety, morals, or general welfare if the Conditional Use Permit is granted.
5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed use will not increase, decrease or have any influence on the adequacy of light and air.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** No.
7. **Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the City, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the City?** The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the City.
8. **Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities?** The proposed use will not cause any additional impact on the water/sewer and other utilities or other public services.
9. **Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties?** The subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties.
10. **Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and**

the surrounding area? Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area.

11. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The use appears suitable for the nearby properties. The applicant has advised that the updates made to said property will be internal only. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property.
12. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit would not create an isolated district.

STAFF RECOMMENDATION

Staff recommends **APPROVAL OF A CONDITIONAL USE PERMIT** to allow a self-storage addition in the rear of the International Discount Mall within the General Commercial District (GC) **WITH THE FOLLOWING CONDITIONS:**

1. The applicant must obtain a building permit for interior renovations.
2. The applicant will provide a letter of approval/consent from the property owner.
3. The applicant will provide detail rendering of what proposed addition will look like
4. The applicant will provide storage policies for owners.
5. The applicant will provide a Circulation plan for entry and exit of location for self-storage.

Attachments Included:

- Application
- Letter of Intent
- Authorization of Property Owner
- Floor Plan

FP City Council
July 17th

7/5/23

High School)

to make immediate payment to the undersigned, this 11th day of May, 2023.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

9020-348264, 6/7,14,21,28,7/5,2023

This 18th day of May, 2023

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on **Monday, July 17, 2023, at 7:00 p.m.** at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

Request for Proposals RFP No. 018-23

Clayton County Public Schools is seeking Requests for Proposals from prequalified Construction Management at Risk firms for the Riverdale Early Learning Center located at 6830 Camp Street, Riverdale, GA 30296.

Glenn A. Townsend, Executor of the Estate of Edwin C. Allman, deceased c/o Daniel C. Haygood Attorney at Law Two South Main Street Suite C P.O. Box 207 Watkinsville, Georgia 30677 9025-348794 6/14,21,28,7/5,2023

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on **Monday, July 17, 2023, at 7:00 p.m.** at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

Only prequalified firms can submit proposals.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

GDP2952 spn07
Notice to debtors and creditors
All Creditors of the Estate of Shirley Jean Short, late of Gwinnett County, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment.
This 5 day of July, 2023.
Catherine L. Shepard & Cynthia J. Roisky, co-Executrix Estate of Shirley Jean Short
3055 Arden Way, Snellville, Gwinnett, GA 30039
125 NW 13th Street, Oak Island, Brunswick, NC 29445
7/5,12,19,26,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of **IRENE FRANKS, Estate number 2022-0171E**, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 13th day of June, 2023.

/s/ TED N. ECHOLS, ESQ.
Attorney
ECHOLS LAW GROUP, P.C.
505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281
9025-349682, 6/21,28,7/5,12,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of **JACQUELINE REGINA POTTS, Estate number 2023-0430E**, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 8th day of June, 2023.

/s/ Christopher J. Horton, Attorney
CHRISTOPHER J. HORTON, ESQ.
ECHOLS LAW GROUP, P.C.
505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281
9025-349456.

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # **13079D G010** Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

CUP-2023-05 Conditional Use for 4140 Jonesboro Rd., Parcel # **13015D C007** Forest Park, Georgia. The applicant, Gerald Tirella, is requesting a conditional use permit to allow a 6,152-sf renovation of the rear of the International Discount Mall to build self-storage units, to be rented by existing mall tenants and the general public.

RZ-2023-01-Rezoning for Parcel # **13015C A006**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.69 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-02-Rezoning for Parcels # **13015C A003**, **13015C A009**, and **13015C A002**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC is requesting to rezone 1.628 acres from RS (Single-family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # **13017A B014**, Forest Park, Georgia. The applicant, KINH Enterprises Inc is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/29, 7/5,12,2023

9020 Service/Construction Bids

The Clayton County Water Authority will open sealed proposals from qualified vendors via a Virtual Teams Meeting on **Thursday July 20, 2023, at 2:00 p.m. local time** for the:

Annual Contract for Mitigation Services

Any proposals received after this date and time will be considered non-responsive.

A Non-Mandatory Pre-Pro

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # **13079D G010** Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

CUP-2023-05 Conditional Use for 4140 Jonesboro Rd., Parcel # **13015D C007** Forest Park, Georgia. The applicant, Gerald Tirella, is requesting a conditional use permit to allow a 6,152-sf renovation of the rear of the International Discount Mall to build self-storage units, to be rented by existing mall tenants and the general public.

RZ-2023-01-Rezoning for Parcel # **13015C A006**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.69 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-02-Rezoning for Parcels # **13015C A003**, **13015C A009**, and **13015C A002**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC is requesting to rezone 1.628 acres from RS (Single-family Residential) to RM (Multi-family Residential) to build townhomes.

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/28,7/5,12,2023

File Attachments for Item:**5. Council Discussion and Approval on Rezoning from RS to GC-4233 Thurman Rd. – Planning & Community Development****Background/History:**

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to GC (General Commercial). The property is located at 4233 Thurman Road, parcel #1317A B014, Forest Park, Georgia, and is 0.287 acres. Records reflect that a structure was built in 1965, and the In-N-Out Groceries convenience store operated at the location since 2014. A fire destroyed the building in 2022. The store prior to the fire was a pre-existing non-conforming commercial use. The purpose of the rezoning is to bring the use into conformance of the current zoning category of GC. **The Planning Commission recommended to Approve the Rezoning from RS to GC with the following conditions: Reduce the front setback from 25 ft. to 14.62 ft., reduce the side setback from 10 ft. to 2.50 ft., reduce the rear setback from 30 ft. to 12.42 ft, the property shall be for a convenience store only, with no automobile gas sales, the building exterior shall be of brick, stone, or combination thereof, and landscaping shall be planted around the perimeter of the building.** If the rezoning with the noted conditions is approved the applicant will be required to submit an application to the Urban Design & Review Board for review and approval of landscaping and exterior design of the building façade prior to receiving a building permit. Any changes or deviations from the recommended approval will have to go back before the Planning Commission.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Rezoning from RS to GC-4233 Thurman Rd. – Planning & Community Development

Submitted By: LaShawn Gardiner

Date Submitted: June 20, 2023

Work Session Date: July 3, 2023

Council Meeting Date: July 3, 2023

Background/History:

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to GC (General Commercial). The property is located at 4233 Thurman Road, parcel #1317A B014, Forest Park, Georgia, and is 0.287 acres. Records reflect that a structure was built in 1965, and the In-N-Out Groceries convenience store operated at the location since 2014. A fire destroyed the building in 2022. The store prior to the fire was a pre-existing non-conforming commercial use. The purpose of the rezoning is to bring the use into conformance of the current zoning category of GC. **The Planning Commission recommended to Approve the Rezoning from RS to GC with the following conditions: Reduce the front setback from 25 ft. to 14.62 ft., reduce the side setback from 10 ft. to 2.50 ft., reduce the rear setback from 30 ft. to 12.42 ft, the property shall be for a convenience store only, with no automobile gas sales, the building exterior shall be of brick, stone, or combination thereof, and landscaping shall be planted around the perimeter of the building.** If the rezoning with the noted conditions is approved the applicant will be required to submit an application to the Urban Design & Review Board for review and approval of landscaping and exterior design of the building façade prior to receiving a building permit. Any changes or deviations from the recommended approval will have to go back before the Planning Commission.

Cost: \$ n/a

Budgeted for: _____ Yes _____ No

Financial Impact: N/A

No Financial impact.

Action Requested from Council:

Approve the Rezoning from RS to GC with recommended conditions.

STAFF REPORT
Planning Commission Meeting: June 15, 2023
City Council Meeting: July 3, 2023

Case: RZ-2023-03

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from RS (Residential Single-Family) to GC (General Commercial)

Staff Report Compiled By: LaShawn Gardiner

Staff Recommendation: Approval to Rezone to GC (General Commercial)

APPLICANT INFORMATION

Owner of Record: Kinh Enterprises, Inc.
Address: 4884 College Street
City/State: Forest Park, GA 30297

Applicant: TR1 USA, LLC
Address: 4233 Thurman Road
City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 1317A B014
Address: 4233 Thurman Road

Acreage: 0.287 +/-
FLU: Institutional

SUMMARY & BACKGROUND

The subject property is located at 4233 Thurman Road. The parcel number is 1317A B014 and is currently zoned RS (Single-Family Residential). The property is currently a small, vacant triangular piece of land with a paved parking lot and a few bricks, blocks, and wood remnants of what remained of the previous convenience store building. The applicant’s request is to rezone the property from RS (Single-Family Residential) to GC (General Commercial). The parcel is 0.287 acre.

Records show that the previous structure was built in 1965. The property most recently operated as the In-N-Out Groceries convenience store since 2014. A fire destroyed the building in 2022. General commercial and industrial zoned uses are located east and south of the property. Properties west (Calvary Refuge Center) and north (unincorporated Clayton County) of the subject property are zoned residential. The convenience store and structure prior to its destruction was a pre-existing non-conforming use. Zoning Code Sec. 8-8-112 Nonconforming structures states the following:

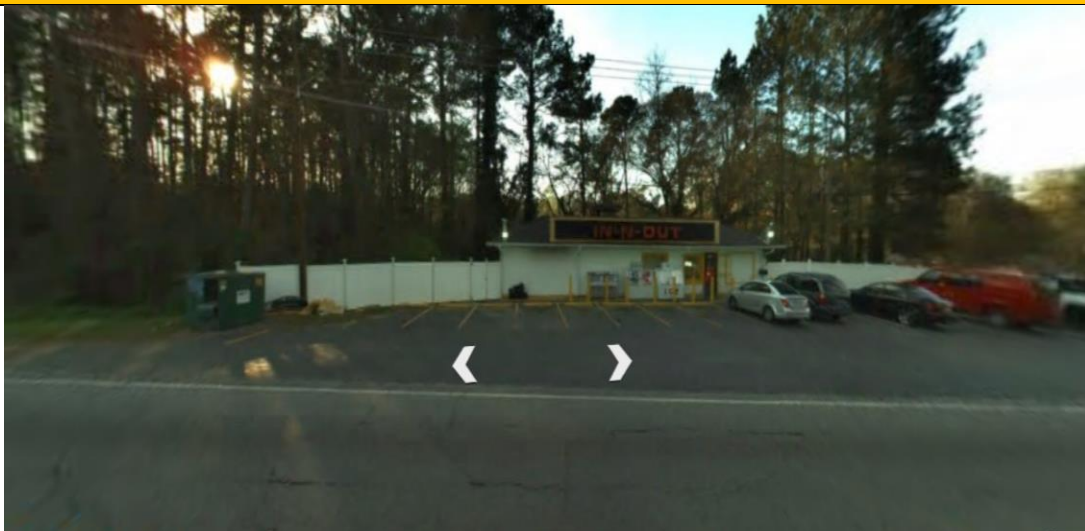
Where a lawful structure exists at the effective date of adoption that could not be built under the terms of this chapter by reasons of restriction on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it is and remains otherwise lawful subject to the following provisions:

- (1) *No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity; but any structure or portion thereof may be enlarged or altered if the degree*

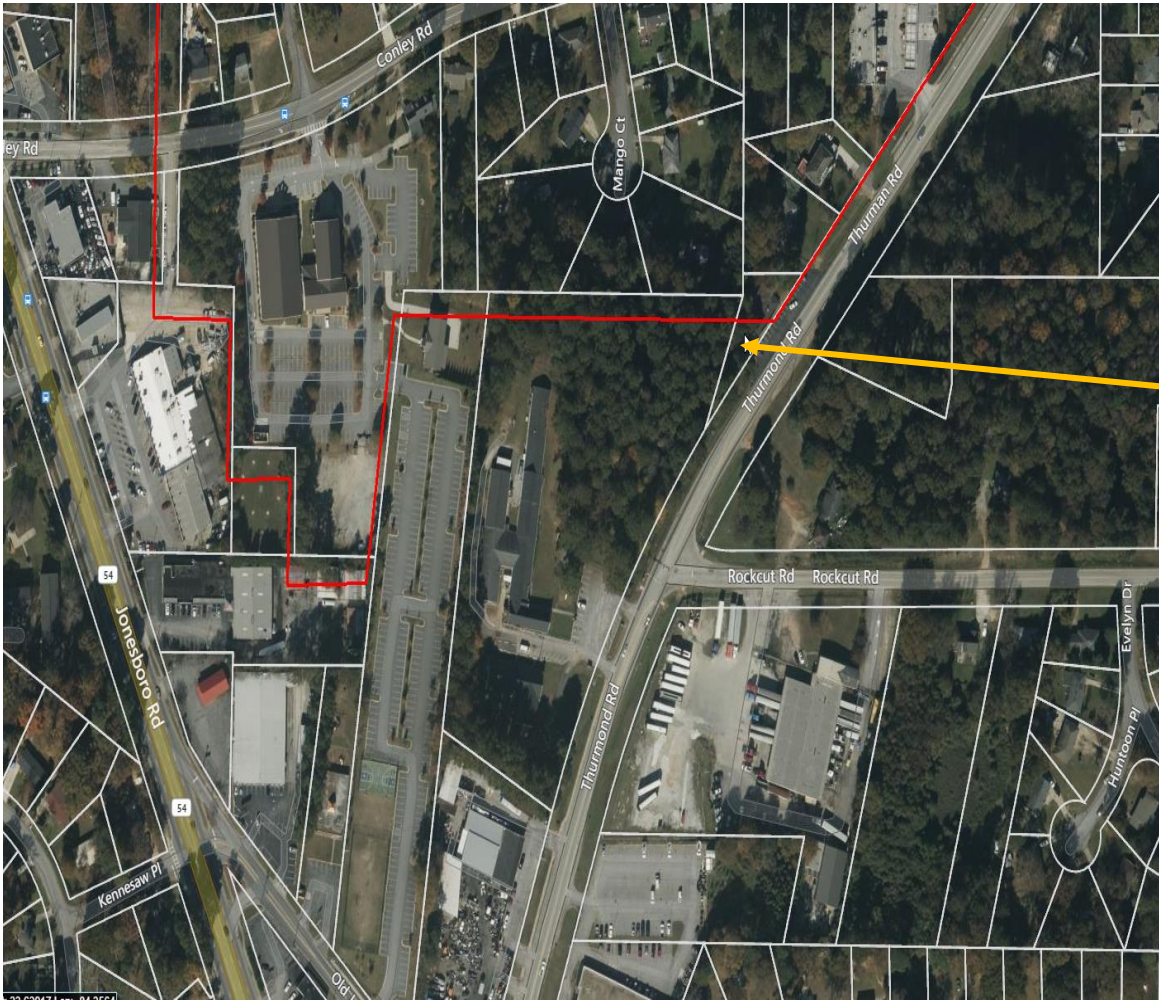
- of its nonconformity remains the same or is decreased, provided such structure is used for a permitted use.*
- (2) *One- and two-family residential structures. Should such nonconforming one- or two-family residential structure be destroyed, by any means, in whole or in part, it may be reconstructed in the same location and upon its previous foundation and to its previously existing height, provided said reconstruction does not increase the previously existing degree of nonconformity and further provided that said reconstructed structure is used for a permitted use.*
- (3) **All other structures. Should such nonconforming multifamily residential, commercial, or industrial structure be destroyed by any means to an extent of more than sixty (60) percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this article.**
- (4) *Accessory structures. When nonconforming, accessory structure be destroyed by any means, in whole or in part, it shall be subject to the same provisions as govern the primary structure to which they are an accessory use.*
- (5) *Moving. Where a nonconforming structure is moved off its previous lot, it shall thereafter conform to the regulations for the district in which it is located after it is moved.*
- (6) *Public purposes. In cases where land is taken for public purposes from legal lots of record at the time of such taking in such manner as to reduce yards previously provided in relation to a portion of a structure below yard requirements generally applicable within the district, the portion of the structure involved shall be construed to be nonconforming.*

The subject property was operated as a non-conforming, commercial use, and therefore would have to conform to the current zoning standards of the General Commercial zoned district, per Sec. 8-8-112 (3), underlined above, if the rezoning is approved. The purpose of the request to amend the zoning of the subject property from RS (Single-family Residential) to GC (General Commercial) zoning category is to bring the use into conformance of the current zoning ordinance. Convenience/grocery stores are permitted uses in the general commercial zoning district, and it is the applicant's intent to rebuild the store.

