



## CITY COUNCIL REGULAR SESSION

Monday, July 17, 2023 at 7:00 PM  
Council Chambers and YouTube Livestream

Website: [www.forestparkga.gov](http://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 MEETING NOTICE

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**"

**INVOCATION/PLEDGE:**

**CALL TO ORDER/WELCOME:**

**ROLL CALL - CITY CLERK:**

**CITY MANAGER'S REPORT**

**PRESENTATIONS:**

- 1. Free Gifts at the Park Recognitions - Legislative Offices**

#### **Background/History:**

Summer 2023 has turned a bit brighter for families in Forest Park, thanks to an event which was coordinated by The City of Forest Park in partnership with Helping Hands Ending Hunger INC. (HHEH). A truckload of donated goods from Good360 was gifted to residents at a summer fun shopping day on June 23, 2023, at the Forest Park High School Gym at an event aptly named: "Free Gifts at the Park."

Kimberly James, Councilwoman Ward 1, Carla Harward, CEO of HHEH, and Arvis Walker, Clayton County Council of PTAs spent the past several months planning and broadening efforts to maximize the impact of this fun event.

**2. Proclamation in recognition of Muslim Heritage Month – Legislative Offices**

**Background/History:**

“Muslim American Heritage Month” celebrates the contributions of Americans of Muslim heritage to the United States from its founding through the present. The national month’s observance spotlights Muslims embracing freedom to pursue the American Dream and celebrates Muslim contributions to American society.

Forest Park has significant numbers of Muslims, and such Proclamation will continue to make Forest Park an inclusive and diverse city. 25 other cities across Georgia are expected to do a Proclamation/Resolution regarding Muslim American Heritage Month. HB 360 - a bill re: Muslim American Heritage Month is a bipartisan bill currently in the House’s “Special Rules Committee.”

**3. Proclamation in recognition of City of Forest Park 811 Day - Executive Offices**

**Background/History:**

The Clayton County UCC has partnered with Georgia 811 to promote 811 Day each August for the past total 2 years to coincide with the onset of peak digging season. The initiative was designed to heighten contractor and homeowner awareness of the national 811 notification system. By calling 811, Clayton County residents notify area utility operators, including City of Forest Park of their intent to dig so that the utilities can be located ahead of the project. The 811-notification system is paramount to the prevention of damage to underground utilities and the safety of Forest Park, Clayton County residents.

**4. Presentation of Forest Park Police Departmental Logo/Seal - Police Department**

**Background/History:**

The Forest Park Police Department recently completed a rebranding project for both the agency’s logo and seal in order to better improve brand awareness and overall communication with citizens, businesses, and community stakeholders.

Strong branding is extremely necessary to establish any law enforcement agency as credible, reliable and – above all – trustworthy.

The color palettes used in the new logo help emphasize the department’s commitment to SERVICE, INTEGRITY, and RESPECT through quality policing.

**5. Recognition of Officer of the Month**

**Background/History:**

Officer of the Month is a newly implemented program that recognizes officers of the Forest Park Police Department for outstanding service to the citizens and businesses of Forest Park. This program was implemented to boost moral and acknowledge our police officers that has gone above and beyond the call of service.

During the Month of June 2023, Officer Akin Frederick and Detective Marvin Malone were the most productive and active officers within the agency.

Officer Frederick excelled in the following areas: citizen contacts, traffic enforcement, law enforcement, and written reports. Officer Frederick overall work performance led him to be selected and recognized as Officer of the Month.

Detective Malone responded to and investigated a call for service where there was a loss of life. Detective Malone worked long hours without complaint and was able to identify the suspect involved, charge the suspect with the appropriate charge, locate the weapon used during the crime, and take the suspect into custody. His exceptional work ethic and dedication make him stand out among his peers.

#### **6. Recognition of Employees – Legislative Offices**

##### **Background/History:**

In an effort to further our commitment to an employee-first environment, as part of Councilwoman Akins-Wells initiatives, she has selected a group of employees in which she wishes to recognize. This initiative will occur quarterly. Councilwoman Akins-Wells will recognize the following employees for the first group who have received recent recognitions: Sgt. Brittney Sparks, Officer Sharaya Bailey, Officer Paris Thomas, Officer Renoldo Pope, Officer Eric Ellis, Officer Skydot Das, Officer Sheena Shelton, Joseph Kidd, Takuya Gatlin, Randell Boone & Kyle Grace.

#### **PUBLIC HEARINGS:**

- 7. Council Approval on Conditional Use Permit for Self-Storage- 4140 Jonesboro Road – Planning & Community Development**
- 8. Council Approval on Rezoning from RS to GC - 4233 Thurman Rd. – Planning & Community Development**
- 9. Council Approval on Conditional Use Permit (CUP-2023-04)- 5370 Ash Street – Planning & Community Development**
- 10. Council Approval on Rezoning from RS to RM - Scott Rd. (RZ-2023-02) – Planning & Community Development**
- 11. Council Approval on Rezoning from RS to RM - Scott Rd. (RZ-2023-02) – Planning & Community Development**

#### **PUBLIC COMMENTS: (All Speakers will have 3 Minutes)**

#### **ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:**

#### **APPROVAL OF MINUTES:**

- 12. Council Approval of Council Work Session and Regular Meeting Minutes from June 20, 2023 and Special Called Meeting Minutes from June 22 & 29, 2023 - City Clerk**

#### **OLD BUSINESS:**

- [13.](#) **Council Approval of Request to Reconsider Previous Vote on Redistricting** – Legislative Offices

**NEW BUSINESS:**

- [14.](#) **Council Approval of City of Forest Park Accident Review Committee** – Executive Offices

- [15.](#) **Council Approval of CDBG Funds Reallocation** – Executive Offices

- [16.](#) **Council Approval of Revision to Personnel Manual With Respect to Employee Terminations** – Executive Offices

- [17.](#) **Council Approval of Revised Resignation and Paid Leave Policy** – Executive Offices

- [18.](#) **Council Approval of Request for Ratification Purchase of Ford Interceptors** - Police Department

- [19.](#) **Council Approval of Reorganization of the Police Department** - Police Department

- [20.](#) **Council Approval of Forest Park Fire Department Employee Referral Program** – Executive Offices

- [21.](#) **Council Approval of Forest Park Fire Department Sign - On Bonus** – Executive Offices

**CLOSING COMMENTS BY GOVERNING BODY:**

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

**ADJOURNMENT:**

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-1555.



**File Attachments for Item:****1. Free Gifts at the Park Recognitions - Legislative Offices****Background/History:**

Summer 2023 has turned a bit brighter for families in Forest Park, thanks to an event which was coordinated by The City of Forest Park in partnership with Helping Hands Ending Hunger INC. (HHEH). A truckload of donated goods from Good360 was gifted to residents at a summer fun shopping day on June 23, 2023, at the Forest Park High School Gym at an event aptly named: "Free Gifts at the Park."

Kimberly James, Councilwoman Ward 1, Carla Harward, CEO of HHEH, and Arvis Walker, Clayton County Council of PTAs spent the past several months planning and broadening efforts to maximize the impact of this fun event.



CITY OF  
**FORESTPARK**

## City Council Agenda Item

**Subject:** Free Gifts at the Park

**Submitted By:** Michelle Hood

**Date Submitted:** July 13, 2023

**Work Session Date:** July 17, 2023

**Council Meeting Date:** July 17, 2023

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### Background/History:

Summer 2023 has turned a bit brighter for families in Forest Park, thanks to an event which was coordinated by The City of Forest Park in partnership with Helping Hands Ending Hunger INC. (HHEH). A truckload of donated goods from Good360 was gifted to residents at a summer fun shopping day on June 23, 2023, at the Forest Park High School Gym at an event aptly named: "Free Gifts at the Park."

Kimberly James, Councilwoman Ward 1, Carla Harward, CEO of HHEH, and Arvis Walker, Clayton County Council of PTAs spent the past several months planning and broadening efforts to maximize the impact of this fun event.

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**Cost: \$**

**Budgeted for:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Financial Impact:**

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**Action Requested from Council:**

**File Attachments for Item:**

**2. Proclamation in recognition of Muslim Heritage Month – Legislative Offices**

**Background/History:**

“Muslim American Heritage Month” celebrates the contributions of Americans of Muslim heritage to the United States from its founding through the present. The national month’s observance spotlights Muslims embracing freedom to pursue the American Dream and celebrates Muslim contributions to American society.

Forest Park has significant numbers of Muslims, and such Proclamation will continue to make Forest Park an inclusive and diverse city. 25 other cities across Georgia are expected to do a Proclamation/Resolution regarding Muslim American Heritage Month. HB 360 - a bill re: Muslim American Heritage Month is a bipartisan bill currently in the House's "Special Rules Committee.”



CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Muslim Heritage Month – Legislative Offices

**Submitted By:** Ricky L. Clark, Jr., City Manager on behalf of Mayor A Butler, MPA

**Date Submitted:** July 13, 2023

**Work Session Date:** July 17, 2023

**Council Meeting Date:** June 17, 2023

**Background/History:**

“Muslim American Heritage Month” celebrates the contributions of Americans of Muslim heritage to the United States from its founding through the present. The national month’s observance spotlights Muslims embracing freedom to pursue the American Dream and celebrates Muslim contributions to American society.

Forest Park has significant numbers of Muslims, and such Proclamation will continue to make Forest Park an inclusive and diverse city. 25 other cities across Georgia are expected to do a Proclamation/Resolution regarding Muslim American Heritage Month. HB 360 - a bill re: Muslim American Heritage Month is a bipartisan bill currently in the House’s “Special Rules Committee.”

**Cost: \$ Variable**

**Budgeted for:**  X  Yes   No

**Financial Impact:**

N/A



CITY OF  
**FORESTPARK**

# PROCLAMATION

**WHEREAS:** The City of Forest Park takes great pride in the various cultural traditions of its residents and seeks to give all people the opportunity to better understand, recognize and appreciate the rich histories, significant contributions and shared principles of individuals from different backgrounds, and;

**WHEREAS:** Throughout American history, Muslim Americans have contributed to our nation's economy and overall identity, while also making notable strides in the fields of business, law, medicine, the military, sports and much more, and;

**WHEREAS:** Clayton County is home to a growing Muslim American population that is reflected in our workforce, education system and various branches of government, and;

**WHEREAS:** The city recognizes the need for public education, awareness, discourse and policies that are culturally competent when describing, discussing or addressing the impacts of being Muslim American, and;

**WHEREAS:** Despite hardships, men and women of Muslim faith throughout the state continue to share their rich culture and traditions with neighbors and friends – helping to set fine examples of what it means to be both a model citizen and public servant.

**NOW, THEREFORE BE IT RESOLVED,** the Forest Park City Council hereby recognizes July 2023 as Muslim American Heritage Month and encourages all citizens to participate in appropriate ceremonies and activities that commemorate the contributions of Muslim Americans.

**IN WITNESS WHEREOF,** we have hereunto set our hand on this 17th day of July 2023 and have caused the Official Seal of the great City of Forest Park to be affixed hereto:

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Angelyne Butler, MPA  
Mayor

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Councilmember Kimberly James  
Ward 1

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Councilmember Dabouze Antoine  
Ward 2

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Councilmember Hector Gutierrez  
Ward 3

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Councilmember Latresa Akins-Wells  
Ward 4

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Councilmember Allan Mears  
Ward 5

House Bill 360

By: Representatives Kennard of the 101<sup>st</sup>, Reeves of the 99<sup>th</sup>, Romman of the 97<sup>th</sup>, Parsons of the 44<sup>th</sup>, Mughal of the 105<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to  
2 holidays and observances, so as to designate the month of July each year as "Muslim  
3 American Heritage Month" in Georgia; to provide for legislative findings; to provide for  
4 ceremonies and programs; to provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and  
9 observances, is amended by adding a new Code section to read as follows:

10 "1-4-26.