In N Out Store Prior to Fire



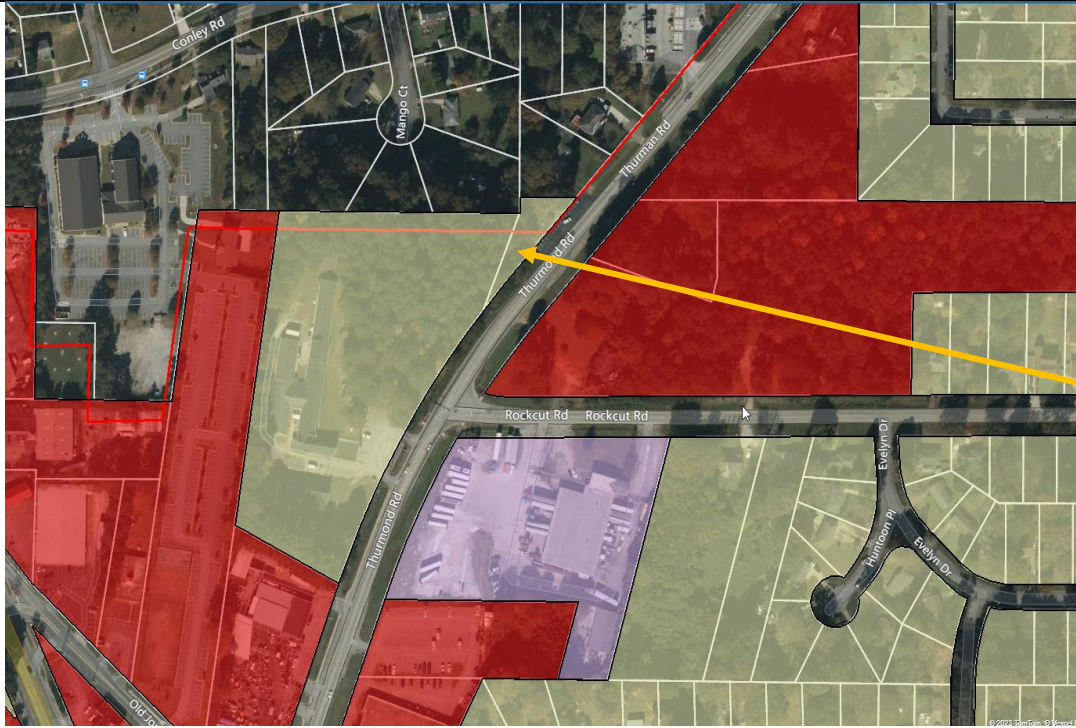
AERIAL MAP



ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

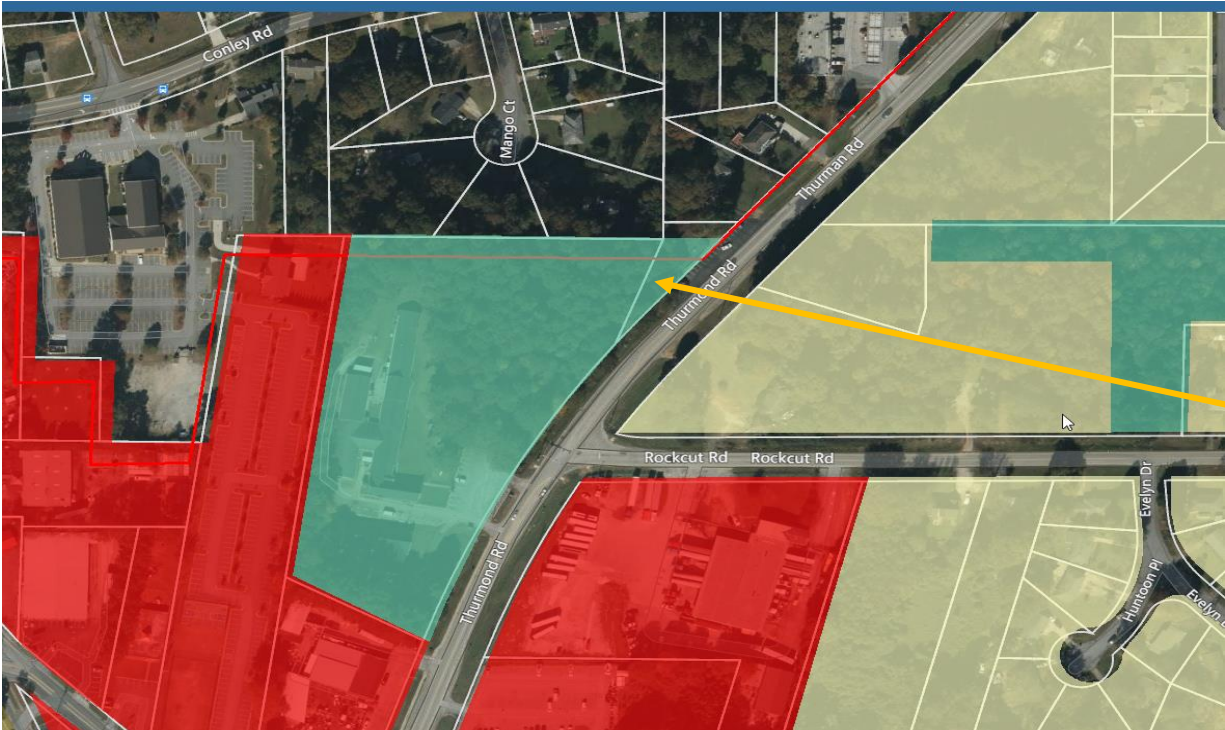
North	(RS) Unincorporated Clayton County	East	General Commercial
South	General Commercial & Light Industrial	West	RS (Single-Family Residential)

ZONING MAP



Current Zoning: RS (Single-Family Residential)

FUTURE LAND USE MAP



Future Land Use: Institutional

Surrounding Properties



Calvary Refuge Center: Zoned RS (Single Family Residential)



NAT Enterprises: Zoned GC (General Commercial)



TABT, Inc.: Zoned LI (Light Industrial)

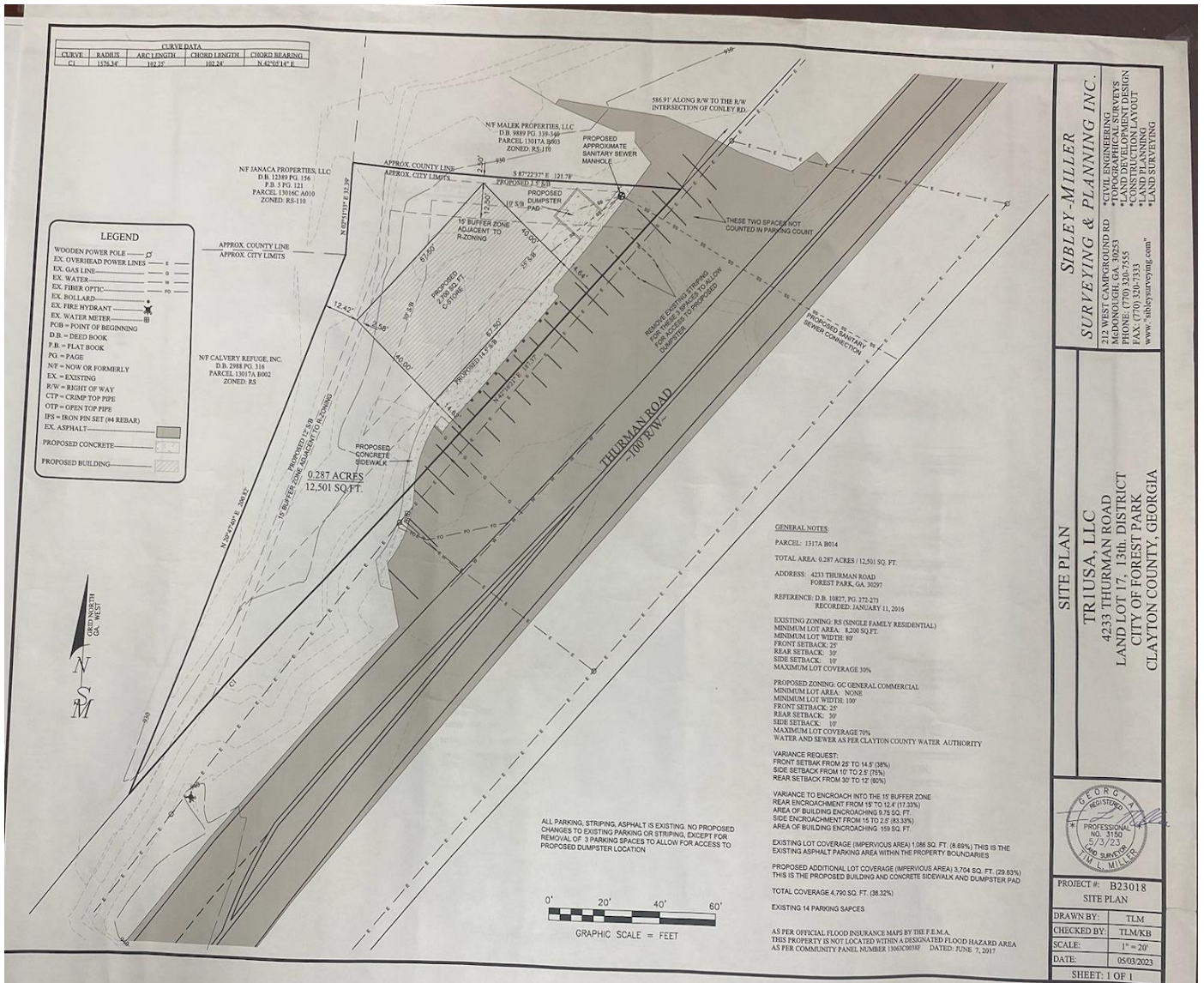


AT& T Telephone utility: GC (General Commercial)



Residential (Unincorporated Clayton Co.)

Site Plan of 4233 Thurman Rd.



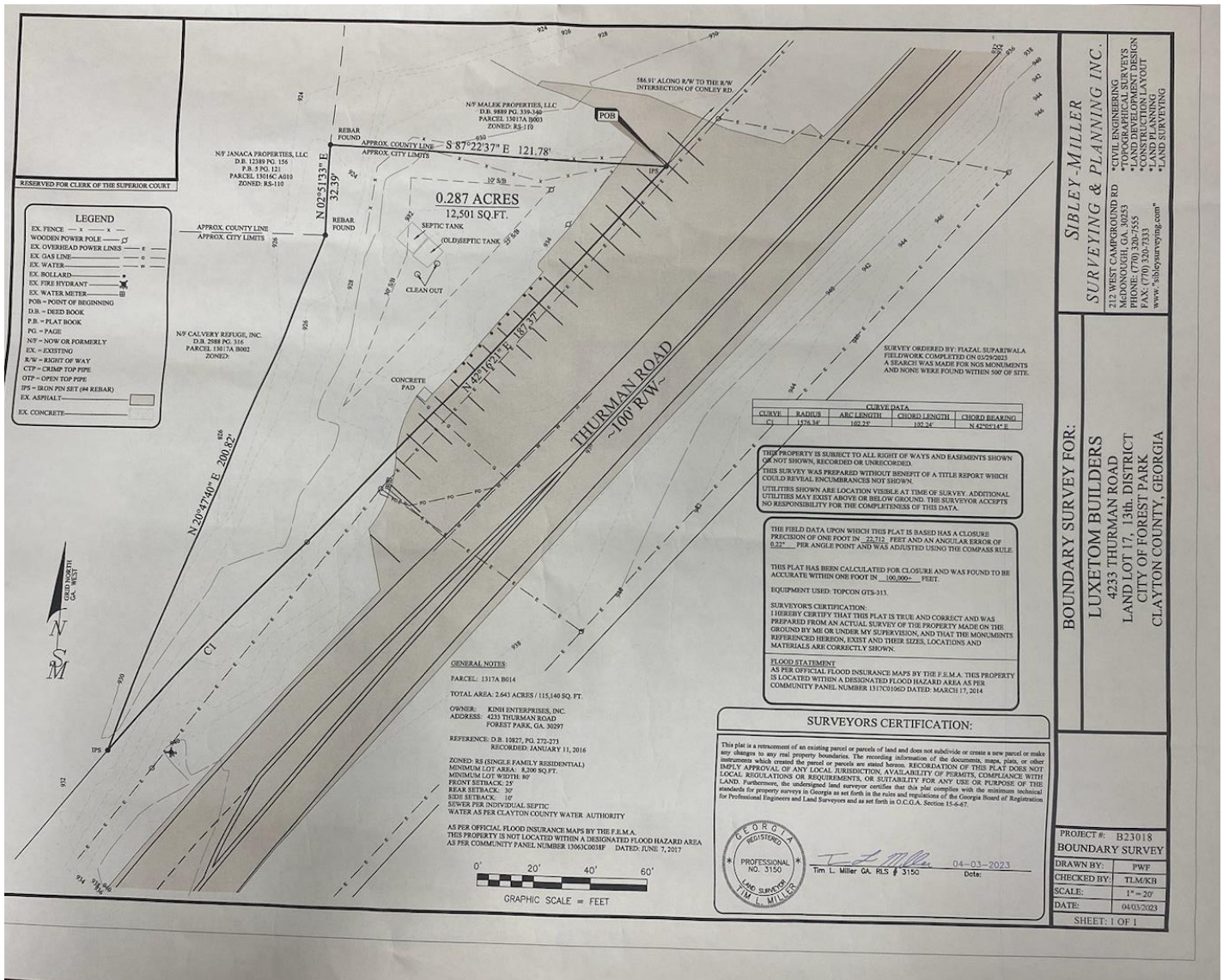
SIBLEY-MILLER SURVEYING & PLANNING INC.
 312 WEST CAMPBELL ROAD
 MARIETTA, GA. 30053
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleymiller.com

TRIUSA, LLC
 4233 THURMAN ROAD
 LAND LOT 17, 13th DISTRICT
 CITY OF FOREST PARK
 CLAYTON COUNTY, GEORGIA

PROFESSIONAL
 No. 3128
 3/3/23
 T.M. MILLER

PROJECT #: B23018
 SITE PLAN
 DRAWN BY: TLM
 CHECKED BY: TLM/KB
 SCALE: 1" = 20'
 DATE: 05/03/2023
 SHEET: 1 OF 1

Boundary Survey



Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives: Yes No *The subject property is flanked by commercial and industrial zoned properties to the east and south. Although, the future land use map designation is Institutional, due to the size, shape, and location of the property, it would be difficult to develop the subject property for institutional use.*

Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets? Increase Decrease No Impact *We do not anticipate an increase in traffic congestion or detriment to traffic safety as a result of this rezoning.*

Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers? Increase Decrease No Relationship

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city? **Promote** **Diminish** **No Influence**

Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? **Promote** **Diminish** **No Influence**

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? **Cause** **Prevent** **No Influence**

Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? **Cause** **Prevent** **No Relationship**

Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities?
 Impede **Facilitate** **No Impact**

Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? **Yes** **No** *There are no known contributing factors that will affect the value, use and enjoyment of surrounding properties.*

Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?
 Promote **Diminish** **No Influence**

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? **Yes** **No**

Would the proposed amendment create an isolated district, unrelated to adjacent and nearby districts?
 Yes **No** *While the subject property is adjacent to two residentially zoned areas, several commercial and industrial zoned properties exist east and south of the subject property. The proposed zoning is commensurate with the previous and existing use of the property.*

Staff Review

The following city departments/divisions had no issues or concerns regarding the requested rezoning:

- Public Works, Police, Fire, and Building Inspector

Planning & Community Development Department

Planning staff recognizes that the property is 0.287 acres or 12, 501.72 square feet, and is a small, triangular shape. The current General Commercial (GC) zoning district requires the following minimum front, side, and rear setbacks if rezoning is approved:

Front: 25 ft.

Side: 10 ft.

Rear: 30 ft.

Due to the current GC setback standards and the size and shape of the property, a hardship would exist for the applicant to develop the property if the rezoning is approved.

Staff Recommendation

The requested rezoning from RS (Single-Family Residential) to GC (General Commercial) zoning category would allow for the current use of the property, although it would not meet the use of the property as an institutional use per the future land use due to its size and configuration. If the property is rezoned to commercial use, it would not be out of character of current, surrounding zoned uses in the area. The proposed amendment will not cause an adverse impact on the surrounding community. **Staff recommends Approval of the rezoning request** along with the following conditions:

1. Reduce the Front setback from 25 ft. to 14.62 ft.
2. Reduce the side setback from 10 ft. to 2.50 ft.
3. Reduce the rear setback from 30 ft. to 12.42 ft.
4. The property shall be for a convenience store only, with no automobile gas sales.
5. The building exterior shall be of brick, stone, or combination thereof.
6. Landscaping shall be planted around the perimeter of the building.

If the Rezoning with the recommended conditions is approved, the applicant will be required to apply to the Urban Design and Review Board for review and approve the landscaping and exterior architectural design of the building façade prior to receiving a building permit. Any changes or deviations from the recommended approval will need to come back before the Planning Commission.

GALLOWAY & LYNDALL, LLP
ATTORNEYS AT LAW

THE LEWIS-MILLS HOUSE · 406 NORTH HILL STREET · GRIFFIN, GEORGIA 30223 · (770) 233-6230 · FACSIMILE (770) 233-6231

NEWTON M. GALLOWAY
TERRI M. LYNDALL

Via email: lgardiner@forestparkga.gov

July 10, 2023

Ms. LaShawn Gardiner
Director of Planning and Community Development
Forest Park, Georgia
785 Forest Parkway
Forest Park, Georgia 30297

Re: TR1 USA, LLC
Rezoning Application: RZ-2023-03

Dear Ms. Gardiner:

You will please find included herewith the following documents pertinent to the above application:

- a. Constitutional Objection to Restrictions in the Zoning Ordinance of the City of Forest Park, Georgia; and
- b. Evidentiary Objections to Zoning Hearing Based on York v. Athens College of Ministry, Inc.

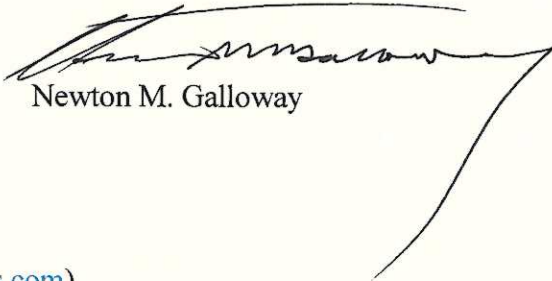
Please consider and include both of these documents as part of the above referenced Rezoning Application and the accompanying requested variance.

Ms. LaShawn Gardiner
Director of Planning and Community Development
Forest Park, Georgia
July 10, 2023
Page 2

Should you have any questions, please do not hesitate to contact me.

Sincerely,

GALLOWAY & LYNDALL, LLP



Newton M. Galloway

NMG:dln
Enclosures

cc: Mr. Noorali Somani (nsomani@yvspartners.com)

In re:

TR1 USA, LLC
 REZONING APPLICATION: RZ-2023-03

CONSTITUTIONAL OBJECTION TO RESTRICTIONS IN THE
 ZONING ORDINANCE OF THE CITY OF FOREST PARK, GEORGIA

As applied to the following property:

Parcel 13017A B014; 0.287 acres
 TR1 USA, LLC, Applicant
 Kinh Enterprises Inc., Owner

located within the City of Forest Park, Georgia and as identified pursuant to the current Parcel identification number assigned by the Clayton County Tax Assessor (the “Subject Property”), being zoned Single-Family Residential (RS) subject of the above-referenced Rezoning Application, requesting a change in the Zoning Ordinance of the City of Forest Park, Georgia. The current zoning is unconstitutional in that it deprives the Owner/Applicant of their vested right to a pre-existing non-conforming use based on the prior non-conforming uses which have been conducted on the Subject Property since the previous structure was built in 1965 and continued after the current zoning ordinance was enacted in 2021. Most recently the structure operated as an In-N-Out Grocery store since 2014. The right to continue a nonconforming use, once established and not abandoned, is not personal to the owner. It runs with the land. The right to continue a legal, nonconforming use being a vested property right, any statute or ordinance that takes away that right in an unreasonable manner, or in a manner not grounded in the public welfare, is invalid. The vested right to continue a legal, nonconforming use is entitled to constitutional protection. *Southern States-Bartow County, Inc. v. Riverwood Farm Homeowners Assoc.*, 300 Ga. 609, 797 S.E.2d 468 (2017). The Zoning Ordinance for the City of Forest Park, Georgia, Section 8-8-112(3) prohibits reconstruction of a pre-existing non-conforming use if the structure was destroyed to “an

extent of more than sixty (60) percent of its replacement cost at the time of destruction.” On its face Section 8-8-112(3) of the Zoning Ordinance of the City of Forest Park, Georgia, precludes reconstruction of the structure irrespective of the intent of the Owner or Applicant to abandon the grocery store after destruction. As a result, its restrictions violate the Owner/Applicant’s rights to continue a constitutionally protected pre-existing non-conforming use.

Additionally, the Owner/Applicant has property rights in and to the Subject Property that have been destroyed without receiving fair, adequate and just compensation for such property rights. As applied to the Subject Property, the Zoning Ordinance of the City of Forest Park, Georgia deprives the Owner/Applicant of constitutionally protected rights in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Application of the Zoning Ordinance of the City of Forest Park, Georgia to the Subject Property is unconstitutional, illegal, arbitrary, capricious, null and void, constituting a taking of the Subject Property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph 1, and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States thereby denying the Owner/Applicant an economically viable use of the Subject Property while not substantially advancing legitimate state interests.

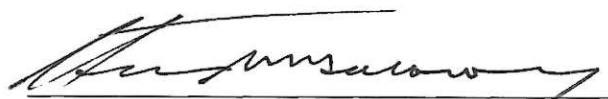
Inasmuch as it is impossible for the Owner/Applicant to use the Subject Property and simultaneously comply with the Zoning Ordinance of the City of Forest Park, Georgia, the Zoning Ordinance constitutes an arbitrary, capricious, and unreasonable act by the City without any

rational basis therefore and constitutes an abuse of discretion in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Application of the Zoning Ordinance of the City of Forest Park, Georgia to the Subject Property is unconstitutional and discriminates against the Owner/Applicant in an arbitrary, capricious, and unreasonable manner between the Owner/Applicant and others similarly situated in violation of Article I, Section I, Paragraph 2 of the Constitution of the State of Georgia of 1983 and the Equal protection Clause of the Fourteenth Amendment to the Constitution of the United States.

WHEREFORE, Owner/Applicant request that the City of Forest Park, Georgia approve the Rezoning Application RZ-2023-03 as well as the accompanying requested variance and rezone the Subject Property to General Commercial (GC) as specified and requested therein.

GALLOWAY & LYNDALL, LLP
Counsel for TR1 USA, LLC


Newton M. Galloway
Georgia Bar No.: 283069

The Lewis-Mills House
406 North Hill Street
Griffin, Georgia 30223
(770) 233-6230
ngalloway@gallyn-law.com

In re:

TR1 USA, LLC
REZONING APPLICATION: RZ-2023-03

EVIDENTIARY OBJECTIONS TO ZONING HEARING BASED ON
YORK V. ATHENS COLLEGE OF MINISTRY, INC.

As applied to the following property:

Parcel 13017A B014; 0.287 acres
TR1 USA, LLC, Applicant
Kinh Enterprises Inc., Owner

located within the City of Forest Park, Georgia and as identified pursuant to the current parcel numbers assigned by the Clayton County Tax Assessor (the “Subject Property”), being zoned Single-Family Residential (RS), subject of the above-referenced Rezoning Application and accompanying requested Variance, Owner and Applicant give notice of the following evidentiary objections based on *York v. Athens College of Ministry, Inc.*, 348 Ga. App. 58, 632, 821 S.E.2d 120 (2018):

With the Rezoning Application and the accompanying requested variance, Owner and Applicant filed a Constitutional Objection to the denial thereof which is incorporated herein by reference as if fully set forth.

Owner and Applicant object to comments provided by any and all members of the public presented before the City Council in opposition to RZ-2023-03 to the extent that (but not limited to) such individuals lack standing to challenge RZ-2023-03 because they: (a) do not satisfy the substantial interest-aggrieved citizen test; (b) are not under oath; (c) are not subject to cross-examination; (d) lack sufficient training or expertise to present evidence on and/or make statements that would otherwise require presentation by witness(es) constituting expert opinion without such individuals being qualified as experts; (e) present evidence on and/or make statements that are irrelevant and/or immaterial to the factors for approval of a rezoning or variance under the Zoning

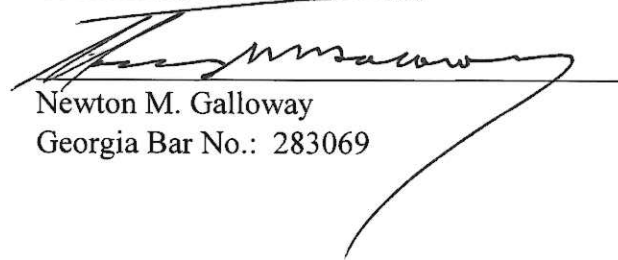
Ordinance; and/or (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial and/or lay, nonexpert opinion and hearsay evidence.

Additionally, Owner and Applicant object to any action of the City Council that does not approve RZ-2023-03 or approves it subject to unreasonable conditions to the extent that (but not limited to) the same are: (a) in violation of O.C.G.A. § 50-13-19(h); (b) in violation of constitutional, statutory or ordinance provisions; (c) in excess of the statutory or constitutional authority of the City Council; (d) made upon unlawful procedure; (e) affected by other error of law; (f) clearly erroneous in view of the reliable probative, and substantial evidence on the whole record; or (g) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (h) founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, unsubstantiated and/or lay, nonexpert opinion evidence; and/or (i) contrary to the factors for approval of a rezoning or variance set forth in the Zoning Ordinance.

By and through this *York* Objection, Owner and Applicant preserve all the above and incorporated Objections and asserts them on and within the record before, and for consideration and resolution by, the City Council of the City of Forest Park, Georgia.

WHEREFORE, Owner and Applicant request that the City of Forest Park, Georgia approve the Rezoning Application and accompanying requested variance set forth above.

GALLOWAY & LYNDALL, LLP
Counsel for TR1 USA, LLC



Newton M. Galloway
Georgia Bar No.: 283069

The Lewis-Mills House
406 North Hill Street
Griffin, Georgia 30223
(770) 233-6230
ngalloway@gallyn-law.com

FP City Council
July 17th

Item #5.

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11th day of May, 2023.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

9020-348264, 6/7,14,21,28,7/5,2023

This 18th day of May, 2023

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on **Monday, July 17, 2023, at 7:00 p.m.** at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

Request for Proposals RFP No. 018-23

Clayton County Public Schools is seeking Requests for Proposals from prequalified Construction Management at Risk firms for the Riverdale Early Learning Center located at 6830 Camp Street, Riverdale, GA 30296.

Glenn A. Townsend, Executor of the Estate of Edwin C. Allman, deceased c/o Daniel C. Haygood Attorney at Law Two South Main Street Suite C P.O. Box 207 Watkinsville, Georgia 30677 9025-348794 6/14,21,28,7/5,2023

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on **Monday, July 17, 2023, at 7:00 p.m.** at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

GDP2952 spn07

Notice to debtors and creditors

All Creditors of the Estate of Shirley Jean Short, late of Gwinnett County, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment. This 5 day of July, 2023. Catherine L. Shepard & Cynthia J. Roisky, co-Executrix Estate of Shirley Jean Short 3055 Arden Way, Snellville, Gwinnett, GA 30039 125 NW 13th Street, Oak Island, Brunswick, NC 28445 7/5,12,19,26,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of IRENE FRANKS, Estate number 2022-0171E, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 13th day of June, 2023.

/s/ TED N. ECHOLS, ESQ.

Attorney ECHOLS LAW GROUP, P.C. 505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281 9025-349682, 6/21,28,7/5,12,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of JACQUELINE REGINA POTTS, Estate number 2023-0430E, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 8th day of June, 2023.

/s/ Christopher J. Horton, Attorney

CHRISTOPHER J. HORTON, ESQ. ECHOLS LAW GROUP, P.C. 505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281 9025-349456.

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # 13079D G010 Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

Only prequalified firms can submit proposals.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

CUP-2023-05 Conditional Use for 4140 Jonesboro Rd., Parcel # 13015D C007 Forest Park, Georgia. The applicant, Gerald Tirella, is requesting a conditional use permit to allow a 6,152-sf renovation of the rear of the International Discount Mall to build self-storage units, to be rented by existing mall tenants and the general public.

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023.

Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

RZ-2023-01-Rezoning for Parcel # 13015C A006, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.69 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-02-Rezoning for Parcels # 13015C A003, 13015C A009, and 13015C A002, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC is requesting to rezone 1.628 acres from RS (Single-family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # 13017A B014, Forest Park, Georgia. The applicant, KINH Enterprises Inc is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/29, 7/5, 12, 2023

9020 Service/Construction Bids

The Clayton County Water Authority will open sealed proposals from qualified vendors via a Virtual Teams Meeting on **Thursday July 20, 2023, at 2:00 p.m. local time** for the:

Annual Contract for Mitigation Services

Any proposals received after this date and time will be considered non-responsive.

A Non-Mandatory Pre-Pro

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # 13079D G010 Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

CUP-2023-05 Conditional Use for 4140 Jonesboro Rd., Parcel # 13015D C007 Forest Park, Georgia. The applicant, Gerald Tirella, is requesting a conditional use permit to allow a 6,152-sf renovation of the rear of the International Discount Mall to build self-storage units, to be rented by existing mall tenants and the general public.

RZ-2023-01-Rezoning for Parcel # 13015C A006, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.69 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

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RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # 13017A B014, Forest Park, Georgia. The applicant, KINH Enterprises Inc. is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/28, 7/5, 12, 2023

File Attachments for Item:**6. Council Discussion and Approval on Conditional Use Permit (CUP-2023-04)- 5370 Ash Street – Planning & Community Development****Background/History:**

The applicant is requesting a Conditional Use Permit to operate a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program at 5370 Ash St. This property is located within the Single-Family Residential District (RS). Per Section 8-8-28 Single Family Residential District (RS), Places of worship, private school and daycare centers require conditional use permits to operate in the Single-Family Residential District. A church currently exists on the subject property. The Planning Commission recommended **Denial of a Conditional Use Permit** at its meeting on June 15, 2023, based on the potential of a liability of children and adult activities that include clinics, recovering alcoholics and offenders mixing. The following combination would not be allowed as a combined use.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Conditional Use Permit (CUP-2023-04)- 5370 Ash Street – Planning & Community Development

Submitted By: LaShawn Gardiner

Date Submitted: June 22, 2023

Work Session Date: July 3, 2023

Council Meeting Date: July 3, 2023

Background/History:

The applicant is requesting a Conditional Use Permit to operate a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program at 5370 Ash St. This property is located within the Single-Family Residential District (RS). Per Section 8-8-28 Single Family Residential District (RS), Places of worship, private school and daycare centers require conditional use permits to operate in the Single-Family Residential District. A church currently exists on the subject property. The Planning Commission recommended **Denial of a Conditional Use Permit** at its meeting on June 15, 2023, based on the potential of a liability of children and adult activities that include clinics, recovering alcoholics and offenders mixing. The following combination would not be allowed as a combined use.

Cost: \$ N/A

Budgeted for: _____ Yes _____ No

Financial Impact:

N/A

Action Requested from Council:

Denial of a Conditional Use Permit in a RS (Single-Family Residential) zoned district.



Planning & Community Development Department
 785 Forest Parkway
 Forest Park, Georgia 30297
 (404) 608-2300 Fax: (404) 608-2306

Staff Report – Conditional Use Permit

Public Hearing Date: June 15, 2023

City Council Meeting: July 3, 2023

Case: CUP-2023-04

Current Zoning: RS – Single Family Residential District

Proposed Request: Applicant is requesting a Conditional Use Permit to operate a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in the historic church within the Single-Family residential District (RS).

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Denial of Conditional Use

APPLICANT INFORMATION

Owner of Record:		Applicant:	
Name: Cynthia Waters		Name: Cynthia Waters	
Address: 5370 Ash street		Address: 5370 Ash Street	
City/State: Forest Park, GA 30297		City/State: Forest Park, GA 30297	

PROPERTY INFORMATION

Parcel Number: 13079D G010	Acreage: 5.48
Address: 5370 Ash Street, Forest Park, GA 30297	FLU: Institutional

SUMMARY & BACKGROUND

The applicant is requesting a Conditional Use Permit to operate a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program at 5370 Ash St. This property is located within the Single-Family Residential District (RS). Per Section 8-8-28 Single Family Residential District (RS), Places of worship, private school and daycare centers require conditional use permits to operate in the Single-Family Residential District. Currently, the property houses a historic church.

Property Zoned Single Family Residential District (RS)

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	RS- Single Family Residential	East	Clayton County (Morrow)

South	RS- Single Family Residential	West	RS- Single Family Residential
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AERIAL MAP



ZONING MAP



SITE PHOTOS – MARCH 2023







ZONING CRITERIA AND ANALYSIS

1. **Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives?** The proposed use is not compatible and would not be consistent with the City's land use and development goals and objectives.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposed use can have a significant impact on traffic due to it being a residential area and if granted the continual use, having multiple activities at once can create an environment for increased traffic depending upon the number of people attending each activity.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed use will not have an increase, decrease of the relationship to safety from fire and other dangers if event space attendee numbers are minimized.
4. **Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the City?** The proposed development does appear to be a detriment to the public health, safety, morals, or

general welfare if the Conditional Use Permit is granted based on the multiple uses proposed by applicant and the potential liability that could be presented.

5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed use will not increase, decrease, or have any influence on the adequacy of light and air.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** No.
7. **Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the City?** The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the city.
8. **Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities?** The proposed use will not cause any additional impact on the water/sewer and other utilities or other public services.
9. **Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties?** The subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties.
10. **Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?** Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area.
11. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The use does not appear suitable for the nearby properties. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property.
12. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit would create an isolated district.

STAFF RECOMMENDATION

Staff recommends **DENIAL OF A CONDITIONAL USE PERMIT** based on the potential liability of having children and a mixture of adult activities that include clinics, recovering alcoholics and offenders. The following combination would not be allowed as a combined use.

In detail, provide a summary of the proposed project in the space provided below. Include the proposed use of each existing or proposed building, and the proposed land use.

Life Christian Academy is a private performing arts school geared towards under-privileged students needing specialized education. We follow the STEM learning curriculum to prepare and develop our students for college. LCA plans to bring a youth performing arts facility, a rehabilitation group home for teens, AA meetings for court mandated residents, summer camp, health clinics, and much more to Forest Park, GA. Our church Restoration & Deliverance COGIC will have weekly food drives for anyone in the Clayton County area in need of assistance, youth empowerment summer camps, and much more to support the community outreach program. LCA & R&D partnered with a daycare provider to bring their services to 5370 Ash Street in efforts to aid low income working families as an extension of our community development. Our main building has office spaces that can help build small entrepreneurs by offering a professional space to conduct business which correspond with our adult education and reclamation program. The office spaces would only be offered to regular general tax classification businesses. Our overall goal is to provide services that are essential to rebuilding our community, our city, and most importantly our youth because they are the future!

What are the reasons the property cannot be used in accordance with the existing regulations?

The property cannot be used in accordance with the existing regulations because it's zoned as a residential building and the plans we have are for commercial use according to the City of Forest Park, GA.

How would the proposed use impact on public facilities and services?

The proposed use would not directly impact the public facilities. However, the surrounding businesses would generate more revenue due to our building/facility bringing customers to the area.

Informational Summary

5370 Ash Street, Forest Park, GA

Current Zoning: RS | Single Family Residential.

Background Information:

April 2022: Planning Commission recommended Approval to allow a church, school, daycare, and affiliated offices at the subject property in a RS (Single-Family Residential) district.

May 2, 2022: City Council voted to approve the recommendation of the Planning Commission to allow the church, school, daycare, and affiliated offices as a conditional use at the subject property in a RS District.

May 9, 2022: Mayor Butler vetoed the Conditional Use Permit request stating the following:

There remain too many existing or changing conditions affecting the use and development of the property which cause for disapproval of the proposal. First, until recently, the applicant was operating a trucking business in violation of our code of ordinances at the location. The applicant was found guilty in Municipal Court and ordered to pay a fine. I am informed that there may have been other for-profit businesses that illegally operating there as well. Second, the City does not have sufficient information about the school the applicant proposes to locate at the property. No information was provided to the Council regarding whether the applicant had received or was likely to receive any necessary state approvals or accreditation credentials pertaining to the school. Additionally, the applicant did not provide information to the Council regarding the number of students, the amount of traffic the school would generate or other pertinent information to allow the Council to decide on whether the proposal will adversely affect the existing use or usability of adjacent or nearby property. Finally, the applicant did not demonstrate he had a feasible plan for making the repairs necessary for the proper use of the buildings at the location.

Per Code Section 8-8-189. Reapplication of Conditional Use Permit. If the decision of the Mayor and Council is to deny the Conditional Use Permit, then the same property may not again be considered for a Conditional Use until the expiration of at least six (6) months immediately following such denial.

May 10, 2023: Applicant, Cynthia Waters (Angels of God/Life Christian Academy School of Performing Arts), submitted an application to the Planning & Community Development Department. The request for a Conditional Use Permit at the subject property was for the following uses:

- (1) Youth performing arts facility
- (2) Rehabilitation group home for teens
- (3) AA (Alcoholic Anonymous) meetings for court mandated residents
- (4) Summer camp
- (5) Health clinics

The applicant's application mentioned the following services to be offered: (1) Provide office space for small entrepreneurs to conduct business and (2) weekly food drives

FP City Council
July 17th

Item #6.

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11th day of May, 2023.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

9020-348264, 6/7,14,21,28,7/5,2023

This 18th day of May, 2023

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Request for Proposals RFP No. 018-23

Clayton County Public Schools is seeking Requests for Proposals from prequalified Construction Management at Risk firms for the Riverdale Early Learning Center located at 6830 Camp Street, Riverdale, GA 30296.

Glenn A. Townsend, Executor of the Estate of Edwin C. Allman, deceased c/o Daniel C. Haygood Attorney at Law Two South Main Street Suite C P.O. Box 207 Watkinsville, Georgia 30677 9025-348794 6/14,21,28,7/5,2023

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Only prequalified firms can submit proposals.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

GDP2952 spn07
Notice to debtors and creditors
All Creditors of the Estate of Shirley Jean Short, late of Gwinnett County, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment.
This 5 day of July, 2023.
Catherine L. Shepard & Cynthia J. Roisky, co-Executrix Estate of Shirley Jean Short 3055 Arden Way, Snellville, Gwinnett, GA 30039 125 NW 13th Street, Oak Island, Brunswick, NC 29445 7/5,12,19,26,2023

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # **13079D G010** Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # **13079D G010** Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

CUP-2023-05 Conditional Use for 4140 Jonesboro Rd., Parcel # **13015D C007** Forest Park, Georgia. The applicant, Gerald Tirella, is requesting a conditional use permit to allow a 6,152-sf renovation of the rear of the International Discount Mall to build self-storage units, to be rented by existing mall tenants and the general public.