11 (a) The General Assembly hereby finds and determines that:

12 (1) The State of Georgia takes great pride in the varied religious and cultural traditions  
13 of the residents of this state and seeks to afford all people in Georgia the opportunity to  
14 better understand, recognize, and appreciate the rich histories, cultures, significant  
15 contributions, and shared principles of Muslim Americans;

H. B. 360

- 1 -

16 (2) Muslim Americans contribute greatly to charitable organizations that help people  
17 from all faiths in the United States and around the world by feeding the hungry, providing  
18 recuperation efforts following natural disasters, and providing medical assistance, family  
19 services, scholastic supplies, and before- and after-school programs;

20 (3) Muslim Americans have contributed to every part of the economy, culture, education,  
21 and identity of Georgia and the United States in making advancements in architecture,  
22 arts, business, culture, diplomacy, government, law, medicine, the military, national  
23 security, religion, and sports;

24 (4) Muslim Americans from Georgia have made significant contributions in the  
25 development of vaccines and the global fight against polio, malaria, influenza, hepatitis,  
26 cancer, and other diseases; and

27 (5) There is a need for public education, awareness, discourse, and policies that are  
28 culturally competent when describing, discussing, or addressing the impacts of being  
29 Muslim American.

30 (b) The month of July each year is designated as 'Muslim American Heritage Month' in  
31 Georgia.

32 (c) Officials and departments of state, county, and municipal governments, boards of  
33 education, elementary and secondary schools, colleges and universities, businesses, and all  
34 citizens are encouraged to participate in appropriate ceremonies, programs, and activities  
35 that commemorate and honor the contributions of Muslim Americans throughout each July  
36 during Muslim American Heritage Month."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.

**File Attachments for Item:****3. Proclamation in recognition of City of Forest Park 811 Day - Executive Offices****Background/History:**

The Clayton County UCC has partnered with Georgia 811 to promote 811 Day each August for the past total 2 years to coincide with the onset of peak digging season. The initiative was designed to heighten contractor and homeowner awareness of the national 811 notification system. By calling 811, Clayton County residents notify area utility operators, including City of Forest Park of their intent to dig so that the utilities can be located ahead of the project. The 811-notification system is paramount to the prevention of damage to underground utilities and the safety of Forest Park, Clayton County residents.





CITY OF  
**FORESTPARK**

## City Council Agenda Item

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**Subject:** Proclamation - City of Forest Park 811 Day

**Submitted By:** Michelle Hood

**Date Submitted:** July 14, 2023

**Work Session Date:** July 17, 2023

**Council Meeting Date:** July 17, 2023

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### Background/History:

The Clayton County UCC has partnered with Georgia 811 to promote 811 Day each August for the past total 2 years to coincide with the onset of peak digging season. The initiative was designed to heighten contractor and homeowner awareness of the national 811 notification system. By calling 811, Clayton County residents notify area utility operators, including City of Forest Park of their intent to dig so that the utilities can be located ahead of the project. The 811-notification system is paramount to the prevention of damage to underground utilities and the safety of Forest Park, Clayton County residents.

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**Cost: \$** Budgeted for:  Yes  No

**Financial Impact:**

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**Action Requested from Council:**



CITY OF  
**FORESTPARK**

# PROCLAMATION

**WHEREAS:** Georgia 811 is a nonprofit corporation dedicated to preventing damage to the state's underground utilities by connecting companies with professional excavators and homeowners who are planning mechanized digging activities such as excavation, tunneling and demolition, and;

**WHEREAS:** In 2005, the Federal Communications Commission designated the 811 phone number for contractors and homeowners to use when contacting utility operators to request the location of underground lines at an intended dig site, and;

**WHEREAS:** Georgia law mandates that before beginning any mechanized digging or excavation work, individuals must contact Georgia 811 at least 48 hours, but no more than 10 working days in advance, to have utility lines marked, and;

**WHEREAS:** The Clayton County Utility Coordinating Committee has partnered with the Georgia 811 Notification System to promote high-quality education and notification services as it relates to the excavation process.

**WHEREAS:** Damage prevention is a shared responsibility and by using safe digging practices, residents in the City of Forest Park can save time, money and help keep our infrastructure safe and connected.

**NOW, THEREFORE BE IT RESOLVED,** the City Council of Forest Park hereby recognizes August 11, 2023, as Forest Park 811 Day and reminds both city residents and contractors to use the state's free resource to ensure their personal safety and the safety of those around them.

**IN WITNESS WHEREOF,** we have hereunto set our hand on this 7th day of August 2023 and have caused the Official Seal of the great City of Forest Park to be affixed hereto:

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Angelyne Butler, MPA  
Mayor

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Councilmember Kimberly James  
Ward 1

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Councilmember Dabouze Antoine  
Ward 2

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Councilmember Hector Gutierrez  
Ward 3

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Councilmember Latresa Akins-Wells  
Ward 4

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Councilmember Allan Mears  
Ward 5

**File Attachments for Item:**

**4. Presentation of Forest Park Police Departmental Logo/Seal - Police Department**

**Background/History:**

The Forest Park Police Department recently completed a rebranding project for both the agency's logo and seal in order to better improve brand awareness and overall communication with citizens, businesses, and community stakeholders.

Strong branding is extremely necessary to establish any law enforcement agency as credible, reliable and – above all – trustworthy.

The color palettes used in the new logo help emphasize the department's commitment to SERVICE, INTEGRITY, and RESPECT through quality policing.



CITY OF  
**FORESTPARK**

## City Council Agenda Item

**Subject:** Presentation of Forest Park Police Departmental Logo/Seal

**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 Department recently completed a rebranding project for both the agency's logo and seal in order to better improve brand awareness and overall communication with citizens, businesses, and community stakeholders.

Strong branding is extremely necessary to establish any law enforcement agency as credible, reliable and – above all – trustworthy.

The color palettes used in the new logo help emphasize the department's commitment to SERVICE, INTEGRITY, and RESPECT through quality policing.

**Cost: \$ Variable**

**Budgeted for:**  Yes  No

**Financial Impact:**

N/A

**Action Requested from Council: Approve the ordinance**



## Forest Park Police Department New Logo/Seal

**Chief Brandon L. Criss**  
320 Cash Memorial Blvd.  
Forest Park, Georgia 30297

# About The New Logo

Item # 4.

- The Forest Park Police Department recently completed a rebranding project for both the agency's logo and seal in order to better improve brand awareness and overall communication with citizens, businesses and community stakeholders.
- Strong branding is extremely necessary when it comes to establishing any law enforcement agency as credible, reliable and – above all – trustworthy.
- The color palettes used in the new logo helps emphasize the department's commitment to **SERVICE, INTEGRITY** and **RESPECT** through quality policing.



# Customized Logo Color Variations



1. Full Color Logo



2. Solid White Stencil  
| Navy Blue Canvas



3. Solid Green Stencil  
| White Canvas



4. Solid Crimson-Orange  
Stencil  
| White Canvas



5. Solid Navy Blue Stencil  
| White Canvas



# A Refreshed, Modern Look For Patrol Vehicles

Item # 4.





# About The New Seal

- Displayed are the color variations for the department's new seal – all of which use the city's current branding and color standards for consistency.
- The new seal for the department is a brand extension of the new logo.
- Inspired by recommended branding elements, the primary (traditional) colors and variations will always be used on a solid white, light grey or official brand canvas to complement these standard colors.



1. Full Color Logo



2. Solid Navy Blue  
| White Canvas



3. Solid White  
| Navy Blue Canvas



4. Solid Green  
| White Canvas



5. Solid Gold  
| White Canvas



6. Solid crimson-  
orange | White Canvas

# Thank You!

Mayor Angelyne Butler, MPA

Forest Park City Council

City Manager Ricky L. Clark, Jr.

Le'Var Norsworthy, Marc Norsworthy & Co.

Members of the Forest Park Police Department

**File Attachments for Item:****5. Recognition of Officer of the Month****Background/History:**

Officer of the Month is a newly implemented program that recognizes officers of the Forest Park Police Department for outstanding service to the citizens and businesses of Forest Park. This program was implemented to boost moral and acknowledge our police officers that has gone above and beyond the call of service.

During the Month of June 2023, Officer Akin Frederick and Detective Marvin Malone were the most productive and active officers within the agency.

Officer Frederick excelled in the following areas: citizen contacts, traffic enforcement, law enforcement, and written reports. Officer Frederick overall work performance led him to be selected and recognized as Officer of the Month.

Detective Malone responded to and investigated a call for service where there was a loss of life. Detective Malone worked long hours without complaint and was able to identify the suspect involved, charge the suspect with the appropriate charge, locate the weapon used during the crime, and take the suspect into custody. His exceptional work ethic and dedication make him stand out among his peers.



CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Recognition of Officer of the Month

**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:**

Officer of the Month is a newly implemented program that recognizes officers of the Forest Park Police Department for outstanding service to the citizens and businesses of Forest Park. This program was implemented to boost moral and acknowledge our police officers that has gone above and beyond the call of service.

During the Month of June 2023, Officer Akin Frederick and Detective Marvin Malone were the most productive and active officers within the agency.

Officer Frederick excelled in the following areas: citizen contacts, traffic enforcement, law enforcement, and written reports. Officer Frederick overall work performance led him to be selected and recognized as Officer of the Month.

Detective Malone responded to and investigated a call for service where there was a loss of life. Detective Malone worked long hours without complaint and was able to identify the suspect involved, charge the suspect with the appropriate charge, locate the weapon used during the crime, and take the suspect into custody. His exceptional work ethic and dedication make him stand out among his peers.

**Cost: \$ 0**

**Budgeted for:**  Yes  No

**Financial Impact: 0**

**Action Requested from Council: N/A**



**File Attachments for Item:****6. Recognition of Employees – Legislative Offices****Background/History:**

In an effort to further our commitment to an employee-first environment, as part of Councilwoman Akins-Wells initiatives, she has selected a group of employees in which she wishes to recognize. This initiative will occur quarterly. Councilwoman Akins-Wells will recognize the following employees for the first group who have received recent recognitions: Sgt. Brittney Sparks, Officer Sharaya Bailey, Officer Paris Thomas, Officer Renoldo Pope, Officer Eric Ellis, Officer Skydot Das, Officer Sheena Shelton, Joseph Kidd, Takuya Gatlin, Randell Boone & Kyle Grace.



CITY OF  
**FORESTPARK**

## City Council Agenda Item

**Subject:** Recognition of Employees – Legislative Offices

**Submitted By:** Latresa Akins - Wells

**Date Submitted:** July 13, 2023

**Work Session Date:** July 17, 2023

**Council Meeting Date:** July 17, 2023

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### Background/History:

In an effort to further our commitment to an employee-first environment, as part of Councilwoman Akins-Wells initiatives, she has selected a group of employees in which she wishes to recognize. This initiative will occur quarterly. Councilwoman Akins-Wells will recognize the following employees for the first group who have received recent recognitions: Sgt. Brittney Sparks, Officer Sharaya Bailey, Officer Paris Thomas, Officer Renoldo Pope, Officer Eric Ellis, Officer Skydot Das, Officer Sheena Shelton, Joseph Kidd, Takuya Gatlin, Randell Boone & Kyle Grace.