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023. Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

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RZ-2023-01-Rezoning for Parcel # **13015C A006**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.69 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

This the 13th day of June, 2023.

/s/ TED N. ECHOLS, ESQ. Attorney ECHOLS LAW GROUP, P.C. 505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281 9025-349682, 6/21,28,7/5,12,2023

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RZ-2023-02-Rezoning for Parcels # **13015C A003**, **13015C A009**, and **13015C A002**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC is requesting to rezone 1.628 acres from RS (Single-family Residential) to RM (Multi-family Residential) to build townhomes.

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023. Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

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RZ-2023-02-Rezoning for Parcels # **13015C A003**, **13015C A009**, and **13015C A002**, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC is requesting to rezone 1.628 acres from RS (Single-family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # **13017A B014**, Forest Park, Georgia. The applicant, KINH Enterprises Inc is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

Only prequalified firms can submit proposals.

Proposal submission Deadline: July 10, 2023 at 3:00 pm.

CCPS will only accept online submissions for this RFP.

Firms must register in Bonfire as a vendor at: <https://claytonk12ga.bonfire.com/portal/?tab=login> in order to submit a proposal prior to the submission deadline.

This the 8th day of June, 2023.

/s/ Christopher J. Horton, Attorney CHRISTOPHER J. HORTON, ESQ. ECHOLS LAW GROUP, P.C. 505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281 9025-349456.

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LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/29, 7/5, 12, 2023

9020 Service/Construction Bids

The Clayton County Water Authority will open sealed proposals from qualified vendors via a Virtual Teams Meeting on **Thursday July 20, 2023, at 2:00 p.m. local time** for the:

Annual Contract for Mitigation Services

Any proposals received after this date and time will be considered non-responsive.

A Non-Mandatory Pre-Pro

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/28, 7/5, 12, 2023

File Attachments for Item:**7. Council Discussion and Approval on Rezoning from RS to RM- Scott Rd. (RZ-2023-02)– Planning & Community Development****Background/History:**

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to RM (Multi-Family Residential). The property is currently wooded and undeveloped. Three single-family homes are currently located on Scott Road. Surrounding land uses include light industrial, west, and single-family residential north, south and east of the subject property. The intent is to build 16 townhouses on the property. **The Planning Commission recommended to Approve the Rezoning from RS to RM with the following conditions:** 1. Scott Road shall be improved to city standards prior to development, (2) All buildings shall be constructed of brick, stone, wood, stucco or any combination thereof, (3) There shall be different architectural features between units, no adjacent units shall have the same design characteristics, features or identical, (4) Each unit shall provide 2-car garages, (5) Adhere to the buffer standards as specified in the current code between industrial and residential development, (6) There shall be only 4 rental units on this parcel, and rental units shall be distributed throughout various buildings of the development so that rental units are not segregated in one building; (7) Any deviations from the conditions shall be approved by the Planning Commission.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Rezoning from RS to RM- Scott Rd. (RZ-2023-02)– Planning & Community Development

Submitted By: LaShawn Gardiner

Date Submitted: June 20, 2023

Work Session Date: July 3, 2023

Council Meeting Date: July 3, 2023

Background/History:

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to RM (Multi-Family Residential). The property is currently wooded and undeveloped. Three single-family homes are currently located on Scott Road. Surrounding land uses include light industrial, west, and single-family residential north, south and east of the subject property. The intent is to build 16 townhouses on the property. **The Planning Commission recommended to Approve the Rezoning from RS to RM with the following conditions:** 1. Scott Road shall be improved to city standards prior to development, (2) All buildings shall be constructed of brick, stone, wood, stucco or any combination thereof, (3) There shall be different architectural features between units, no adjacent units shall have the same design characteristics, features or identical, (4) Each unit shall provide 2-car garages, (5) Adhere to the buffer standards as specified in the current code between industrial and residential development, (6) There shall be only 4 rental units on this parcel, and rental units shall be distributed throughout various buildings of the development so that rental units are not segregated in one building; (7) Any deviations from the conditions shall be approved by the Planning Commission.

Cost: \$ n/a

Budgeted for: _____ Yes _____ No

Financial Impact: N/A

No Financial impact.

Action Requested from Council:

Approve the Rezoning from RS (Single Family Residential) to RM (Multi-Family Residential)

STAFF REPORT
Planning Commission Meeting: June 15, 2023
City Council Meeting: July 3, 2023

Case: RZ-2023-01

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from RS (Residential Single-Family) to RM (Residential Multi-Family)

Staff Report Compiled By: LaShawn Gardiner

Staff Recommendation:

APPLICANT INFORMATION

Owner of Record: Divine Dream Homes ATL	Applicant: Divine Dream Homes ATL
Address: 2486 Moreland Ave.	Address: 2486 Moreland Ave.
City/State: Atlanta, GA 30315	City/State: Atlanta, GA 30315

PROPERTY INFORMATION

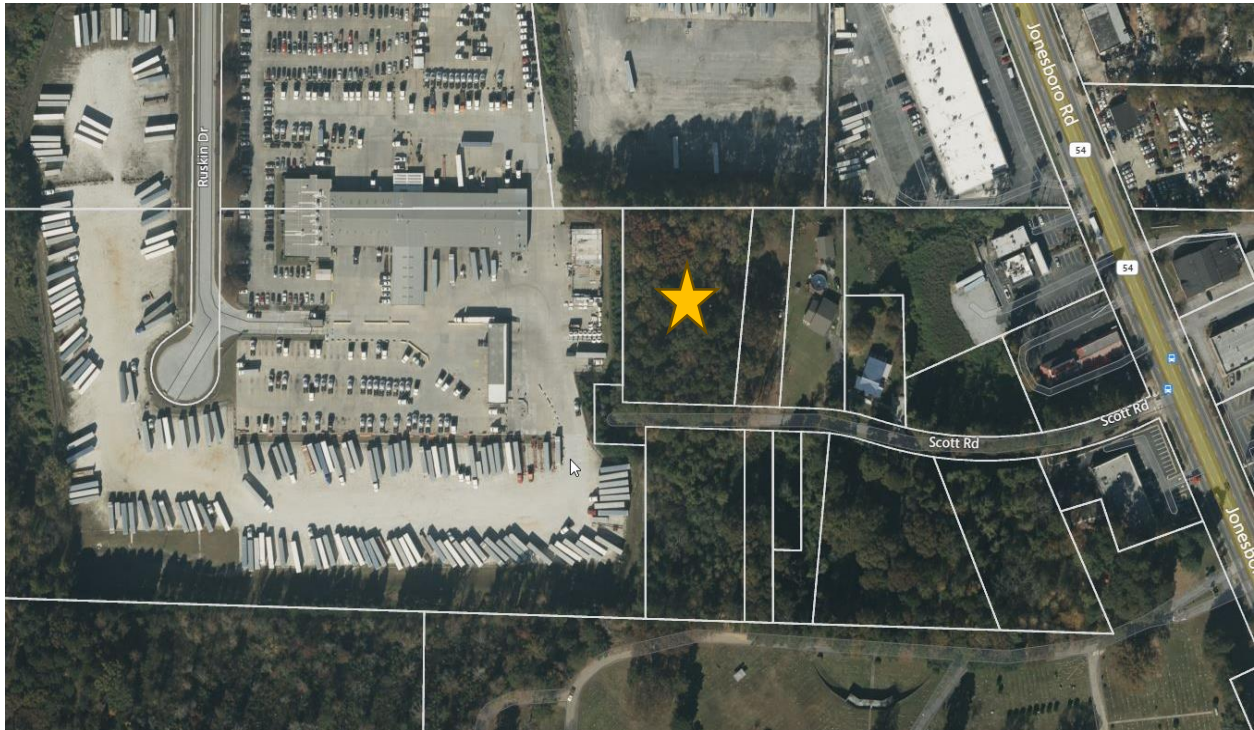
Parcel Number: 13015C A006	Acreage: 1.60
Address: 0 Scott Road	FLU: Industrial

SUMMARY & BACKGROUND

The subject property is located at 0 Scott Road. The parcel number is 13015C A006 and is currently zoned RS (Single-Family Residential). The subject property is currently zoned RS (Single-Family Residential). The property is currently wooded and undeveloped. The applicant’s request is to rezone the property from RS (Single-Family Residential) to RM (Multi-family Residential) with the intent to build 19-townhouses. The parcel is 1.60 acres.

The future land use designates the subject property as industrial.

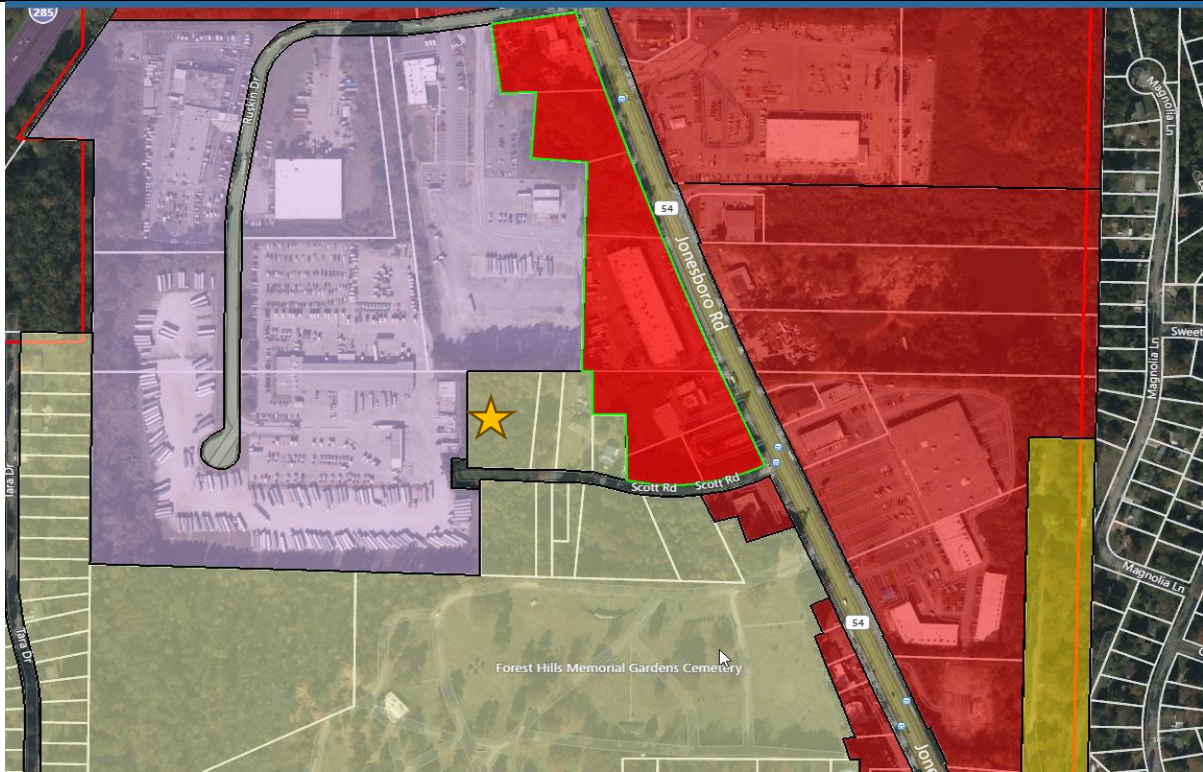
AERIAL MAP



ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

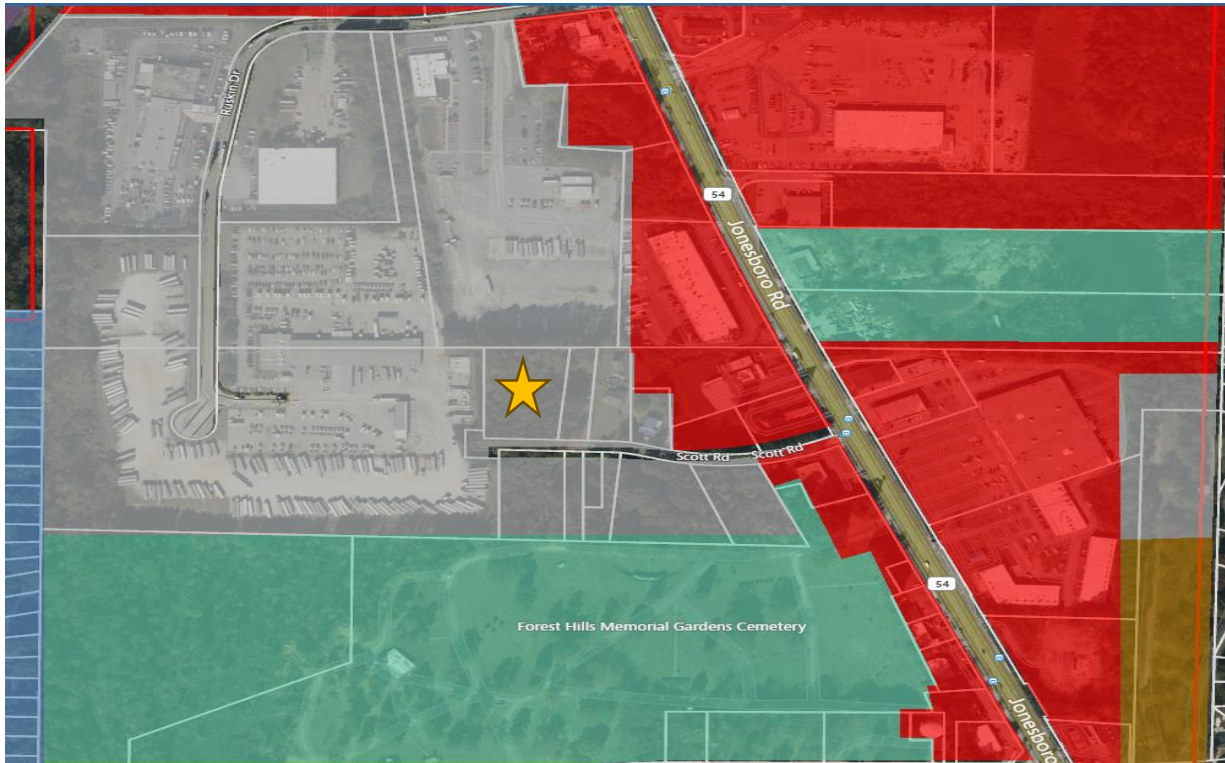
North	LI (Light Industrial)	East	RS (Single Residential)
South	RS (Single Family Residential)	West	LI (Light Industrial)

ZONING MAP



Current Zoning: RS

FUTURE LAND USE MAP



Future Land Use: Institutional

Surrounding Properties



3 Single Family Homes

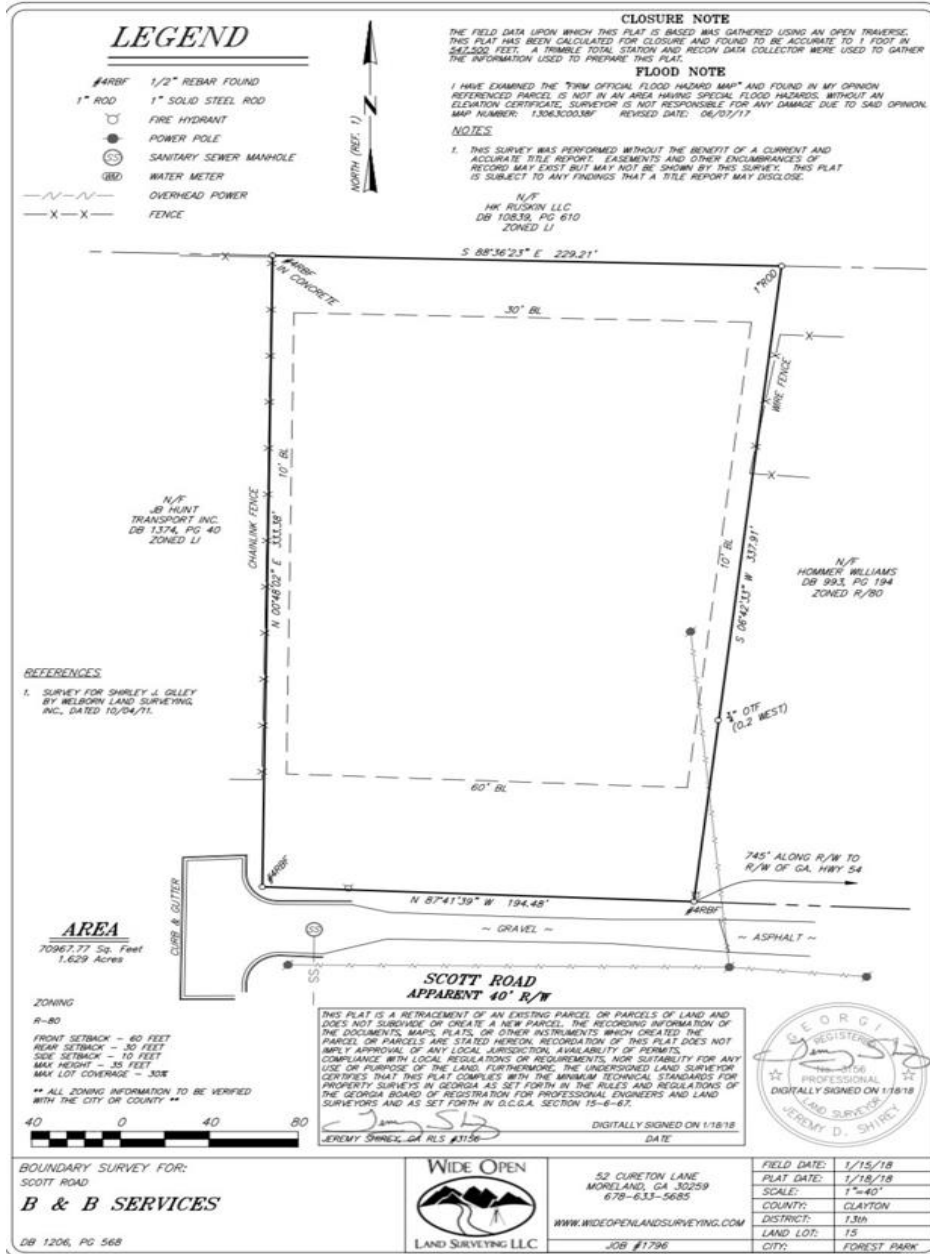


Vacant, wooded parcel south of parcel



J.B. Hunt Trucking- west of property at end of Scott Road

BOUNDARY SURVEY



CONCEPT PLAN



This site plan including measurements and dimensions are approximate and for illustrative purposes only. BoxBrownie.com gives no guarantee, warranty or representation as to the accuracy and layout. All enquiries must be directed to the agent, vendor or party representing the site plan.