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**Cost: \$**

**Budgeted for:** \_\_\_\_ Yes \_\_\_\_ No

**Financial Impact:**

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**Action Requested from Council:**

**File Attachments for Item:**

**7. Council Approval on Conditional Use Permit for Self-Storage- 4140 Jonesboro Road – Planning & Community Development**





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

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

### PROPERTY INFORMATION

<b>Parcel Number:</b> 13015D C007	<b>Acreage:</b> 0.43
<b>Address:</b> 4140 Jonesboro Rd., Forest Park, GA 30297	<b>FLU:</b> 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)**

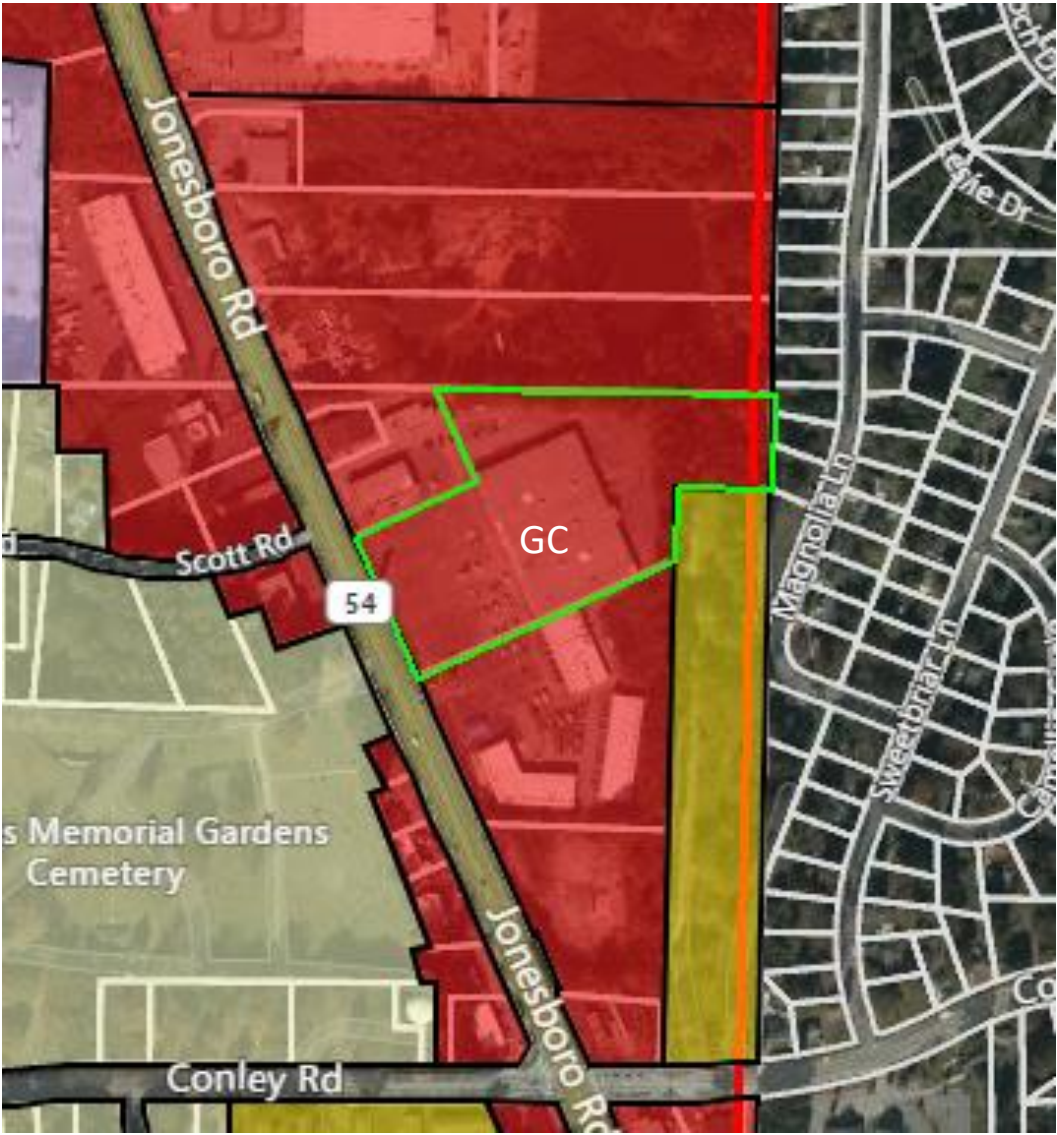
**ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES**

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**

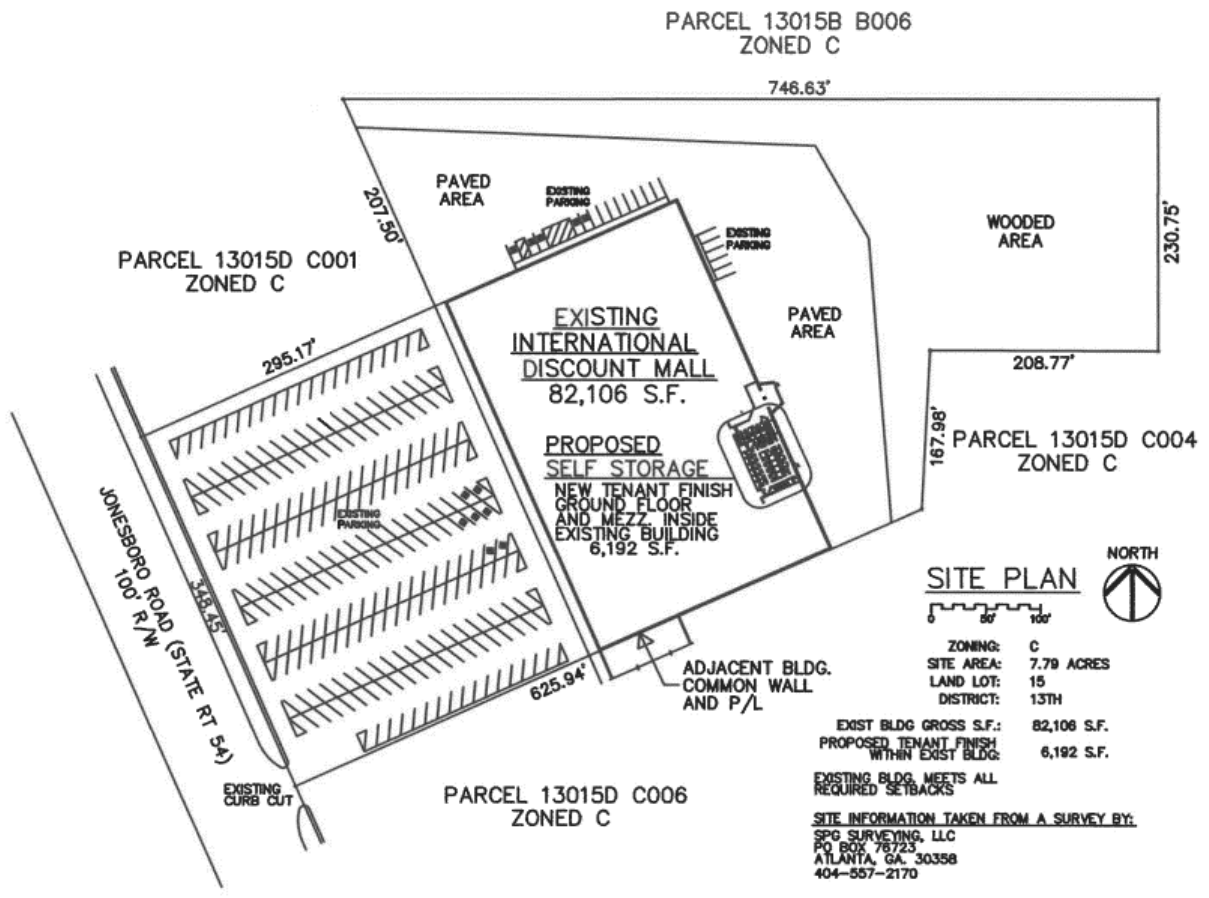


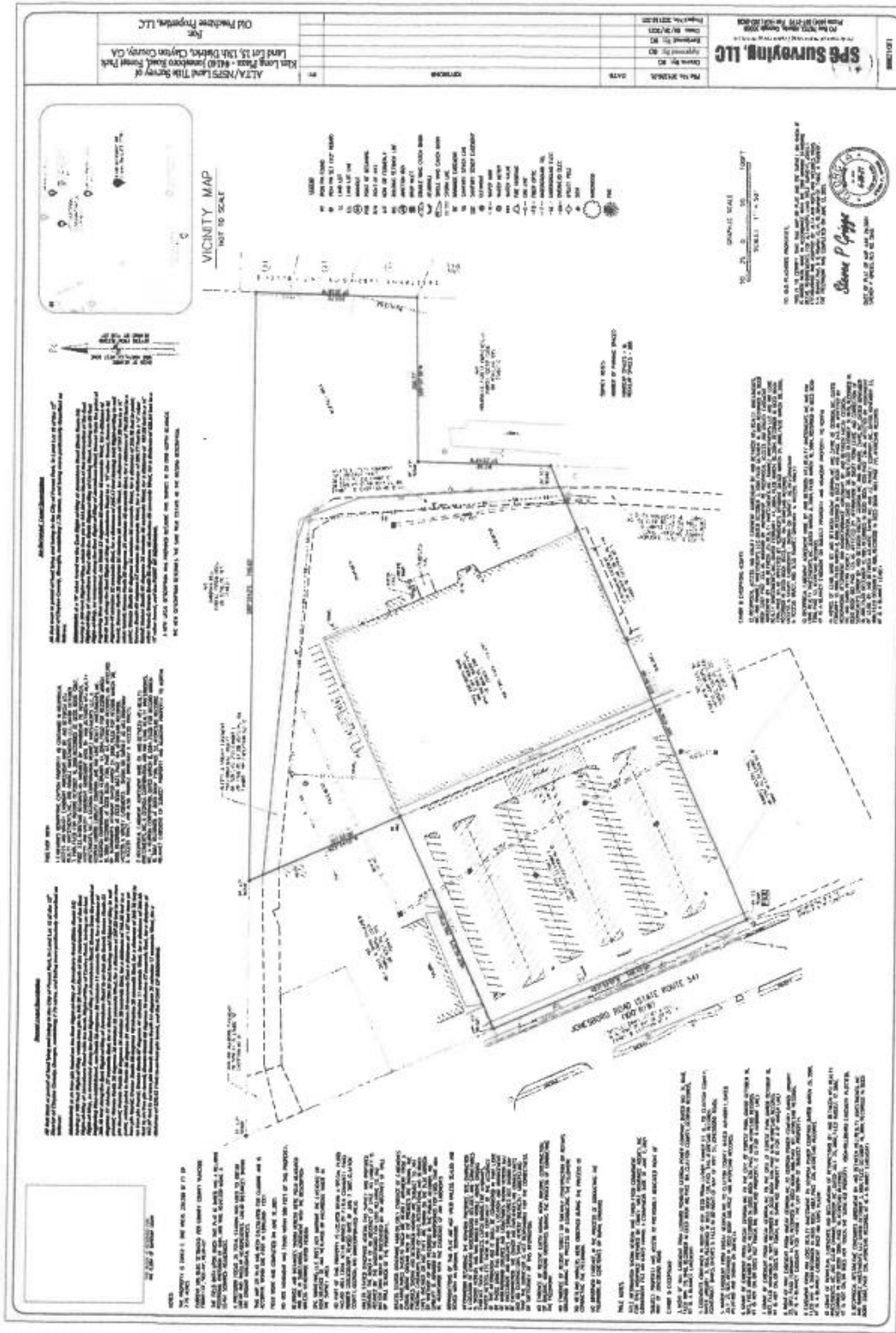
ZONING MAP





# SITE PLAN







## 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

**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.

**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 1.629 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  
6/28/7/5,12,2023

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

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

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

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

**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.

**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.

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

to make immediate payment to the undersigned, this 11<sup>th</sup> day of May, 2023.

This 18<sup>th</sup> day of May, 2023

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

**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 13<sup>th</sup> 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 13<sup>th</sup> 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 8<sup>th</sup> 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.

**File Attachments for Item:**

**8. Council Approval on Rezoning from RS to GC - 4233 Thurman Rd. – Planning & Community Development**



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.

**Applicant:** TR1 USA, LLC

**Address:** 4884 College Street

**Address:** 4233 Thurman Road

**City/State:** Forest Park, GA 30297

**City/State:** Forest Park, GA 30297

**PROPERTY INFORMATION**

**Parcel Number:** 1317A B014

**Acreage:** 0.287 +/-

**Address:** 4233 Thurman Road

**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:*

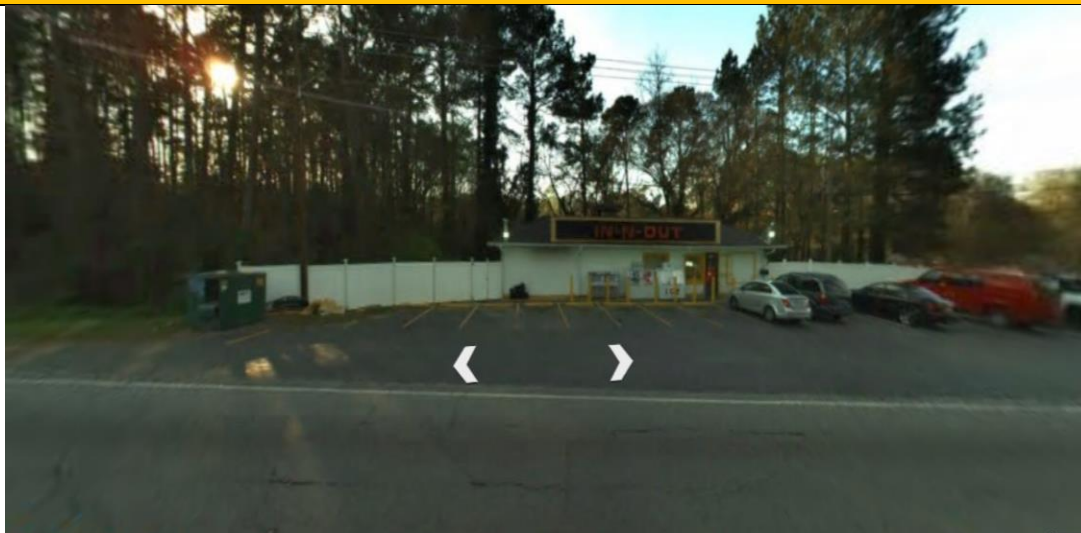
- (1) *No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity; but any structure or portion thereof may be enlarged or altered if the degree*

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.*

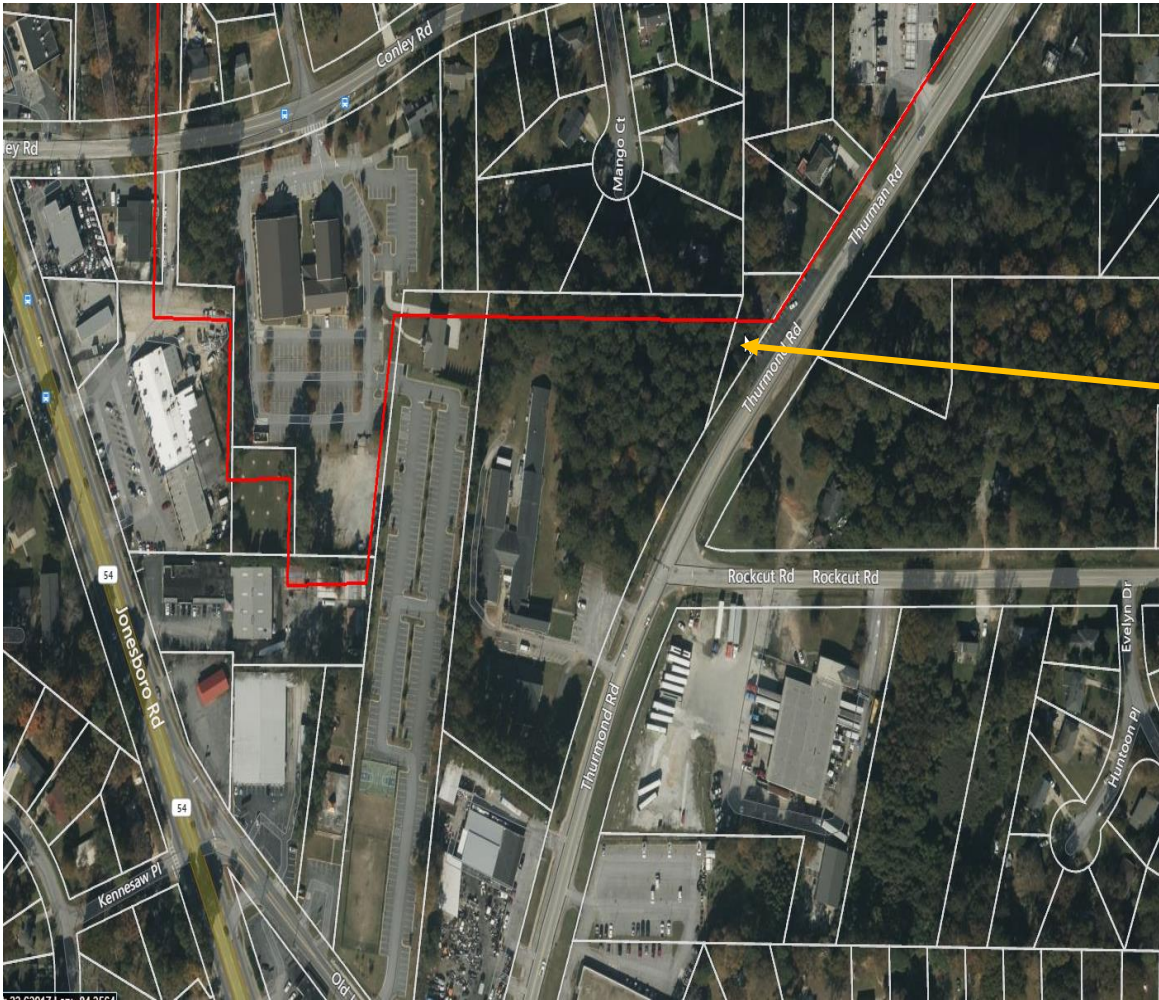
The subject property was operated as a non-conforming, commercial use, and therefore would have to conform to the current zoning standards of the General Commercial zoned district, per Sec. 8-8-112 (3), underlined above, if the rezoning is approved. The purpose of the request to amend the zoning of the 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**