Scott Road Forest Park, GA

Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives: Yes No *The subject property is flanked by industrial zoned property to the west and north and residential zoned property south and east.*

Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and

congestion in the streets? **Increase** **Decrease** **No Impact** *Currently, there are only 3 homes on Scott Road. The construction of additional homes will result in an increase in traffic. Scott Road is below city standards and two-way traffic flow is at a minimum.*

Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers? **Increase** **Decrease** **No Relationship** *Safety would be a concern for fire due to design of roadway and traffic circulation in and out of the property.*

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city? **Promote** **Diminish** **No Influence**

Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? **Promote** **Diminish** **No Influence**

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? **Cause** **Prevent** **No Influence** *The proposed amendment could potentially cause overcrowding on the property. Currently the ordinance encourages only 16 units per acre in RM zoned districts. The applicant is proposing to construct 19 townhouses on this tract of property.*

Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? **Cause** **Prevent** **No Relationship**

Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities or facilities?

Impede **Facilitate** **No Impact** *The circulation and the increase of traffic could potentially impact transportation on Scott Road.*

Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? **Yes** **No** *There are no known contributing factors that will affect the value, use and enjoyment of surrounding properties; however, the roadway is substandard. Any development on subject property would negatively impact the flow of traffic for the existing three homes.*

Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?

Promote **Diminish** **No Influence** *Based on the design characteristics of the townhouses, the project could enhance the aesthetics of the surrounding area.*

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? **Yes** **No** *The proposed development could positively impact the use of the surrounding residential properties based on its characteristics and sale prices.*

Would the proposed amendment create an isolated district, unrelated to adjacent and nearby districts?

Yes **No** *The proposed development would create an isolated district; however, it would be a transition from the surrounding industrial uses to the single-family uses currently on Scott Road.*

Staff Review

The following departments/divisions had no issues or concerns regarding the requested rezoning:

- Public Works, Police, and Building Inspector. The fire department expressed concern about the design based on water availability, road width and accessibility.

Staff Recommendation

The requested rezoning from RS (Single-Family Residential) to RM (Residential Multi-family) zoning category would allow for the property to be developed and result in an increase in the tax base in the city. The property if rezoned and developed would be a transitional use between the two current uses, industrial and residential single family. The proposed amendment will not cause an adverse impact on the surrounding community. **Staff recommends Approval of the rezoning request** along with the following conditions:

1. Scott Road shall be improved to city standards prior to development.
2. All buildings shall be constructed of brick, stone, wood, stucco, or any combination thereof.
3. There shall be differential architectural features between units, no adjacent units shall have the same design characteristics or features or identical.
4. Each unit shall provide 2-car garages.
5. Adhere to the buffer standards as specified in the current code between industrial and residential development.
6. Any deviations from the conditions shall be approved by the Planning Commission.

FP City Council
July 17th

Item #7.

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11th day of May, 2023.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

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GDP2952 spn07
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This 5 day of July, 2023.
Catherine L. Shepard & Cynthia J. Roisky, co-Executrix Estate of Shirley Jean Short
3055 Arden Way, Snellville, Gwinnett, GA 30039
125 NW 13th Street, Oak Island, Brunswick, NC 29445
7/5,12,19,26,2023

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/s/ TED N. ECHOLS, ESQ.
Attorney
ECHOLS LAW GROUP, P.C.
505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281
9025-349682, 6/21,28,7/5,12,2023

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/s/ Christopher J. Horton, Attorney
CHRISTOPHER J. HORTON, ESQ.
ECHOLS LAW GROUP, P.C.
505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281
9025-349456.

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # 13079D G010 Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

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RZ-2023-02-Rezoning for Parcels # 13015C A003, 13015C A009, and 13015C A002, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC is requesting to rezone 1.628 acres from RS (Single-family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # 13017A B014, Forest Park, Georgia. The applicant, KINH Enterprises Inc is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/29, 7/5, 12, 2023

9020 Service/Construction Bids

The Clayton County Water Authority will open sealed proposals from qualified vendors via a Virtual Teams Meeting on **Thursday July 20, 2023, at 2:00 p.m. local time** for the:

Annual Contract for Mitigation Services

Any proposals received after this date and time will be considered non-responsive.

A Non-Mandatory Pre-Pro

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # 13079D G010 Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

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LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/28, 7/5, 12, 2023

File Attachments for Item:**8. Council Discussion and Approval on Rezoning from RS to RM- Scott Rd.(RZ-2023-02) – Planning & Community Development****Background/History:**

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to RM (Multi-Family Residential). The property is currently wooded and undeveloped. Three single-family homes are currently located on Scott Road. Surrounding land uses include light industrial, west, and single-family residential north, south and east of the subject property. The intent is to build 16 townhouses on the property. **The Planning Commission recommended to Approve the Rezoning from RS to RM with the following conditions:** 1. Scott Road shall be improved to city standards prior to development, (2) All buildings shall be constructed of brick, stone, wood, stucco or any combination thereof, (3) There shall be different architectural features between units, no adjacent units shall have the same design characteristics, features or identical, (4) Each unit shall provide 2-car garages, (5) Adhere to the buffer standards as specified in the current code between industrial and residential development, (6) There shall be only 4 rental units on this parcel, and rental units shall be distributed throughout various buildings of the development so that rental units are not segregated in one building; (7) Any deviations from the conditions shall be approved by the Planning Commission.

STAFF REPORT
Planning Commission Meeting: June 15, 2023
City Council Meeting: July 3, 2023

Case: RZ-2023- 02

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from RS (Residential Single-Family) to RM (Residential Multi-Family)

Staff Report Compiled By: LaShawn Gardiner

Staff Recommendation:

APPLICANT INFORMATION

Owner of Record: Divine Dream Homes ATL	Applicant: Divine Dream Homes ATL
Address: 2486 Moreland Ave.	Address: 2486 Moreland Ave.
City/State: Atlanta, GA 30315	City/State: Atlanta, GA 30315

PROPERTY INFORMATION

Parcel Numbers: 13015C A003,13015C A009 13015C A002	Acreage: 1.628
Address: 0 Scott Road	FLU: Industrial

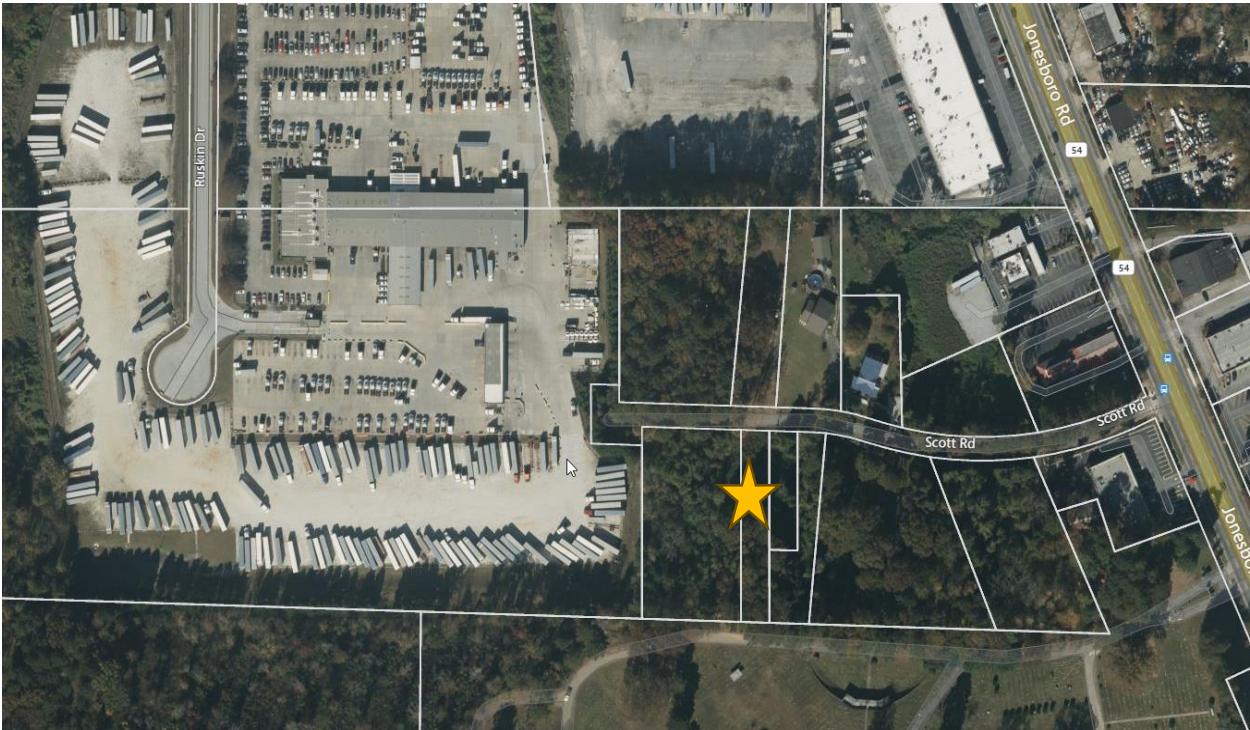
SUMMARY & BACKGROUND

The subject property is located at 0 Scott Road. The parcel numbers are 13015C A0063, 13015C A009, and 13015C A002. The subject parcels are currently zoned RS (Single-Family Residential). The property is currently wooded and undeveloped. The applicant’s request is to rezone the property from RS (Single-Family Residential) to RM (Multi-family Residential). The parcel is 1.628 acres.

The applicant is requesting to rezone the property from RS (Single-family residential) to RM (Multi-family residential) with the intent to build 16 townhomes.

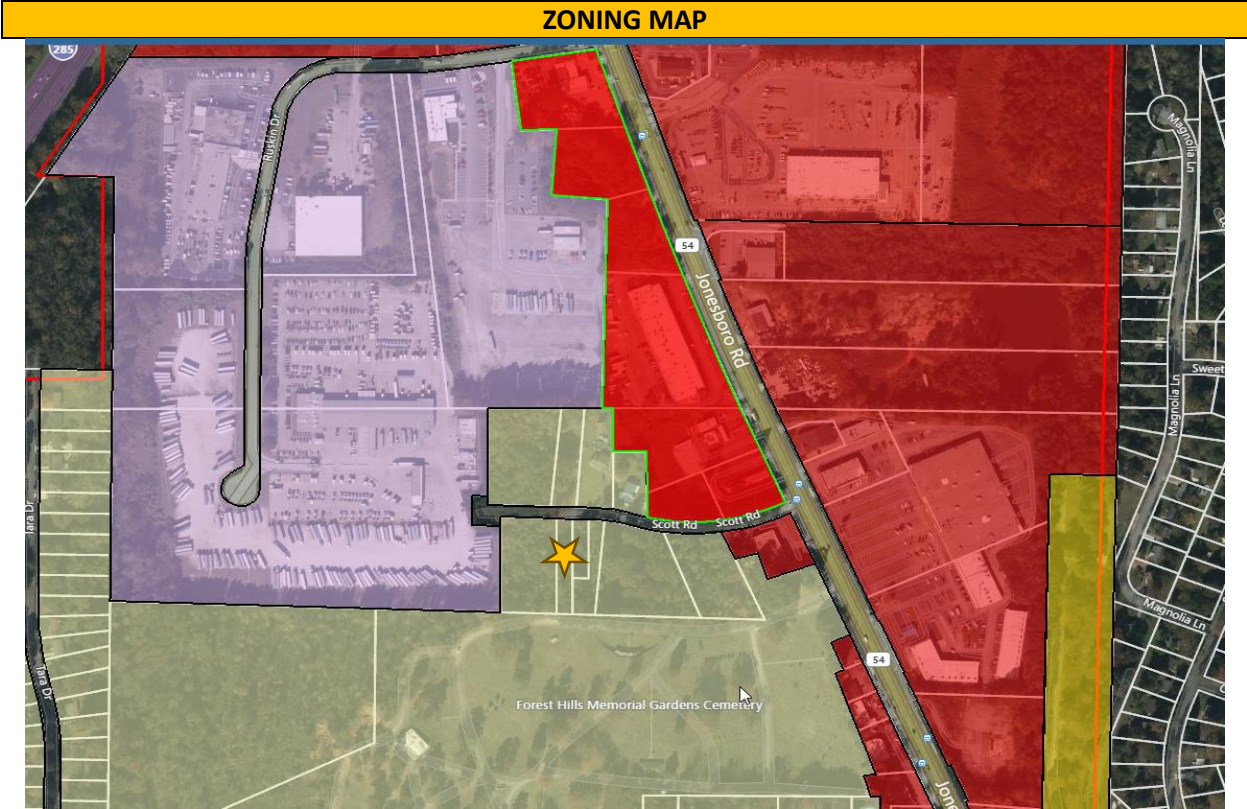
The future land use designates the subject property as industrial.

AERIAL MAP



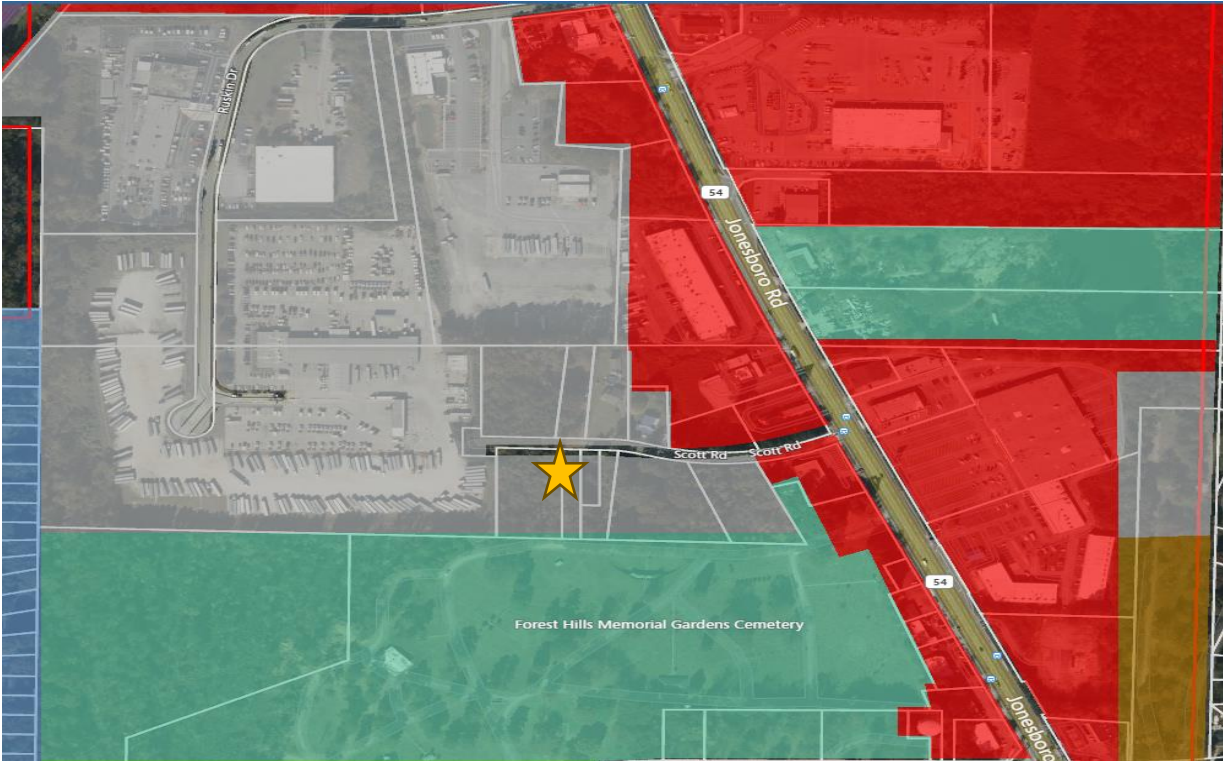
ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

North	RS (Single-Family Residential)	East	RS (Single Residential)
South	RS (Single Family Residential)	West	LI (Light Industrial) & RS (Single-Family Residential)



Current Zoning: RS

FUTURE LAND USE MAP



Future Land Use: Institutional
Surrounding Properties



3 Single Family Homes Across the Road

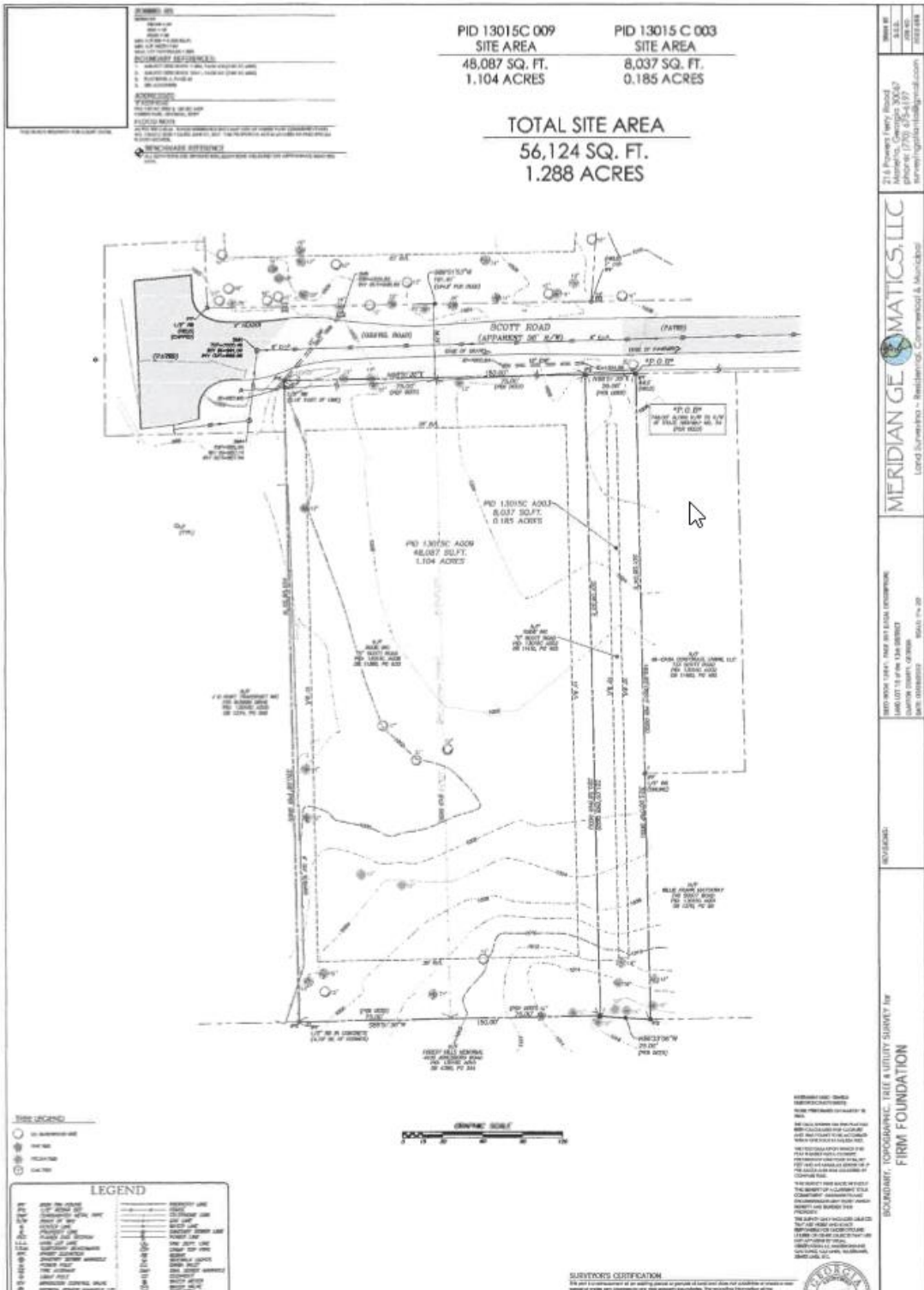


Vacant, wooded parcel North of parcel 13015C A009



J.B. Hunt Trucking West of parcel 13015C A009

BOUNDARY SURVEY



SITE PLAN




 PROJECT ENGINEER: DEVINE DREAM HOMES AT L.L.C.
 2086 MORELAND AVE. ATLANTA, GA 30315
 DR. MALCOLM MALCOLM, P.E. AND GEORGE P. MALCOLM, P.E.
 2000 NORTH CHERRY LANE, FAYETTEVILLE, GA 30215