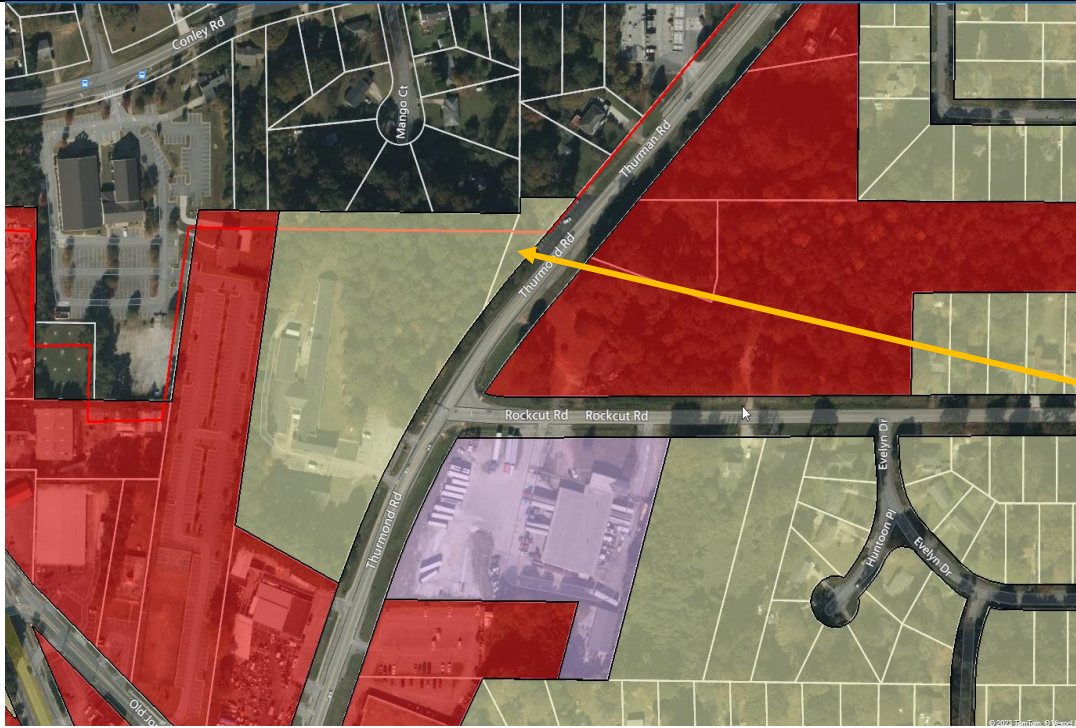


**ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES**

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

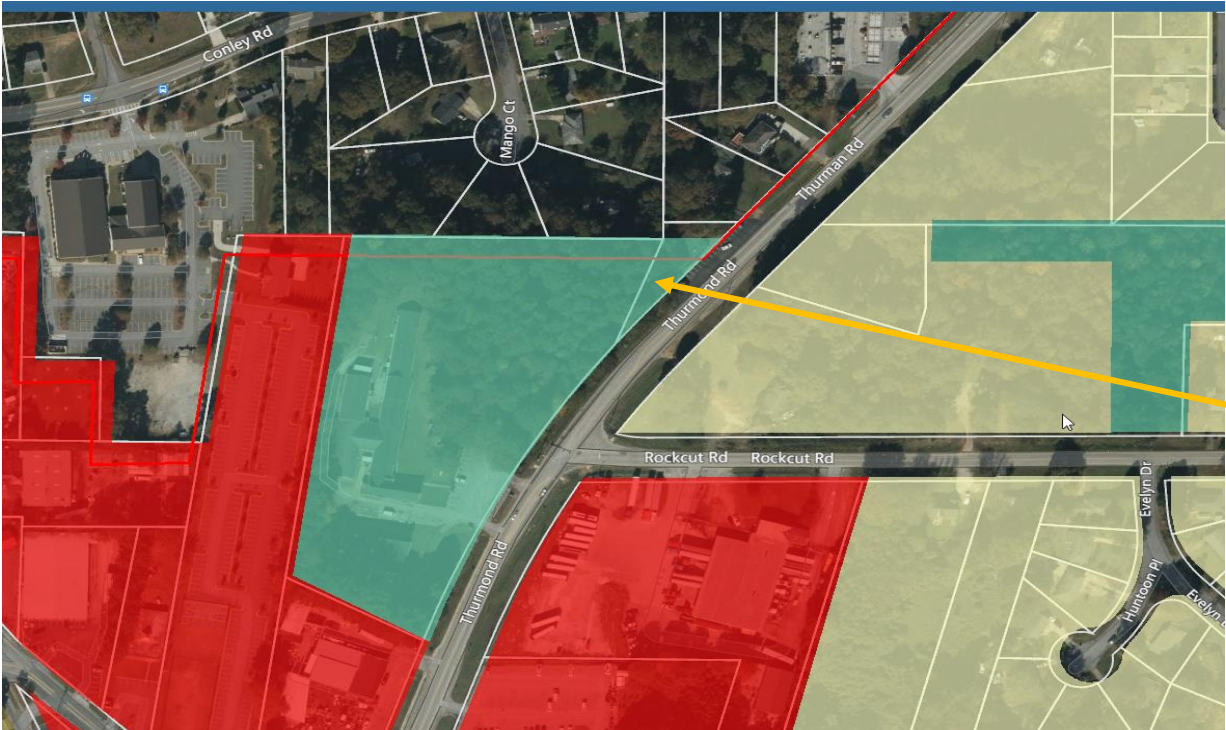


**ZONING MAP**



**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)**



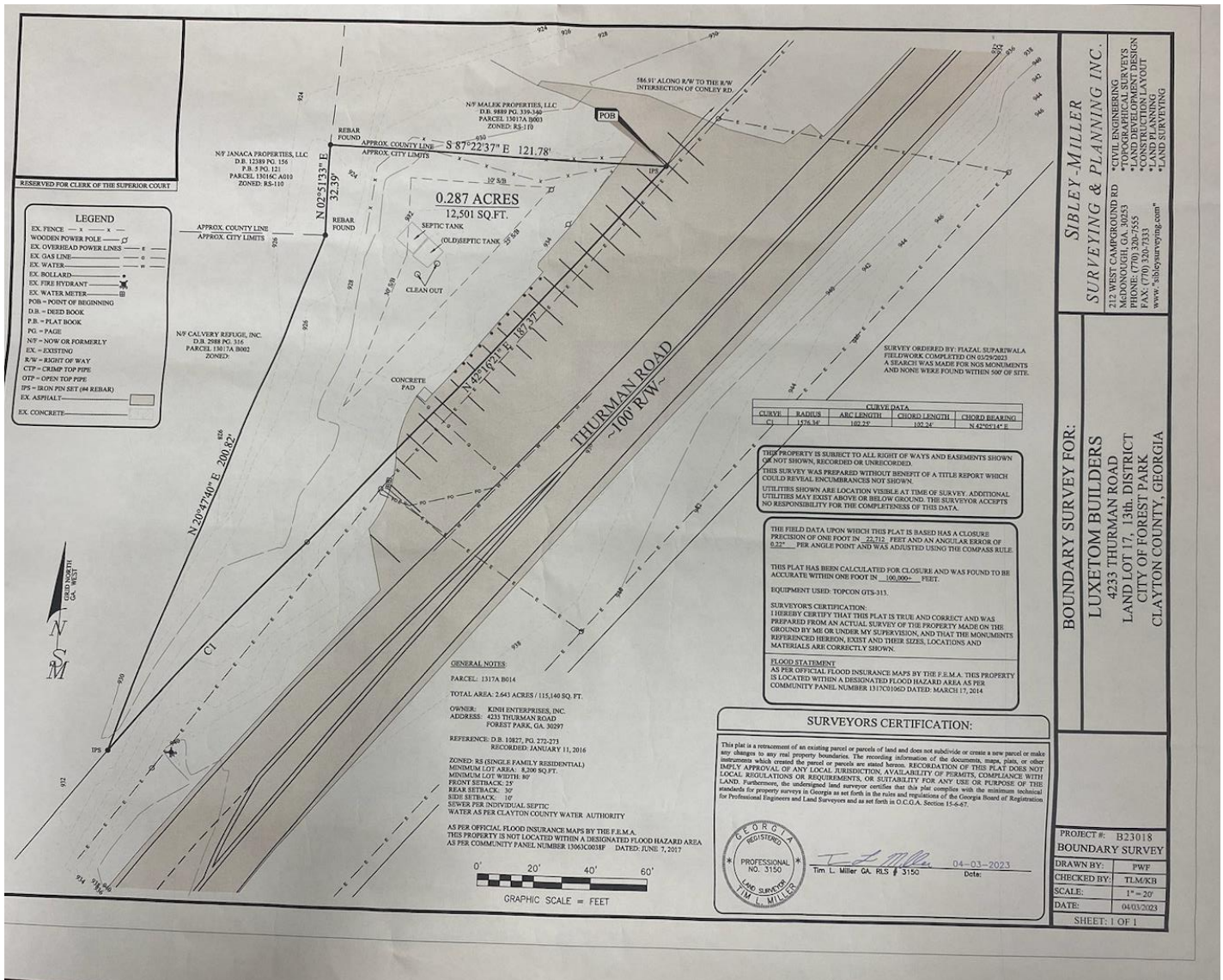


**Residential (Unincorporated Clayton Co.)**





### 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

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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](mailto: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.

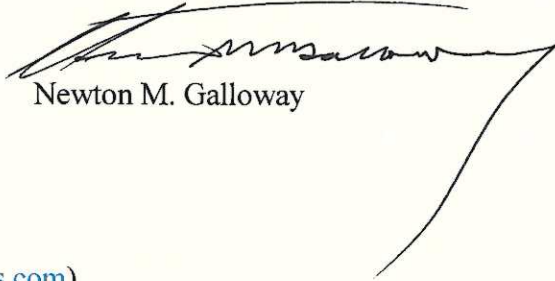
Please consider and include both of these documents as part of the above referenced Rezoning Application and the accompanying requested variance.

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](mailto: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.

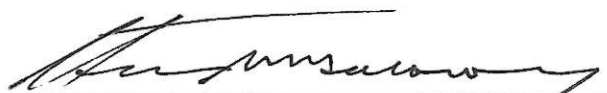
Inasmuch as it is impossible for the Owner/Applicant to use the Subject Property and simultaneously comply with the Zoning Ordinance of the City of Forest Park, Georgia, the Zoning Ordinance constitutes an arbitrary, capricious, and unreasonable act by the City without any

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](mailto: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



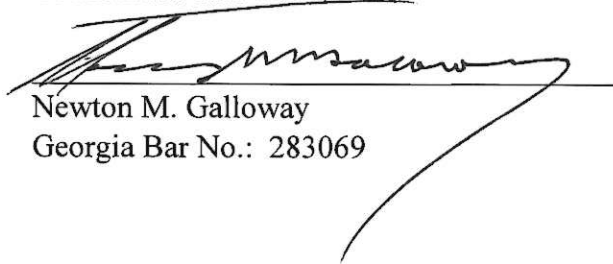
Ordinance; and/or (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial and/or lay, nonexpert opinion and hearsay evidence.

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  
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[ngalloway@gallyn-law.com](mailto:ngalloway@gallyn-law.com)

FP City Council  
July 17th

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11<sup>th</sup> 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 18<sup>th</sup> 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:**

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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 13<sup>th</sup> 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 13<sup>th</sup> 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 8<sup>th</sup> 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:

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

A Non-Mandatory Pre-Pro

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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:**

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



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

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

### PROPERTY INFORMATION

<b>Parcel Number:</b> 13079D G010	<b>Acreage:</b> 5.48
<b>Address:</b> 5370 Ash Street, Forest Park, GA 30297	<b>FLU:</b> 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

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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 1.629 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  
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A Non-Mandatory Pre-Prop

High School)  
9020-348264,  
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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.

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

to make immediate payment to the undersigned, this 11<sup>th</sup> day of May, 2023.

This 18<sup>th</sup> day of May, 2023

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

**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 13<sup>th</sup> 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 13<sup>th</sup> 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 8<sup>th</sup> 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.

**File Attachments for Item:**

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



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**

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

**PROPERTY INFORMATION**

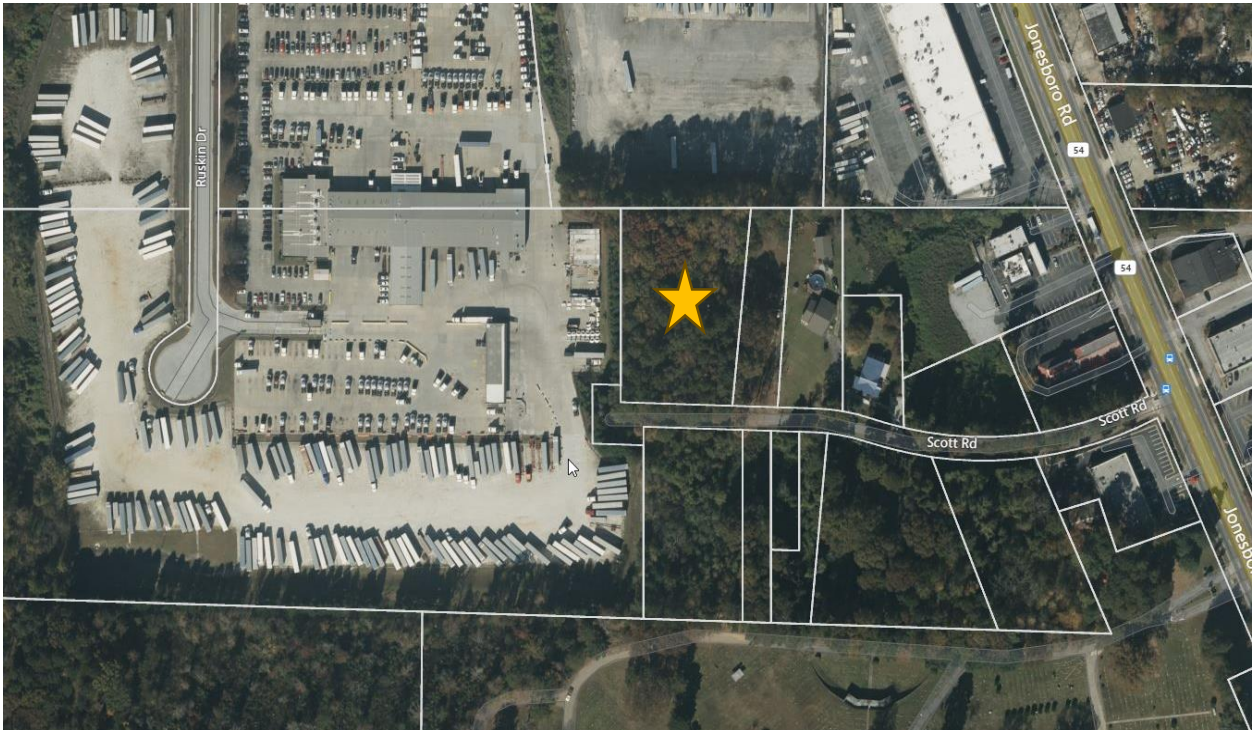
<b>Parcel Number:</b> 13015C A006	<b>Acreage:</b> 1.60
<b>Address:</b> 0 Scott Road	<b>FLU:</b> Industrial

**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.

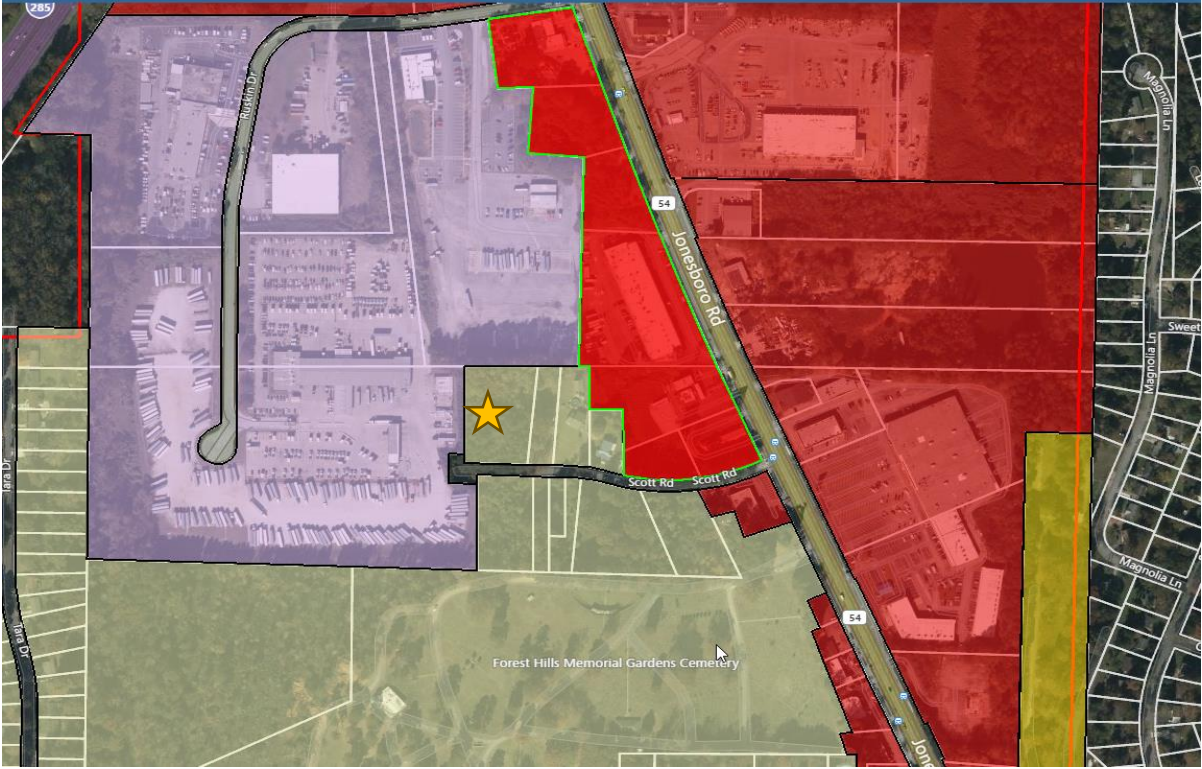
**AERIAL MAP**



**ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES**

<b>North</b>	LI (Light Industrial)	<b>East</b>	RS (Single Residential)
<b>South</b>	RS (Single Family Residential)	<b>West</b>	LI ( Light Industrial)

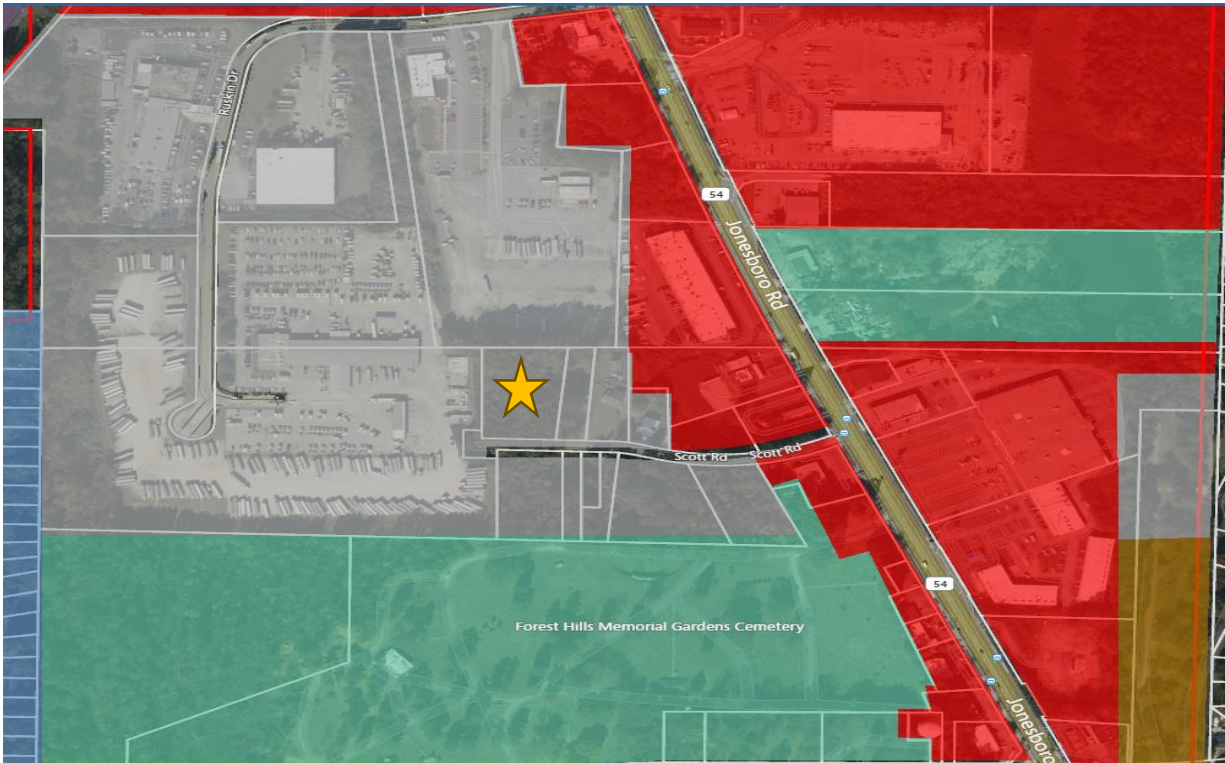
**ZONING MAP**



**Current Zoning: RS**



**FUTURE LAND USE MAP**



**Future Land Use: Institutional**

**Surrounding Properties**



**3 Single Family Homes**



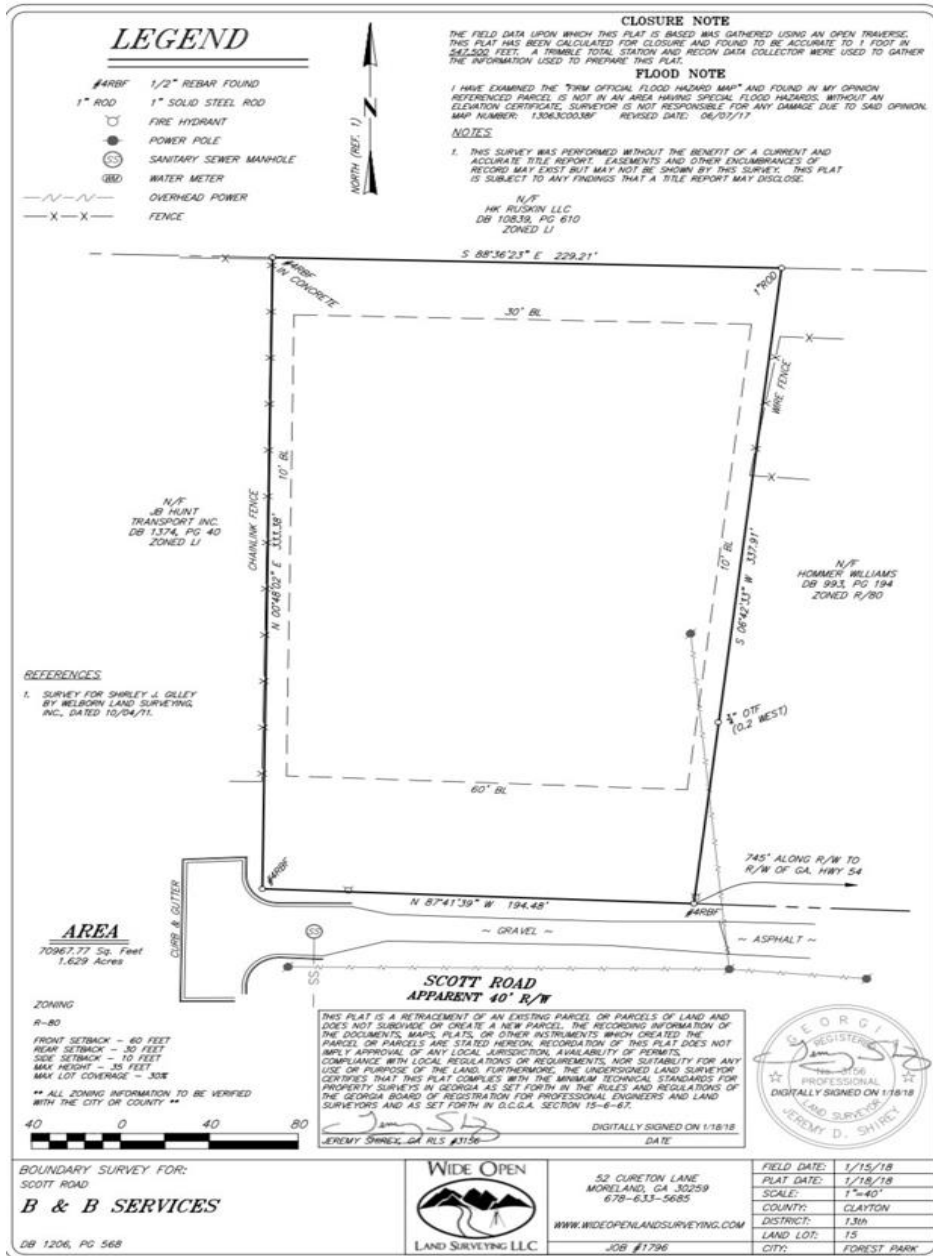


**Vacant, wooded parcel south of parcel**



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

**BOUNDARY SURVEY**







CONCEPT PLAN



LEGEND:  
 LOT  
 LOT  
 REAR PATIO

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

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**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

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11<sup>th</sup> 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 18<sup>th</sup> 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 13<sup>th</sup> 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 13<sup>th</sup> 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 8<sup>th</sup> 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.