PROJECT TITLE: REVENUE CONCEPT PLAN
 ADDRESS: 0 SCOTT RD SUBDIVISION 2
 PARCEL: 0 SCOTT RD TRACT #4, TRUST PARK, GA 30077

CONCEPT PLAN



Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives: Yes No *The subject property is flanked by industrial zoned property to the west and residential zoned property north, east, and south. Forest Hills Memorial Garden Cemetery is south of the property and is zoned residential.*

Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets? Increase Decrease No Impact *Currently, there are only 3 homes on Scott Road. The construction of additional homes will result in an increase in traffic. Scott Road is an existing road and is below city standards and two-way traffic flow is at a minimum.*

Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire

and other dangers? **Increase** **Decrease** **No Relationship** *Safety would be a concern for fire due to design of roadway and traffic circulation in and out of the property.*

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city? **Promote** **Diminish** **No Influence**

Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? **Promote** **Diminish** **No Influence**

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? **Cause** **Prevent** **No Influence** *The proposed amendment could potentially cause overcrowding on the property. Currently the ordinance encourages only 16 units per acre in RM zoned districts. The applicant is proposing to construct 16 townhouses on this tract of property.*

Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? **Cause** **Prevent** **No Relationship**

Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities or facilities?

Impede **Facilitate** **No Impact** *The circulation and the increase of traffic could potentially impact transportation on Scott Road.*

Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? **Yes** **No** *There are no known contributing factors that will affect the value, use and enjoyment of surrounding properties, however the roadway is substandard. Any development on subject property would negatively impact the flow of traffic for the existing three homes.*

Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?

Promote **Diminish** **No Influence** *Based on the design characteristics of the townhomes, the project could enhance the aesthetics of the surrounding area.*

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? **Yes** **No** *The proposed development could positively impact the use of the surrounding residential properties based on its characteristics and sale prices.*

Would the proposed amendment create an isolated district, unrelated to adjacent and nearby districts?

Yes **No** *The proposed development would create an isolated district; however, it would be a transition from the surrounding industrial uses to the single-family uses currently on Scott Road.*

Staff Review

The following departments/divisions had no issues or concerns regarding the requested rezoning:

- Public Works, Police, and Building Inspector. The fire department expressed concern about the design, water availability, road width, and accessibility.

Staff Recommendation

The requested rezoning from RS (Single-Family Residential) to RM (Residential Multi-family) zoning category would allow for the property to be developed and result in an increase in the tax base in the city. The property if rezoned and developed would be a transitional use between the two current uses, industrial and residential single family. The proposed amendment will not cause an adverse impact on the surrounding community. **Staff recommends Approval of the rezoning request** along with the following conditions:

1. Scott Road shall be improved to city standards prior to development.
2. All buildings shall be constructed of brick, stone, wood, stucco, or any combination thereof.
3. There shall be differential architectural features between units, no adjacent units shall have the same design characteristics or features or identical.
4. Each unit shall provide 2-car garages.
5. Adhere to the buffer standards as specified in the current code between industrial and residential development.
6. Any deviations from the conditions shall be approved by the Planning Commission.

FP City Council
July 17th

Item #8.

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11th day of May, 2023.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

9020-348264, 6/7,14,21,28,7/5,2023

This 18th day of May, 2023

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on **Monday, July 17, 2023, at 7:00 p.m.** at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

Request for Proposals RFP No. 018-23

Clayton County Public Schools is seeking Requests for Proposals from prequalified Construction Management at Risk firms for the Riverdale Early Learning Center located at 6830 Camp Street, Riverdale, GA 30296.

Glenn A. Townsend, Executor of the Estate of Edwin C. Allman, deceased c/o Daniel C. Haygood Attorney at Law Two South Main Street Suite C P.O. Box 207 Watkinsville, Georgia 30677 9025-348794 6/14,21,28,7/5,2023

Only prequalified firms can submit proposals.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

GDP2952 spn07
Notice to debtors and creditors
All Creditors of the Estate of Shirley Jean Short, late of Gwinnett County, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment.
This 5 day of July, 2023.
Catherine L. Shepard & Cynthia J. Roisky, co-Executrix Estate of Shirley Jean Short 3055 Arden Way, Snellville, Gwinnett, GA 30039 125 NW 13th Street, Oak Island, Brunswick, NC 28445 7/5,12,19,26,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of **IRENE FRANKS, Estate number 2022-0171E**, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 13th day of June, 2023.

/s/ TED N. ECHOLS, ESQ. Attorney ECHOLS LAW GROUP, P.C. 505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281 9025-349682, 6/21,28,7/5,12,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of **JACQUELINE REGINA POTTS, Estate number 2023-0430E**, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 8th day of June, 2023.

/s/ Christopher J. Horton, Attorney CHRISTOPHER J. HORTON, ESQ. ECHOLS LAW GROUP, P.C. 505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281 9025-349456.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on **Monday, July 17, 2023, at 7:00 p.m.** at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

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RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # **13017A B014**, Forest Park, Georgia. The applicant, KINH Enterprises Inc. is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

LaShawn Gardiner, Director Planning & Community Development Department 404-366-4720 9003-351134, 6/28,7/5,12,2023

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Annual Contract for Mitigation Services

Any proposals received after this date and time will be considered non-responsive.

A Non-Mandatory Pre-Pro

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023. Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms. 4 classroom pods that will consist of 8 classrooms and a collaboration space. A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023. Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

Only prequalified firms can submit proposals.

Proposal submission Deadline: July 10, 2023 at 3:00 pm.

CCPS will only accept online submissions for this RFP.

Firms must register in Bonfire as a vendor at: <https://claytonk12ga.bonfire.com/portal/?tab=login> in order to submit a proposal prior to the submission deadline.

Proposals and all required forms must be fully completed and submitted in ink and



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Rezoning from RS to RM- Scott Rd.(RZ-2023-02)– Planning & Community Development

Submitted By: LaShawn Gardiner

Date Submitted: June 20, 2023

Work Session Date: July 3, 2023

Council Meeting Date: July 3, 2023

Background/History:

The applicant is requesting to rezone the subject property from RS (Single Family Residential) to RM (Multi-Family Residential). The property is currently wooded and undeveloped. Three single-family homes are currently located on Scott Road. Surrounding land uses include light industrial, west, and single-family residential north, south and east of the subject property. The intent is to build 16 townhouses on the property. **The Planning Commission recommended to Approve the Rezoning from RS to RM with the following conditions:** 1. Scott Road shall be improved to city standards prior to development, (2) All buildings shall be constructed of brick, stone, wood, stucco or any combination thereof, (3) There shall be different architectural features between units, no adjacent units shall have the same design characteristics, features or identical, (4) Each unit shall provide 2-car garages, (5) Adhere to the buffer standards as specified in the current code between industrial and residential development, (6) There shall be only 4 rental units on this parcel, and rental units shall be distributed throughout various buildings of the development so that rental units are not segregated in one building; (7) Any deviations from the conditions shall be approved by the Planning Commission.

Cost: \$ n/a

Budgeted for: _____ Yes _____ No

Financial Impact: N/A

No Financial impact.

Action Requested from Council:

Approve the Rezoning from RS (Single Family Residential) to RM (Multi-Family Residential)

File Attachments for Item:**9. Council Discussion and Approval on City of Forest Park Accident Review Committee – Executive Offices****Background/History:**

In reviewing our property, casualty & loss insurance renewal, we were alarmed by the increase based on recurring incidents involving city property. As an organization, we must always remain extremely conscious of the safety of our employees and the citizens of our community. As an employer, we recognize our obligation to ensure the safest possible workplace for our employees. As a governmental entity, we recognize our responsibility to provide a safe environment for the public we serve. It is our belief that most accidents are preventable. In accordance with this belief, we have allocated resources to administer an aggressive loss control program in our municipality.

Subject: Safety and Accident Review Committee
Policy No.: 2023-001CM
Effective Date: August, 2023

Mission

The mission of the City of Forest Park Safety and Accident Review Committee is to protect the safety of the general public, the safety of the City employees, and to minimize loss to City property. The Committee will ensure fair and impartial review of all incidents/accidents involving City personnel, vehicles, buildings and equipment.

Purpose

The purpose of the Safety and Accident Review Committee is two-fold. This committee serves as a recommending body only.

1. **Promote Safety in the Workplace:** To help reduce the risk of injuries and illnesses in the workplace and on public property; insure compliance with federal, state and local safety regulations.
2. **Accident Review:** To review, examine and investigate accidents involving employees to determine the chargeability of each accident for recommendation to the Department Director and City Manager; to provide consistency in employee disciplinary actions throughout all City departments, and to recommend the appropriate action to be taken by the appropriate Department Head.
3. **Applicability:** This policy applies to incidents/accidents documented for risk management purposes resulting in: Bodily Injury; Death; Damage to Vehicles; Equipment or Buildings. This does NOT include:
 - a. Accidents/incidents that are under investigation by a governmental agency;
 - b. Accidents/incidents that can be adjudicated in a court of law (such as a misdemeanor or felony.)
 - c. Accidents/incidents for which an Anti-Litem Notice or Lawsuit has been filed.
4. **Internal Investigations:** Individual departments may have their own internal Standard Operating Procedures for investigating such incidents/accidents, however, any and all information gathered as per their investigation must be shared with the Safety and Accident Review Committee upon request by either the Committee Chair or City Manager.

Responsibilities

- Developing safe work practices.
- Crafting written safety programs.
- Promotion of safety training.
- Conducting workplace inspections, public property inspections and safety audits.
- Reviewing incidents, near misses, accident investigation reports, claim summaries and loss analyses to prevent reoccurrences of similar incidents. Determine chargeable vs. non-chargeable offenses and make recommendations to the Department Director.

- Proposing and creating safety checklists.
- Promoting employees' and general public interests in health and safety issues. Make recommendation to the City Manager.
- Providing a forum in which labor and management can discuss health and safety issues and collaborate on solutions.
- Keep Official Minutes of All Meetings
- Implementation and Coordination of Facility Self-Inspection Program and Other Ways for Employees to Report Concerns
- Maintain privacy and discretion in their capacity as a Safety and Accident Review Committee Member.

Safety and Accident Review Committee Disciplinary Procedures

The City of Forest Park will maintain a continuous three-year record of all chargeable accidents involving City employees on City business. The Human Resources Department will keep the accident records that are turned in through established reporting procedures via a running spreadsheet. The City Forest Park Safety and Accident Review Committee will determine whether an accident is chargeable or non-chargeable to the employee(s).

A point system will be used by the Committee for all accidents that are deemed chargeable to employees. The number of points assigned for a chargeable accident will determine the disciplinary action the Committee will recommend to the respective Department Head.

Membership

The Safety and Accident Review Committee will have a total of nine (9) voting members and three non-voting members. The following departments/divisions will have one voting representative on the committee appointed by the Department Head and/or City Manager:

Voting Members:

1. Administration
2. Fire Department
3. Police Department
4. Community Development
5. Parks and Recreation
6. Public Works
7. Economic Development
8. Code Enforcement
9. Human Resources

Non-Voting Members:

Loss Control Director (Insurance Representative)
 City Clerk
 Deputy City Clerk (To serve as Secretary to the Committee)

Terms:

All members of the Safety and Accident Review Committee will serve two (2) year terms, beginning August 1, 2023.

Election of Chair and Co-Chair

At every August meeting, a chairperson and co-chairperson shall be elected by the majority of the members present and shall serve a one-year term. Should those chosen be unable to fulfill their term, another vote will be held to elect a replacement(s) at the next regularly scheduled committee meeting.

Conflict of Interest:

Should a member have a conflict of interest regarding a particular incident/accident, that member may be recused upon a majority vote of the committee.

Meetings

The Safety and Accident Review Committee will meet on the 4th Tuesday of every month at 10:00 am for the purpose of accident review, unless the meeting is rescheduled. All accidents that are to be considered by the Committee will be reviewed within 60 days after receipt by the Human Resources Department of all related reports of the accident. The employee shall be invited to testify on his or her own behalf and may bring witnesses to testify on his/her behalf. When the Committee has initially reviewed an accident and votes to table it for additional information, the 60-day limit shall not apply.

All members of the Safety and Accident Review Committee will also participate in a quarterly safety meeting, immediately following the accident review meeting.

Agendas, Minutes and Notifications

Monthly Agenda: The City Clerk and Human Resources Director will collectively prepare an agenda for each monthly meeting. Said agenda shall include:

- 1) Meeting Information – Date, Time, Location
- 2) Cases to be considered by the Accident Review Board including a list of all interested parties
- 3) Agenda items to be discussed and/or considered and any reminders/notices
- 4) An attachment of draft minutes from the prior meeting for approval
- 5) Handouts, surveys, checklists, policies, etc. to be considered at that meeting
- 6) A copy of any recommendations submitted to the City Manager for consideration (not including accident review recommendations.)

Notifications: The Secretary will be responsible for publishing and distributing the agenda and agenda packet. This agenda packet shall be distributed to the Committee Members (voting and non-voting), the City Manager, Department Directors and the employee(s) under review for accidents no later than 7 business days prior to the date of the regularly scheduled Committee Meeting. Meeting information will be distributed via email.

Minutes: The Secretary will be the official minute taker of the Safety and Accident Review Committee and will publish a draft set of minutes to be voted on at the next regularly scheduled meeting. The draft minutes will be submitted with the agenda at least 7 business days prior to the regularly scheduled meeting.

The official minutes, once approved, will be kept in a Safety and Accident Review Committee binder or historical purposes and a copy will be kept with each of the Safety and Accident Review Form(s) for the cases discussed at that meeting.

Recommendations

1. Safety Review Recommendations:

- a. Are voted on in the affirmative by the majority of the members present;
- b. Officially submitted in writing as signed by the Chair/Co-Chair to the City Manager for consideration;
- c. Kept with the regular committee meeting minutes at which it was approved; and
- d. Followed up and reported on by the Committee Chair and/or Co-Chair quarterly so the committee is advised of the status and any action that needs to be taken.

2. Accident Review Recommendations:

- a. Are voted on in the affirmative by the majority of the members present;
 - b. Documented via the Official Accident Review Form which is completed and signed by the Chair/Co-Chair;
 - c. Then the Secretary will submit the completed/signed form, supporting documentation and minutes related to the case to the City Manager for approval and signature;
 - d. Once the Chair/Co-Chair and City Manager signs off on the form – the Secretary of the Committee will distribute a copy of the form, supporting documentation and minutes at which the case was discussed to the Department Director, Supervisor, Human Resources and the Employee(s) involved in the case.
 - e. Human Resources will keep a copy of the completed form in the employee's personnel file for at least 36 months from the date of the City Manager.
-

SAFETY AND ACCIDENT REVIEW FORM

Item #9.

Employee Name	Department	Date of Loss	Supervisor	Dept. Director

DATE OF REVIEW BY SAFETY AND ACCIDENT REVIEW COMMITTEE: _____

Attach a copy of all associated reports, photographs, statements, etc.

ACCIDENT IS: Chargeable Non-Chargeable

VIOLATION TYPE	POINT RANGE	POINT ASSIGNED
Carelessness	0-5	
Too fast for conditions	0-5	
Negligence (willful)	0-5	
Traffic signal violation	0-5	
Struck fixed object	0-5	
Failure to yield	0-5	
Following too closely	0-5	
Improper lane change	0-5	
Improper backing	0-5	
Exceeding the speed limit	0-5	
Seat belts not in use	0-5	
Siren and warning lights not in use	0-5	
Other traffic violations or offense	0-5	
Operator inattentive	0-5	
Other nonmoving violations	0-5	
OTHER	0-5	
Under the influence of drugs/alcohol	Termination	
Intentional failure to report an accident	Termination	
PROPERTY DAMAGE	PRE-SET POINT RANGE	POINT ASSIGNED
No damage	0	
Damage but zero cost to City	1	
Damage (under \$1000 deductible)	2	
Damage (over \$1000 deductible)	3	
Totaled/Property destroyed beyond repair	4	
PREVIOUS ACCIDENTS	POINT RANGE	POINT ASSIGNED
One previous accident	0-5	
Two previous accidents	6-10	
Three previous accidents	11-15	
MEDICAL ATTENTION REQUIRED	POINT RANGE	POINT ASSIGNED
For Employee	0-5	
For Non-Employee	0-5	
CITY OR DEPARTMENT POLICIES NOT BEING FOLLOWED (Cite Policy/Polices)	POINT RANGE	POINT ASSIGNED
	0-5	
TOTAL POINTS ASSIGNED		A.

CREDITS FOR PREVIOUS ACCIDENT RECORD	Maximum of 3 credits	
Previous 12 months with no chargeable accident	-1 point	
Previous 24 months with no chargeable accident	-1 point	
Previous 36 months with no chargeable accident	-1 point	
TOTAL CREDITS		B.
TOTAL SCORE (Subtract B from A for Grand Total)		

RECOMMENDATION GUIDELINES

FIRST OFFENSE

SCORE	OPTION #	ACTION RECOMMENDED
0-3 Point	1-A	Undocumented counseling by supervisor
4-9 Points	1-B	Oral/written reprimand on file
10-15 Points	1-C	Written reprimand on file
16-22 Points	1-D	4 hours suspension without pay
23 or More Points	1-E	8 hours or more suspension without pay

SECOND OFFENSE

SCORE	OPTION #	ACTION RECOMMENDED
9 or Less Points	2-A	Written reprimand on file
10-15 Points	2-B	8 hours suspension without pay
16-22 Points	2-C	16 hours suspension without pay
23 or More Points	2-D	24 hours or more suspension without pay

Employees with a second vehicle/machinery offense will be required to take a City sponsored defensive driving course offered by the City within 180 days of the accident being reviewed by the Forest Park Safety and Accident Review Board.

THIRD OFFENSE

SCORE	OPTION #	ACTION RECOMMENDED
9 or Less Points	3-A	8 hours suspension without pay
10 to 15 Points	3-B	16 hours suspension without pay
16 to 22 Points	3-C	24 hours or more suspension without pay
23 or More Points	3-D	32 hours or more suspension without pay

FOURTH OFFENSE

OPTION #4: Fourth Offense in a Three Year Period – TERMINATION RECOMMENDED

At the Forest Park Safety and Accident Review Board's discretion, additional disciplinary action may be recommended in addition to present recommended action dependent on circumstances surrounding the incident. All disciplinary actions are to be in accordance with the Forest Park Personnel Ordinance. Board recommendations for suspension will be expressed in hours.

Option #: _____ If suspension, recommended # of hours: _____

*Exempt employees will be in accordance with the Fair Labor Standards Act

DATE SUBMITTED

SAFETY AND ACCIDENT REVIEW COMMITTEE CHAIR

AS APPROVED THIS _____ DAY OF _____, 20 _____

**BY: _____
CITY MANAGER**

DISCIPLINARY ACTION TAKEN

EFFECTIVE: _____ THROUGH _____, 20 _____.

***SIGNATURE OF DEPARTMENT DIRECTOR: _____ / _____
Date***

***SIGNATURE OF EMPLOYEE: _____ / _____
Date***

- **To be retained in the employee’s official City personnel file for at least 36 months from the date of City Manager’s approval.**
- **Distribute Executed Recommendation to Department Director, Supervisor, HR and Employee(s)**



CITY OF
FORESTPARK

City Council Agenda Item

Subject: City of Forest Park Accident Review Committee – Executive Offices

Submitted By: Ricky L. Clark, Jr., City Manager

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: June 17, 2023

Background/History:

In reviewing our property, casualty & loss insurance renewal, we were alarmed by the increase based on recurring incidents involving city property. As an organization, we must always remain extremely conscious of the safety of our employees and the citizens of our community. As an employer, we recognize our obligation to ensure the safest possible workplace for our employees. As a governmental entity, we recognize our responsibility to provide a safe environment for the public we serve. It is our belief that most accidents are preventable. In accordance with this belief, we have allocated resources to administer an aggressive loss control program in our municipality.

In an effort to draw awareness to the importance of protecting city assets, the City Manager is recommending the creation of an Accident Review Committee. Each department head is responsible and will be held accountable for the loss control performance within his or her department

Mission

The City of Forest Park, Georgia Safety and Accident Review Committee's mission is to protect the general public's safety, the safety of the City employees, and to minimize loss to City property. The Committee will ensure fair and impartial review of all incidents/accidents involving City personnel, vehicles, buildings and equipment.

Purpose

The purpose of the Safety and Accident Review Committee is two-fold. This committee serves as a recommending body only.

1. Promote Safety in the Workplace: To help reduce the risk of injuries and illnesses in the workplace and on public property; insure compliance with federal, state and local safety regulations.
2. Accident Review: To review, examine and investigate accidents involving employees to determine the chargeability of each accident for recommendation to the Department Director and City Manager; to provide consistency in employee disciplinary actions throughout all City departments, and to recommend the appropriate action to be taken by the appropriate Department Head.
3. Applicability: This policy applies to incidents/accidents documented for risk management purposes resulting in: Bodily Injury; Death; Damage to Vehicles; Equipment or Buildings. This does NOT include: a.

Accidents/incidents that are under investigation by a governmental agency; b. Accidents/incidents that can be adjudicated in a court of law (such as a misdemeanor or felony.) c. Accidents/incidents for which an Anti-Litem Notice or Lawsuit has been filed.

- 4. Internal Investigations: Individual departments may have their own internal Standard Operating Procedures for investigating such incidents/accidents, however, any and all information gathered as per their investigation must be shared with the Safety and Accident Review Committee upon request by either the Committee Chair or City Manager

Please see attached recommended policy.

Cost: \$ Variable

Budgeted for: X **Yes** **No**

Financial Impact:

N/A

Action Requested from Council: Approve the ordinance

RESOLUTION NO. _____**A RESOLUTION AUTHORIZING THE REVISION OF THE LOSS PREVENTION POLICY SET FORTH IN THE EMPLOYEE POLICY AND PROCEDURE MANUAL**

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; and

WHEREAS, Section 3.19 of the City Charter provides that the “city council shall adopt rules and regulations consistent with this charter concerning: (i) the method of employee selection and probationary periods of employment; (ii) the administration of the position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan; (iii) hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected; (iv) such dismissal hearings as due process may require; and (v) such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.”;

WHEREAS, the City Council last updated its Employee Policy and Procedure Manual in July 2022 (the “Employee Manual”); and

WHEREAS, the City Council wishes to revise the loss prevention procedures set forth in Rule XVIII of the Employee Manual;

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

SECTION 1. Approval. Rule XVIII of the Employee Manual is hereby amended by deleting Rule XVIII in its entirety and replacing it with the policy attached hereto as Exhibit A in lieu thereof.

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 or Mayor Pro Tem 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 17th day of July 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Safety and Accident Review Committee Policy

File Attachments for Item:

10. Council Discussion and Approval of CDBG Funds Reallocation – Executive Offices

Background/History:

It is proposed that the City’s 2021 CDBG Funds be reallocated from Starr Park renovations to perform certain renovations of the former Rite Aid building.

The vision for the new project reallocation request is for a food hall, commissary kitchen and workspace at the old Rite Aid Pharmacy building located on Forest Parkway that the city recently acquired.

With a large percentage of low-to-moderate income individuals residing in our community and the lack of opportunities to adequately provide them with sustainable food options, the City has embarked upon this innovative initiative. This project will provide culinary entrepreneurs with a space to prepare, sale, and market their goods, while also providing alternative food options for residents and people who live or work in Forest Park. This project will connect to the new City Center Complex that we are aggressively planning for, which will be developed on city-owned property that overlooks Starr Park. The city has hired an architect to develop a conceptual floor plan and renderings to be available within four weeks.

Currently \$276,642 remains in Program Year 2021 funds.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of CDBG Funds Reallocation– Executive

Submitted By: City Manager

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: July 17, 2023

Background/History:

It is proposed that the City’s 2021 CDBG Funds be reallocated from Starr Park renovations to perform certain renovations of the former Rite Aid building.

The vision for the new project reallocation request is for a food hall, commissary kitchen and workspace at the old Rite Aid Pharmacy building located on Forest Parkway that the city recently acquired.

With a large percentage of low-to-moderate income individuals residing in our community and the lack of opportunities to adequately provide them with sustainable food options, the City has embarked upon this innovative initiative. This project will provide culinary entrepreneurs with a space to prepare, sale, and market their goods, while also providing alternative food options for residents and people who live or work in Forest Park. This project will connect to the new City Center Complex that we are aggressively planning for, which will be developed on city-owned property that overlooks Starr Park. The city has hired an architect to develop a conceptual floor plan and renderings to be available within four weeks.

Currently \$276,642 remains in Program Year 2021 funds.

Cost: \$ N/A

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

Action Requested from Council:

Approval of the reallocation.

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND COUNCIL OF FOREST PARK, GEORGIA AUTHORIZE THAT REMAINING 2021 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS INITIALLY AWARDED FOR STARR PARK IMPROVEMENTS BE REALLOCATED IN ORDER TO PERFORM CERTAIN IMPROVEMENTS TO THE FORMER RITE AID BUILDING LOCATED AT 833 FOREST PARKWAY; AND FOR OTHER PURPOSES.

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, the Clayton County Community Development Office of HUD Programs also awarded the City of Forest Park CDBG funds for Program Year 2021 for certain improvements at Starr Park;

WHEREAS, approximately \$276,642 remains in Program Year 2021 funds;

WHEREAS, HUD regulations have timeliness in spending criteria; and

WHEREAS, it is in the City’s best interest to request a reallocation of the remaining funds to another HUD eligible activity that is a more viable project at this time and still meets HUD’s national objectives upon approval by Clayton County.

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

SECTION 1. Authorization of Reallocation. The City Council authorizes the remaining 2021 Community Development Block Grant funds initially funds initially awarded for Starr Park improvements be reallocated in order to perform certain improvements to the former Rite Aid building located at 833 Forest Parkway. The staff is further authorized to request a 6-month extension for the use of said funds.

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 or Mayor Pro Tem 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.

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SO RESOLVED this 17th day of July, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:**11. Council Discussion and Approval of Revised Resignation and Paid Leave Policy – Executive Offices****Background/History:**

It is proposed that the City's resignation and paid leave policy be revised to address the issue of employees abusing the process by tendering their resignation and immediately utilizing their paid sick or personal leave for the remainder of the service. This practice has resulted in significant disruptions in City operations and prevents the orderly transfer of duties and functions from the separating employee to other employees.

Under the revised rule, employees would have to tender their resignations at least 10 days in advance and would not be permitted to use their personal leave during this period. They may use their sick leave only if they present a certification from a licensed health care provider stating that they are under the provider's care or treatment for the days in question and that it was the provider's recommendation that the employee remain home from work for that period.

RESOLUTION NO. _____

A RESOLUTION TO CLARIFY THE USAGE OF PAID LEAVE UPON RESIGNATION FROM EMPLOYMENT WITH THE CITY

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 3.19 of the City Charter provides that the “city council shall adopt rules and regulations consistent with this charter concerning: (i) the method of employee selection and probationary periods of employment; (ii) the administration of the position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan; (iii) hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected; (iv) such dismissal hearings as due process may require; and (v) such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.”;

WHEREAS, the City Council last updated its Employee Policy and Procedure Manual in July 2022 (the “Employee Manual”); and

WHEREAS, the City Council wishes to clarify that the circumstances under which paid leave may be used after a resignation has been tendered by an employee;

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

SECTION 1. Approval. Rule X, Section 2 of the Employee Manual is hereby amended to read as follows:

“SECTION 2. RESIGNATION

An employee wishing to resign from employment by the City shall submit to Department Head written notice of resignation at least ten (10) days in advance of the date of the resignation. Immediately upon receipt of such notice of resignation, the Department Head shall forward the same to the Human Resources Director. It shall not be permissible to utilize sick leave or personal leave during the ten (10) day period following the resignation notice; provided, however, sick leave may be utilized if the employee presents a certification from a licensed health care provider stating that the employee was under the provider’s care or treatment for the days in question and that it was the provider’s recommendation that the employee remain home from work for that period. In addition, the employee shall not be eligible to accrue any additional leave upon receipt of the resignation. Any full-time or part-time regular employee leaving the service in good standing will be compensated for any unused personal or compensatory leave accrued. An employee who resigns in good standing shall be eligible for rehire as a new employee. Such reinstatement eligibility shall not be considered a

right, and it is subject to the normal Probationary Period. Notwithstanding anything to the contrary herein, an employee who fails to comply with the provisions of this policy shall be deemed to resign in bad standing and shall be ineligible to receive compensation for any unused personal or compensatory leave accrued.”

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 or Mayor Pro Tem 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.

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SO RESOLVED this 17th day of July, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of Revised Resignation and Paid Leave Policy – Executive Offices

Submitted By: City Manager

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: July 17, 2023

Background/History:

It is proposed that the City’s resignation and paid leave policy be revised to address the issue of employees abusing the process by tendering their resignation and immediately utilizing their paid sick or personal leave for the remainder of the service. This practice has resulted in significant disruptions in City operations and prevents the orderly transfer of duties and functions from the separating employee to other employees.

Under the revised rule, employees would have to tender their resignations at least 10 days in advance and would not be permitted to use their personal leave during this period. They may use their sick leave only if they present a certification from a licensed health care provider stating that they are under the provider’s care or treatment for the days in question and that it was the provider’s recommendation that the employee remain home from work for that period.

Cost: \$ N/A

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

Action Requested from Council:

Approval of the policy.

File Attachments for Item:**12. Council Discussion and Approval of Revision to Personnel Manual With Respect to Employee Terminations – Executive Offices****Background/History:**

It is proposed that the City's Personnel Manual be revised to ensure that Department Heads receive the approval of the City Manager prior to terminating any employee.

With the alarming rate of litigation, personnel changes, and change of administration, the City Manager issued an emergency directive to all Department Heads requiring that all terminations be approved by the City Manager as a safeguard for the organization. This measure aims to maintain a set of standards that ensures all terminations are reasonable, fair, and equitable. The goal is to ensure that on the front end, all processes are handled to ensure ease of terminations when necessary, hence allowing the government to justify any/all separations properly.

It is recommended that this emergency measure be made permanent and be included in the City's Personnel Manual.

RESOLUTION NO. _____

A RESOLUTION TO REVISE THE PROCEDURES FOR THE TERMINATION OF EMPLOYTEES BY DEPARTMENT HEADS

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 3.19 of the City Charter provides that the “city council shall adopt rules and regulations consistent with this charter concerning: (i) the method of employee selection and probationary periods of employment; (ii) the administration of the position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan; (iii) hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected; (iv) such dismissal hearings as due process may require; and (v) such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.”;

WHEREAS, the City Council last updated its Employee Policy and Procedure Manual in July 2022 (the “Employee Manual”); and

WHEREAS, the City Council wishes to revise the procedures for termination of employees by Department Heads;

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

SECTION 1. Terminations. Rule XI, Section 4(a) of the Employee Manual is hereby amended to read as follows:

“a. The Appointing Authority has the authority to terminate all covered employees as prescribed by the City Charter with or without cause. City Department Heads may recommend to the City Manager the termination of an employee's employment within their own Department with or without cause, and such termination shall only take affect after the approval of the City Manager. A Department Head may only be terminated by the Appointing Authority/City Manager. A written statement specifically setting forth the reason for any such action shall be furnished by the decision-making Department Head or Appointing Authority/City Manager and shall be forwarded to the Human Resources Director and filed in the personnel folder of such employee within one (1) working day of the effective date of the action
”

SECTION 2. Appeals and Reconsiderations. Rule XI, Section 5 of the Employee Manual is hereby retitled to be “Section 5. Appeals and Reconsiderations.”

SECTION 3. Reconsiderations. Rule XI, Section 5(b) of the Employee Manual is hereby amended to read as follows:

“(b) (i) **Appeal Rights of Employees Other Than Department Heads:** An employee wishing to appeal any personnel action other than a termination must submit a written appeal to the Appointing Authority/City Manager within five (5) business days of the disputed action. The Appointing Authority/City Manager will then make arrangements to meet and discuss the matter as soon as practical, but at least within ten (10) business days of receiving the written appeal. The appealing employee shall have prepared any documents or other information to support the appeal at the meeting with the Department Head. Within five (5) business days of the meeting, the Department Head will respond in writing to the appeal to provide whether the disputed action will be upheld.

(ii) **Reconsideration Rights of Employees Other Than Department Heads with respect to termination:** An employee wishing to request the reconsideration of a termination must submit a written appeal to the City Manager within five (5) business days of the disputed action. The City Manager will then make arrangements to meet and discuss the matter as soon as practical, but at least within ten (10) business days of receiving the written request for reconsideration. The employee shall have prepared any documents or other information to support the reconsideration at the meeting with the City Manager. Within five (5) business days of the meeting, the City Manager will respond in writing to the reconsideration request to provide whether the disputed action will be upheld.”

SECTION 4. 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 5. Authorization of Execution. The Mayor or Mayor Pro Tem is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 6. 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 7. 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.

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SO RESOLVED this 17th day of July, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of Revision to Personnel Manual With Respect to Employee Terminations – Executive Offices

Submitted By: City Manager

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: July 17, 2023

Background/History:

It is proposed that the City’s Personnel Manual be revised to ensure that Department Heads receive the approval of the City Manager prior to terminating any employee.

With the alarming rate of litigation, personnel changes, and change of administration, the City Manager issued an emergency directive to all Department Heads requiring that all terminations be approved by the City Manager as a safeguard for the organization. This measure aims to maintain a set of standards that ensures all terminations are reasonable, fair, and equitable. The goal is to ensure that on the front end, all processes are handled to ensure ease of terminations when necessary, hence allowing the government to justify any/all separations properly.

It is recommended that this emergency measure be made permanent and be included in the City’s Personnel Manual.

Cost: \$ N/A

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

Action Requested from Council:

Approval of the policy.

File Attachments for Item:**13. Council Discussion and Approval of Forest Park Fire Department Employee Referral Program – Executive Offices****Background/History:**

Faced with a competitive labor market in both the public and private sectors, the City Manager sought out a creative way to stand out to potential employees. After brainstorming with the Command Staff of the Forest Park Fire Department, in an effort to ensure we attract the very best fire personnel, we are recommending the implementation of an employee referral program. The employee referral program is designed as a partnership between the City and its most valued asset and best recruiters, our employees.

As governments all across our region experience a diminished pool of well-qualified candidates, we recognize that our number one hiring tool is our employees. There is substantial competition amongst cities, counties, private agencies, and paid internships to recruit staff successfully. In Forest Park, we want to ensure that as part of our ongoing effort to recruit, we only want the best of the best working for Clayton County's largest, full-service municipality.

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE AN EMPLOYEE REFERRAL POLICY FOR THE FIRE DEPARTMENT

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; and

WHEREAS, the City Council wishes to authorize an employee referral policy pilot program within the Fire Department;

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

SECTION 1. Authorization of Employee Referral Program Within Fire Department. The Fire Department is authorized to implement an employee referral program in such form and under the parameters as presented to the City Council on July 17, 2023.