**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 1.629 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, 6/28,7/5,12,2023

**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-2023-05** 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 1.629 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, 6/28,7/5,12,2023

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

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

**File Attachments for Item:**

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





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- 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**

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

**PROPERTY INFORMATION**

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

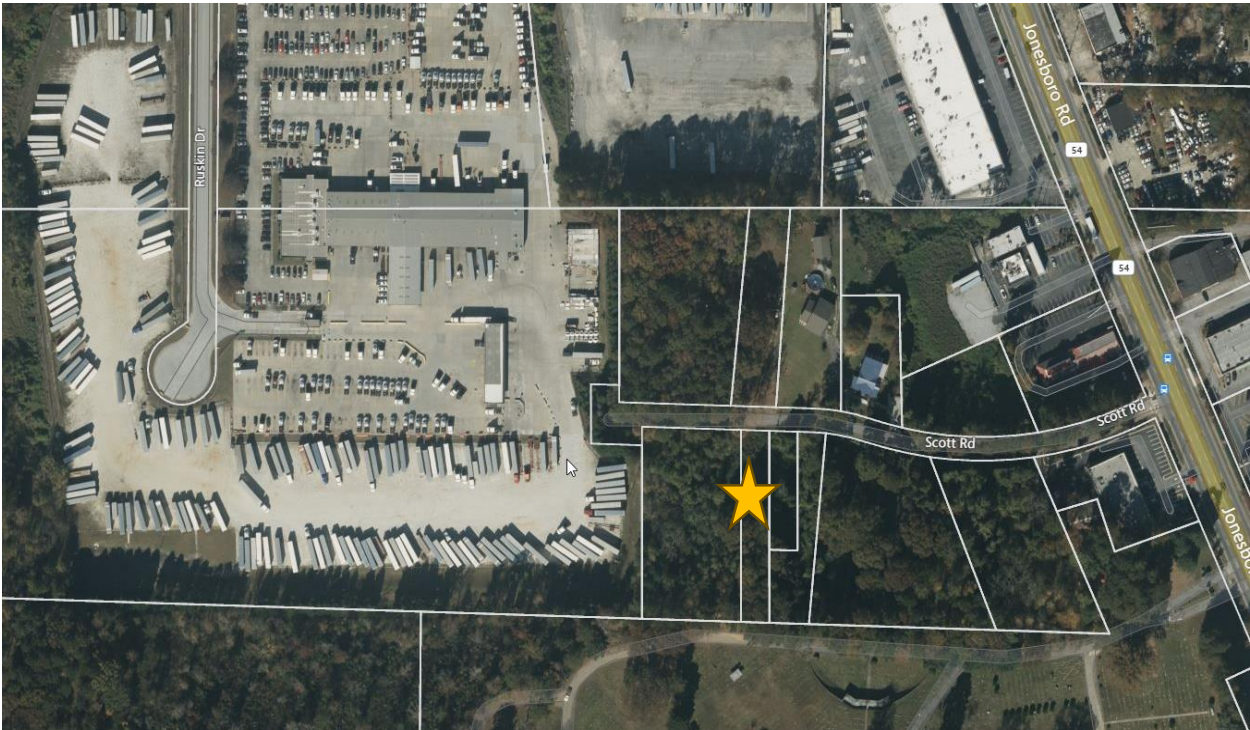
**SUMMARY & BACKGROUND**

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.

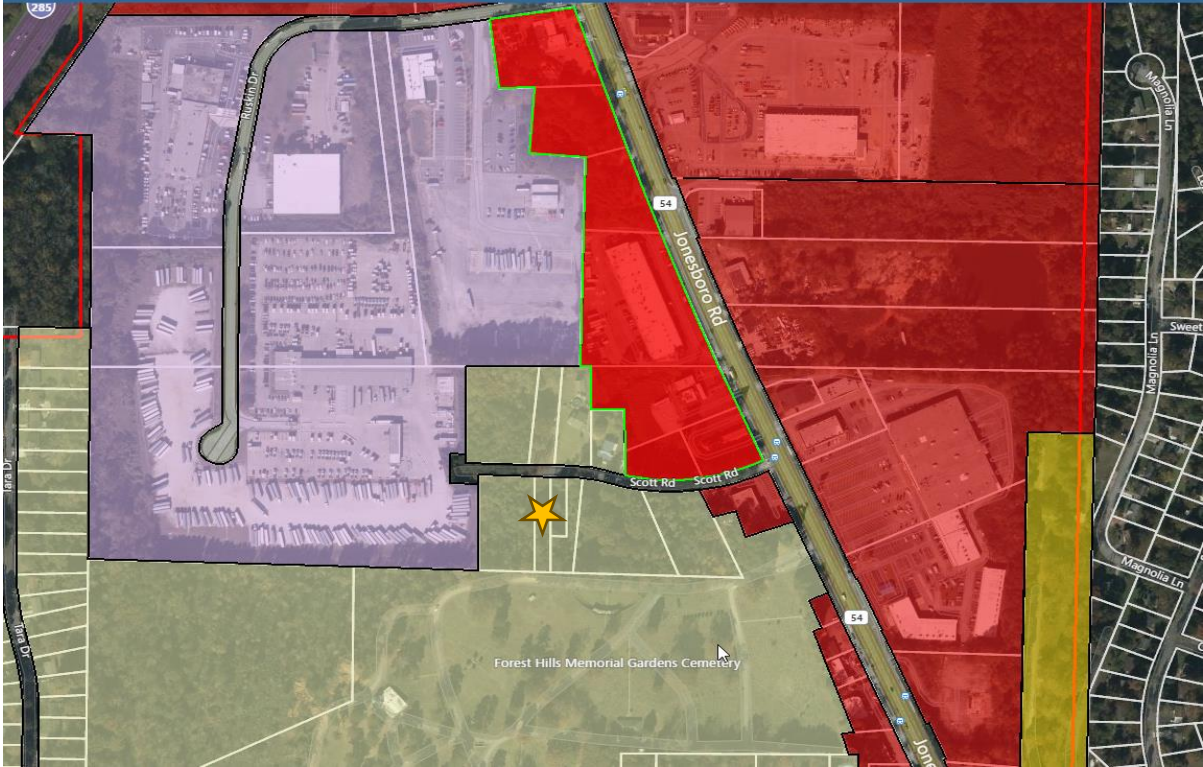
**AERIAL MAP**



**ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES**

<b>North</b>	RS (Single-Family Residential)	<b>East</b>	RS (Single Residential)
<b>South</b>	RS (Single Family Residential)	<b>West</b>	LI ( Light Industrial) & RS (Single-Family Residential)

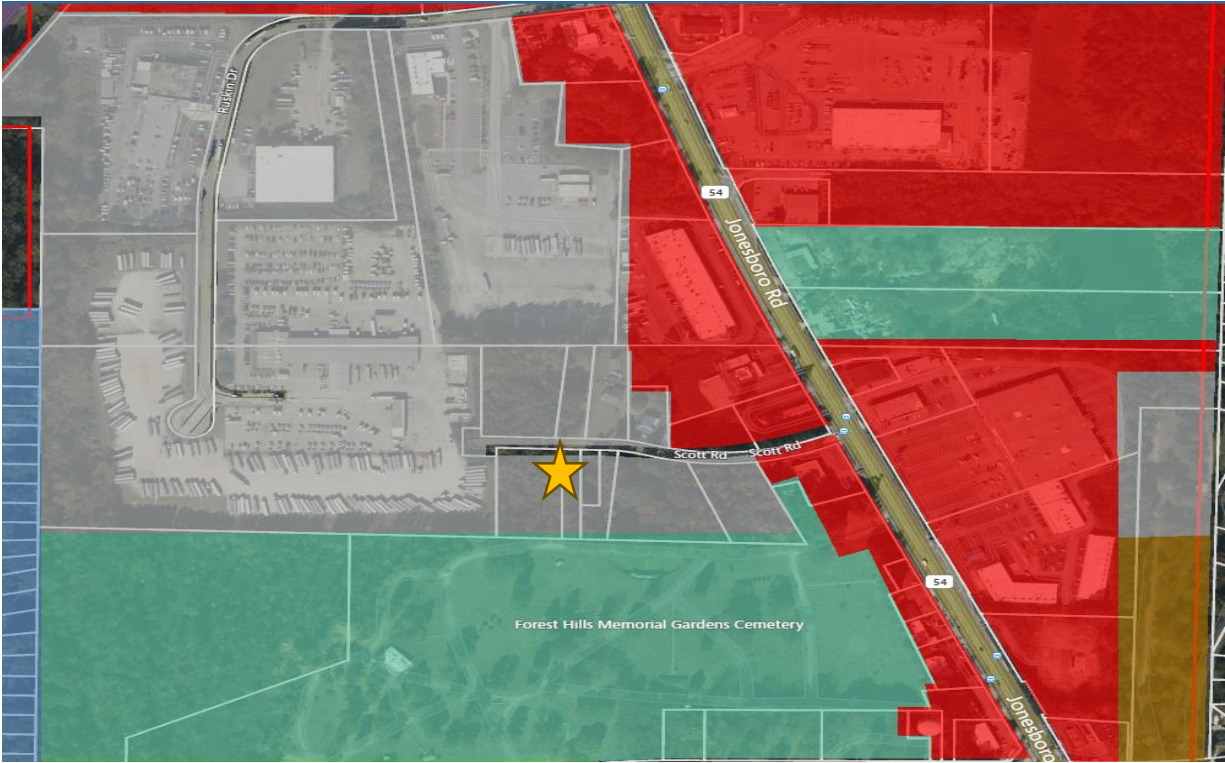
ZONING MAP



Current Zoning: RS



**FUTURE LAND USE MAP**



**Future Land Use: Institutional**  
**Surrounding Properties**



**3 Single Family Homes Across the Road**



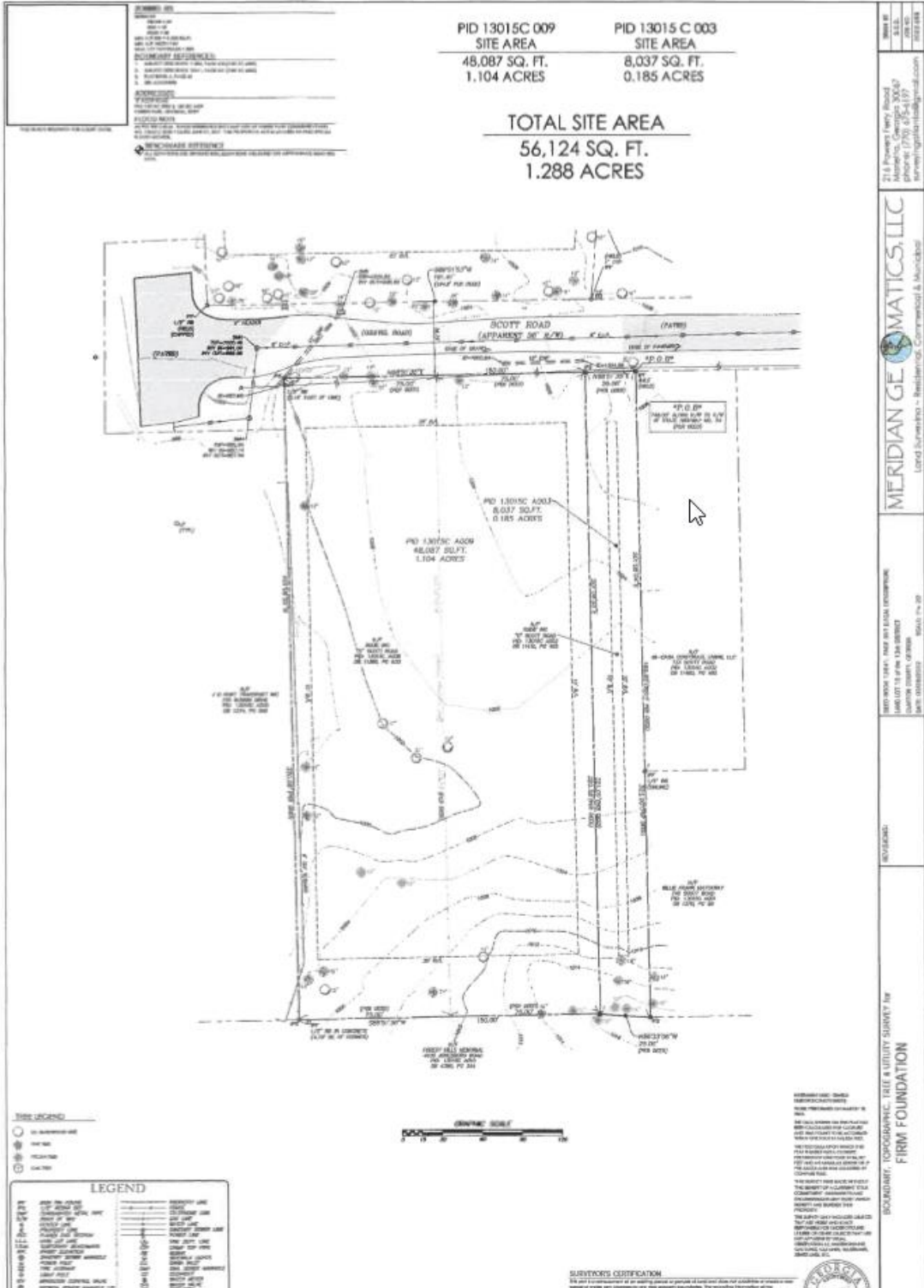


**Vacant, wooded parcel North of parcel 13015C A009**



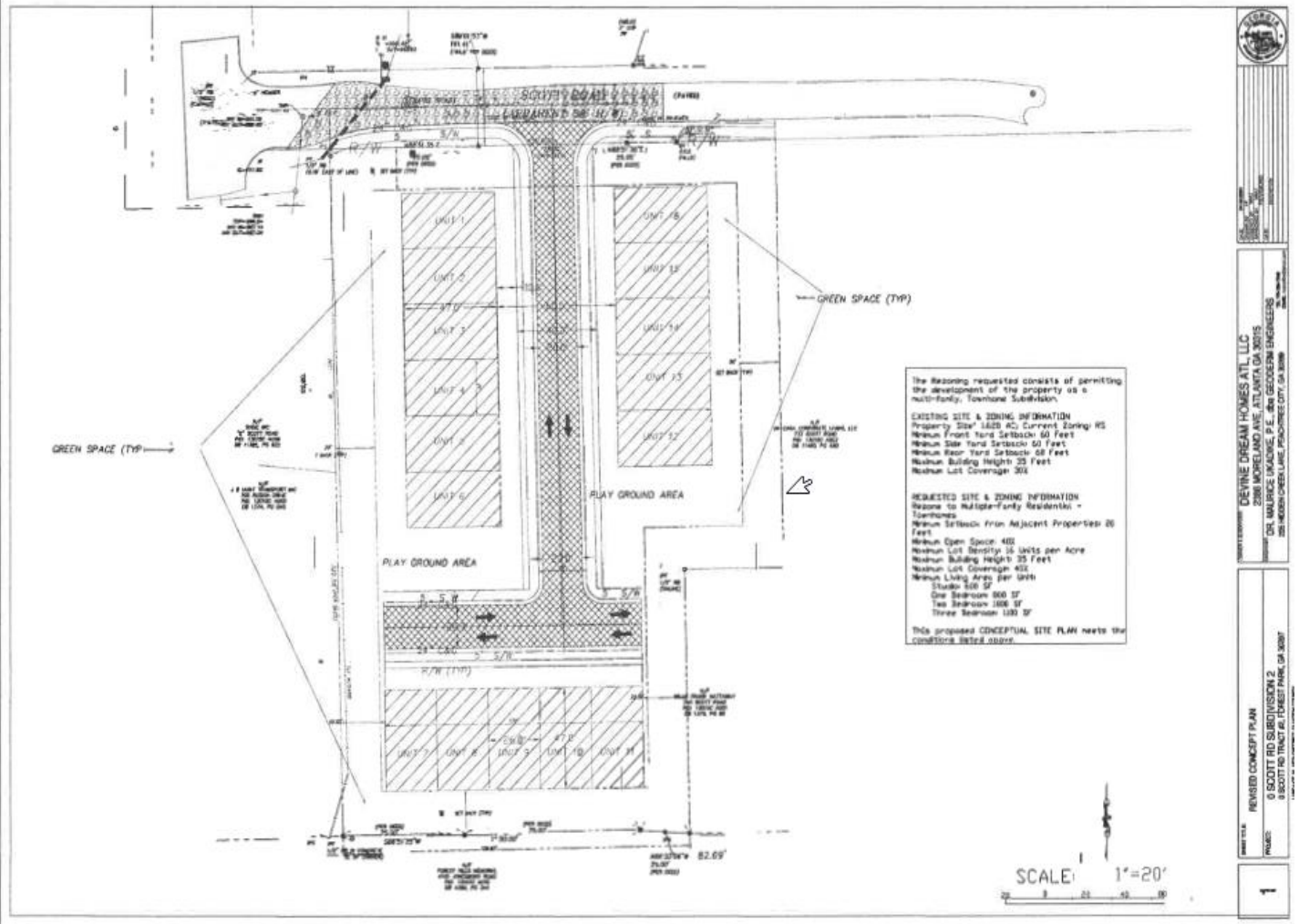
**J.B. Hunt Trucking West of parcel 13015C A009**

BOUNDARY SURVEY





**SITE PLAN**



CONCEPT 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 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

7/5 12 2023

High School)

to make immediate payment to the undersigned, this 11<sup>th</sup> 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 18<sup>th</sup> 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 13<sup>th</sup> 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 13<sup>th</sup> 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 8<sup>th</sup> 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

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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:**

**12. Council Approval of Council Work Session and Regular Meeting Minutes from June 20, 2023 and Special Called Meeting Minutes from June 22 & 29, 2023 - City Clerk**



# CITY COUNCIL WORK SESSION

Tuesday, June 20, 2023, at 6:00 PM  
Council Chambers and YouTube Livestream

Website: [www.forestparkga.gov](http://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  
S. Diane White, City Clerk  
Mike Williams, City Attorney

## DRAFT MINUTES

**CALL TO ORDER/WELCOME:** The meeting was called to order at 6:04pm by Mayor Butler,

**ROLL CALL - CITY CLERK:** A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2 <i>via zoom</i>		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5 <i>via telephone</i>		✓

Javon Lloyd, PIO Officer, Jeremi Patterson, Deputy Finance Director; Arthur Geeter, Purchasing; LaShawn Gardiner, Director Planning & Community Development; Shalonda Brown, HR Director; Diane Lewis, Deputy HR Director; Bobby Jinks, Public Works Director; Nigel Wattley, Deputy Public Works Director; Bruce Abrahams, Director Economic Development; David Halcome, Deputy Fire Chief; Police Chief; Brandon Criss; Tarik Maxwell, Parks and Recreation, James Shelby, Project Manager and Joshua Cox, IT Director.

**CITY MANAGER'S REPORT** – Mr. Clark started off by recognizing the new employees. In the Planning & Community Development Department we have Maria De La Cruz, the permit technician. In the police department we have Sgt. McDonald, Sgt Pitts, Office Israel, Recruit Jones, and Recruit King.

Under the efforts of Chief Criss, with the Forest Park Police Department, we have taken the number of vacancies in the department from 20 plus to around 4 to 5 vacancies. One of the commitments of Chief Criss was to get the police department fully staffed, not with any officer but the best officers we could find. Thank you for your dedication and commitment to working for the greatest organization in the world.

Additionally, as it relates to our employee recognition, I will ask Chief Criss to come up. One of the ways to continue to build momentum and morale within the police department, Chief Criss has instituted an officer of the month, which he will present later.

One thing mayor and council within this 100-day road map that I have laid out for the city, and you will continue to hear me talk about even in this agenda is revenue recovery, thanks to the efforts of our finance department. In the last week we were able to collect approximately \$18,000.00 in delinquent property taxes.

We are also excited about the opportunities to streamline some additional processes as they relate to our finances. Also, we are excited to report for all our employees that the audit work for Empower is underway. We have made great progress and look forward to hosting an employee town hall meeting to address the thing that everyone has been wondering about, within the next 30 to 60 days.

Due to the length of this agenda mayor and council if you will. I will defer to distributing my city manager's report via email, so that we can get down to the business of the city. Finally, I would like to recognize Ms. Diane. She has been a city clerk for the City of Forest Park for quite some time. Ms. Diane has served local government across this state in small and large communities. It has been a privilege and an honor to work with Ms. Diane, and we wish her well as she retires within the next two week. This is her final council meeting with us.

## **NEW BUSINESS:**

### **1. Council Discussion on Government Tax Solutions – Executive Offices**

#### **Background/History:**

The purpose of this memorandum is to request authorization for the City Manager to execute an agreement with Government Tax Solutions (GTS) to assist with the collection of delinquent property taxes. These services include but are not limited to list preparation, file preparation, title examinations, levy notifications & legal advertisement preparation, and submittal.

**City Manager** – We have Chris Laney here tonight to go over this. In looking at revenue and recovery we went back to 1977, just to look at some of the delinquent accounts that we have here in the city of Forest Park

**Mr. Chris A, Laney, President, Government Tax Solutions** – Just to let you I am not completely prepared, as I thought I was answering questions. Let me give you a background on our company. I have been helping communities collect delinquent property taxes for 22 years. I am a Jonesborough graduate and a Clayton County kid. My parents both graduated from Forest Park High School in 1968, that is why he said from the community. My grandfather ran the maintenance division of George Power up here and my other grandfather



ran local businesses. We come in and help cities and counties throughout the state of Georgia collect their delinquent property tax. We send a series of letters; we help administrate the tax sell process and can collect 95 percent of your delinquencies that are collectible. As he said there is 1.7 million dollars out there from 1977 through now, by law we can collect the previous seven years, that is 1.2 million. Ricky asked me to put some numbers together from what you all had and give you some estimates on what we could collect and estimated to collect. From when we start and get ramped up and going which can happen quickly. The first estimate we could collect is close to well over two hundred thousand dollars in the first two weeks to a month.

Now the hard work starts, and over a four to six months period, I estimate we could collect as much as a million dollars, more like nine hundred thousand. We use tax sale as the leverage to get collection. Our company has always prided itself on the fact that we do not want to sell anyone's property. Our job is to get them in the door to communicate with the city to get their taxes paid. We specialize in the legal research and the legal notification, which is required by Georgia law to get these things done and to make sure the city manages everything in accordance with Georgia law.

There probably is property, as Ricky said since 1977 with delinquency. There are properties out there with absentee landlords or basically, no one cares about the property anymore. Some of those properties might need to go through the tax sale process. Sometimes that could be good for the local community, get those properties in either the neighbors' hands or you could have an area that is no good to anybody else; but the neighbor next door might be able to expand parking. Our job is to do the correct legal research and give the city that information. Ricky correctly claimed that it does not cost the city anything. By Georgia law, any delinquent collections are charged back to the delinquent taxpayer, and we follow those laws stringently. The number one thing is it is always the cities under the city's control. This is not like a typical collection where if you have water bills and they are turned over to a collection company, then once the collection company receives those things then they are in control. We are always still under the advisement of what the city wants us to do with every property we are working on.

## 2. Council Discussion on