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 or Mayor Pro Tem 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.

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SO RESOLVED this 17th day of July, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Forest Park Fire Department Employee Referral Program – Executive Offices

Submitted By: Ricky L. Clark, Jr., City Manager

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: June 17, 2023

Background/History:

Faced with a competitive labor market in both the public and private sectors, the City Manager sought out a creative way to stand out to potential employees. After brainstorming with the Command Staff of the Forest Park Fire Department, in an effort to ensure we attract the very best fire personnel, we are recommending the implementation of an employee referral program. The employee referral program is designed as a partnership between the City and its most valued asset and best recruiters, our employees.

As governments all across our region experience a diminished pool of well-qualified candidates, we recognize that our number one hiring tool is our employees. There is substantial competition amongst cities, counties, private agencies, and paid internships to recruit staff successfully. In Forest Park, we want to ensure that as part of our ongoing effort to recruit, we only want the best of the best working for Clayton County's largest, full-service municipality.

The issue is two-fold: attracting qualified candidates and offering a competitive hourly wage. The latter is currently being addressed by the City Manager's Office and a local municipality survey study is on the verge of being released, specifically regarding hourly wages. The former, introduction to and hiring of qualified candidates, may be improved by offering a referral pay incentive to existing employees. We believe successful recruitment is all about local connections. We want to encourage current staff to refer their friends, previous colleagues, and even neighbors. Through conversation, relationships, mentoring, and networking, current employees can contribute to the wealth of talent the City employs.

Eligibility & Participation:

1. Eligible positions are those open positions within the Fire Department, identified by the Human Resources Department, which are posted on the City's website.
2. All regular full – or part-time employees of the Fire Department are eligible to participate except for:
 - Members of the Fire Command Staff
 - Hiring Manager, members of the selection team, or individuals who would have direct reporting relationship with the candidate.

3. All eligible candidates must meet the following criteria in order for the employee to be eligible for a referral bonus:

- Cannot be a former employee, contract temporary help, agency employee or student employee.
- Cannot be an immediate family member
- Must be an external candidate

Procedures

Referrals are made by applicants listing the employee’s name as a referral source in the following ways:

- On the employment application, or
- On the applicant’s resume/cover letter
- The City will provide a form for completion and submission to the Human Resources Department by either the applicant or the referring employee with the applicant’s application indicating that the referring employee has made the referral.

Policy

When a regular full – or part-time employee recommends a qualified and certified individual for a valid opening, and the referral is hired as a regular full-time employee, a referral bonus will be paid.

- First Payment - **\$1500** referral bonus awarded after the new employee completes ninety (90) days from the hire date.
- Second Payment - **\$1500** referral bonus awarded after the new employee completes one (1) year from the hire date.

Referral bonuses are normally paid on the first full pay period after the qualification period has ended. Applicable taxes will be deducted.

Both the employee who made the recommendation and the employee who was hired must be employees of the City at the time the bonus payment is due. An employee who is on leave or temporary disability at the time the bonus payment is due will have any bonus payment deferred until the employee returns from the leave of absence.

If multiple employees are listed as referral sources, the incentive funds will be evenly divided. In the event that a name is listed but not clearly defined, or if the referral sources could apply to multiple employees, the t City Administrator will decide eligibility.

The hiring process will be fair and consistent with the City’s policy and procedures, with no bias for or against candidates, whose selection might make another employee eligible for a referral bonus. No referral bonus will be awarded for a candidate if any agency or third-party fee is required for the hire. Human Resources Department will monitor the use of the Employee Referral Program and have final authority over all aspects of the Program.

Cost: \$ Variable

Budgeted for: X Yes No

Financial Impact:

N/A

File Attachments for Item:**14. Council Discussion and Approval on Purchase of Ford Interceptors - Police Department****Background/History:**

The Police Department currently has an aging fleet and is need of replacing some of the older emergency vehicles. The Police Department seeks ratification for an Emergency Purchase with Brannen Ford in Unadilla, Georgia for the purchase of fifteen (15) 2023 Ford Police Interceptors at \$44,700.00 each for a total amount of \$670,500.00. Due to a shortage in the automobile industry and the lack of availability of public safety vehicles, the Police Department requests an emergency purchase to ensure the city maintains essential services to its citizens. The emergency purchase process is reserved for rare and extreme circumstances. Therefore, rarely will the emergency purchase process be utilized.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Request for Ratification Purchase of Ford Interceptors - Police Department

Submitted By: Brandon Criss (Police Chief)

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: July 17, 2023

Background/History:

The Police Department currently has an aging fleet and is need of replacing some of the older emergency vehicles. The Police Department seeks ratification for an Emergency Purchase with Brannen Ford in Unadilla, Georgia for the purchase of fifteen (15) 2023 Ford Police Interceptors at \$44,700.00 each for a total amount of \$670,500.00. Due to a shortage in the automobile industry and the lack of availability of public safety vehicles, the Police Department requests an emergency purchase to ensure the city maintains essential services to its citizens. The emergency purchase process is reserved for rare and extreme circumstances. Therefore, rarely will the emergency purchase process be utilized.

Funding is available through our Red Speed camera project.

Cost: \$ 670,500.00

Budgeted for: _____ **Yes** X **No**

Financial Impact: \$24,968.15

Action Requested from Council: N/A

File Attachments for Item:**15. Council Discussion and Approval on Reorganization of the Police Department – Police Department****Background/History:**

The Forest Park Police Chief recently completed a thorough review of the department and seeks to implement a restructuring of the operational command staff. The reorganization will ensure that employees are in the best position to address community needs, respond to emerging crime trends, and build genuine, positive relationships with the community members. Furthermore, it will allow for a clear command structure.

The previous organizational chart had (2) Deputy Police Chief positions, and each chief had 1 Major reporting to them.

The highlights of the reorganization include:

- * The deletion of (1) Deputy Police Chief (salary savings of \$86,115.57)
- * The Department will be divided into 2 bureaus, Support Services and Uniform. The Major/Commander of these 2 units will report to the remaining Deputy Police Chief.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Reorganization of the Police Department – Police Department

Submitted By: Brandon Criss, Chief of Police

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: June 17, 2023

Background/History:

The Forest Park Police Chief recently completed a thorough review of the department and seeks to implement a restructuring of the operational command staff. The reorganization will ensure that employees are in the best position to address community needs, respond to emerging crime trends, and build genuine, positive relationships with the community members. Furthermore, it will allow for a clear command structure.

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- * The deletion of (1) Deputy Police Chief (salary savings of \$86,115.57)
- * The Department will be divided into 2 bureaus, Support Services and Uniform. The Major/Commander of these 2 units will report to the remaining Deputy Police Chief.

Cost: \$ Variable

Budgeted for: _____ **Yes** _____ **No**

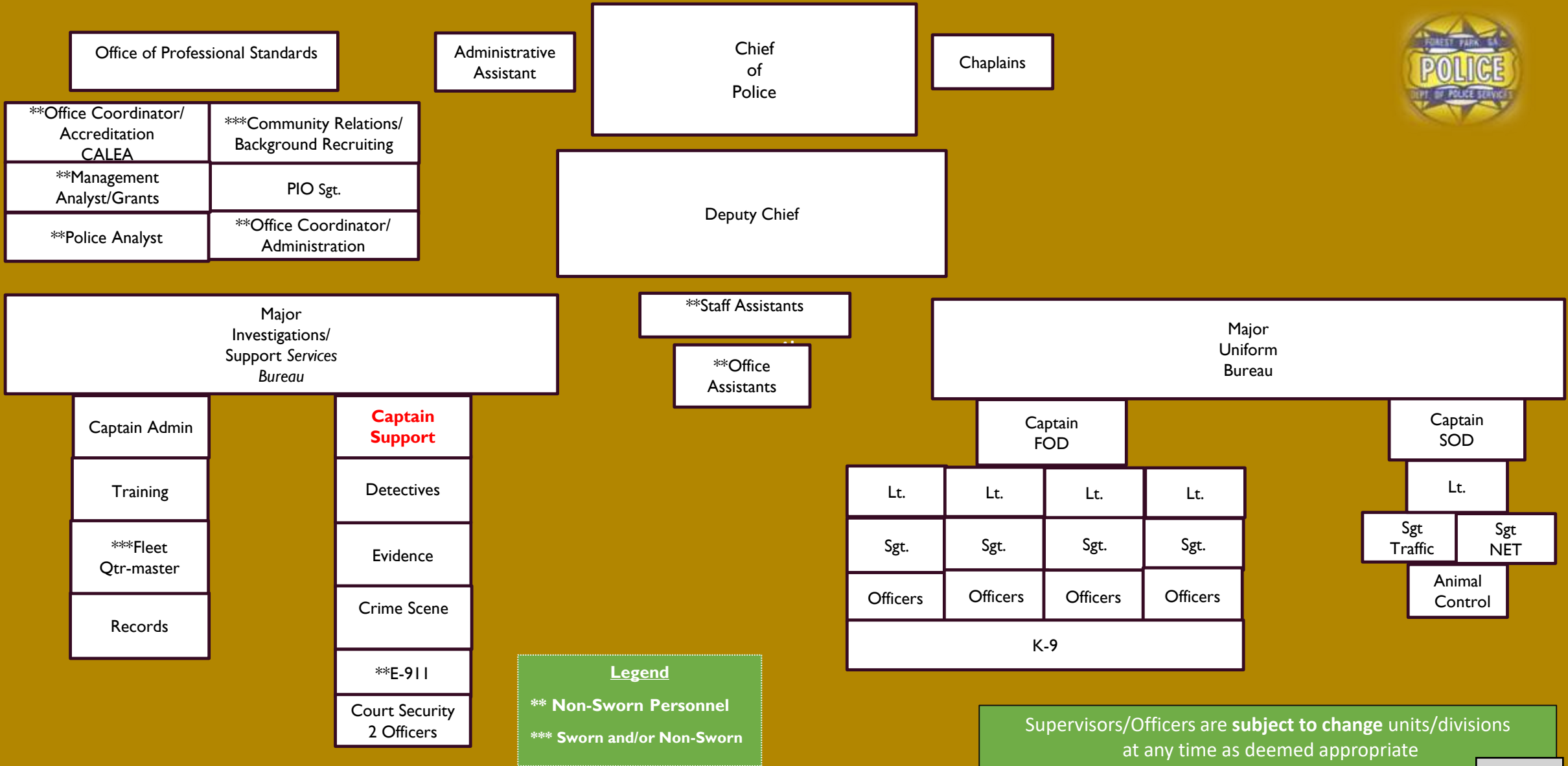
Financial Impact: Savings of \$86,115.57

N/A

Action Requested from Council: Approve the ordinance

POLICE DEPARTMENT ORGANIZATIONAL CHART

Organizational Chart Subject to Item #15.



Legend
 ** Non-Sworn Personnel
 *** Sworn and/or Non-Sworn

Supervisors/Officers are **subject to change** units/divisions at any time as deemed appropriate

2023 Department Summary

Item #15.

Police

<u>Title</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
Police Chief	1	1	1
Deputy Chief	2	2	1
Major	2	2	2
Captains	5	5	5
Lieutenants	7	7	7
Sergeants	13	13	13
Patrol Officers	63	63	63
Reserve Officers (Unpaid)	2	2	2
Office Coordinator	1	1	1
Admin Assistant	1	1	1
Records Supervisor	1	1	1
Staff Assistants	2	2	2
Sr. Office Assistants	3	2	2
Office Assistants	2	2	2
Analyst	1	1	1
Crime Scene Tech	1	1	1
Grant Writer	1	1	1
Office Mgr. Calea	1	1	1
Sr. Comm. Operator	4	4	4
Comm. Operator	8	8	8
Animal Control Officers	2	2	2

2023 Department Summary

Item #15.

Police

Significant Expenditure & Staffing Changes

Delete:

(1) Deputy Chief Position

File Attachments for Item:**16. Council Discussion and Approval on Forest Park Fire Department Sign-On Bonus – Executive Offices****Background/History:**

Like many other municipalities, the City of Forest Park is currently experiencing difficulty attracting and retaining Firefighter candidates. The City is also preparing and anticipating staffing issues due to future retirements at all levels in the organization and is working on how to attract and, most importantly, how to retain the best staff to continue to deliver superior service. Ideas for recruiting are endless and endlessly challenging, but the time and effort invested in attracting top talent for the City is well worth it. The City desires to be the employer-of-choice, and implementing the Signing Bonus for “difficult-to-fill positions” incentivizes new employees to join the City of Forest Park.

City of Forest Park

CITY OF FOREST PARK SIGN-ON BONUS AGREEMENT

This Agreement is made between CITY OF FOREST PARK ("City") and NAME OF EMPLOYEE ("Employee").

WHEREAS the Employee begins employment for the City in the Fire Department ("Department") for the first time as a _____ who meets the City requirements as a _____;

WHEREAS the Department wishes to bestow upon the employee a sign-on bonus ("Sign-on Bonus") as an incentive for the Employee to accept employment at the City of Forest Park and remain satisfactorily employed in the Department for least three full years;

WHEREFORE, City and the Employee agree to the following terms.

i. City of Forest Park, acting through the Forest Park Fire & Emergency Services, agrees to bestow upon the Employee the amount of \$_____ as a Sign-on Bonus in return for the Employee accepting the City's offer of employment. This amount shall be paid directly to the Employee on the Employee's paycheck as follows:

- 50% paid upon successful completion of three months;
- 50% paid upon successful completion of probationary period;

ii. City will apply all required federal and state tax deductions and will report all payments made under this Agreement as required by federal and state law. Taxes shall be withheld as bonus earnings from the Sign-on Bonus and reported to the Internal Revenue Service as income on the employee's Form W-2. The Sign-on Bonus is not considered "salary" and shall not be included for purposes of retirement benefit calculations or salary increases.

iii. Department will adhere to all relevant City and Department policies during the hiring process and in making bonus payments to employees.

iiii. In return for accepting the Sign-on Bonus as provided in paragraphs 1 and 2, above, the Employee agrees to work for the Department, on a regular and a full-time basis for at least three years beginning on _____ and ending on _____. Should the Employee resign, quit, or be terminated for cause before the above stated ending date, the Employee shall repay the **total** amount of the Sign-on Bonus as provided for in the following paragraphs. The repayment amount will not be prorated.

lv. The Employee's failure to remain employed by the Department for three years will trigger the Employee's responsibility to repay the amount paid by the City of Forest Park pursuant to paragraph 1, above. To facilitate this repayment, the Employee, by signing below, expressly gives City a lien on all his/her salary, wages, and other sums payable to him/her by City. In addition, the Employee hereby authorizes City to withhold all amounts so due from any sum payable to the Employee by the Department and City. The Employee also agrees that any tax

The City of Forest Park is an Equal Opportunity Employer and Provider

consequences borne as a result of the repayment of the Sign-on Bonus or any portion thereof will be the sole and exclusive responsibility of the Employee.

6. If the Employee fails to remain employed by the Department for three years for reasons beyond his/her control (e.g. injury, illness or death), other than just cause termination, the Department may in its sole discretion waive all or part of the liability owed by the Employee. Any such waiver must be approved in writing by the Employee's Department Head, Director of Human Resources and the City Manager.

7. In the event the Employee is unable or unwilling to work, is taken off work, or is placed on a leave of absence at any time during the period that this Agreement is effective, any payments owed or due to Employee shall be delayed the same amount of time as the Employee remains off work. For purposes of this section, any period of time in excess of 10 consecutive days that the Employee does not work during the time period of this Agreement shall delay the bonus payment periods owed to Employee by this Agreement. (Example: if an employee is injured during his/her 10th month of employment and is placed off work for three months, the bonus installment payable after the 18th month of service will be delayed another three months).

8. If any part of this Agreement is found to be invalid or unenforceable, the other parts shall remain valid and enforceable and Employee agrees, represents, and warrants that he/she will be held to any applicable repayment of Sign-on Bonus.

BY SIGNING BELOW, the Employee certifies that he/she has read this Agreement and has not accepted a financial incentive for accepting employment at City, other than as described in this Agreement.

IN WITNESS THEREOF:

Employee Signature

Date_____

Department Head Signature

Date_____

Director of Human Resources Signature

Date_____

City Manager Signature

Date_____

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE SIGN-ON BONUS FOR THE FIRE DEPARTMENT

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; and

WHEREAS, the City Council wishes to authorize a sign-on bonus for new recruits to the Fire Department;

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

SECTION 1. Authorization of Sign-on Bonus for the Fire Department. The Fire Department is authorized to implement a sign-on bonus in such form and under the parameters as presented to the City Council on July 17, 2023.

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 or Mayor Pro Tem 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.

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SO RESOLVED this 17th day of July, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Forest Park Fire Department Sign-On Bonus – Executive Offices

Submitted By: Ricky L. Clark, Jr., City Manager

Date Submitted: July 12, 2023

Work Session Date: July 17, 2023

Council Meeting Date: June 17, 2023

Background/History:

Like many other municipalities, the City of Forest Park is currently experiencing difficulty attracting and retaining Firefighter candidates. The City is also preparing and anticipating staffing issues due to future retirements at all levels in the organization and is working on how to attract and, most importantly, how to retain the best staff to continue to deliver superior service. Ideas for recruiting are endless and endlessly challenging, but the time and effort invested in attracting top talent for the City is well worth it. The City desires to be the employer-of-choice, and implementing the Signing Bonus for “difficult-to-fill positions” incentivizes new employees to join the City of Forest Park.

To that end, the City Manager is recommending the following sign-on bonuses for the Fire Department:

- **Firefighter AEMT/EMT** - \$4,000 (\$2000 at the completion of three months & \$2000 on completion of probation. Employee must sign contract that if they leave employment at any time during the probationary period, the money is owed back to the City. In addition, they must execute a three-year employment agreement).
- **Firefighter Paramedics** - \$5,000 (\$2,500 at the completion of three months & \$2500 on completion of probation. Employee must sign contract that if they leave employment at any time during the probationary period, the money is owed back to the City. In addition, they must execute a three-year employment agreement)

The City will apply all required federal and state tax deductions and will report all payments made under this Agreement as required by federal and state law. Taxes shall be withheld as bonus earnings from the Sign-on Bonus and reported to the Internal Revenue Service as income on the employee's Form W-2. The Sign-on Bonus is not considered "salary" and shall not be included for purposes of retirement benefit calculations or salary increases.

Cost: \$ Variable

Budgeted for: X Yes No

Financial Impact:

N/A
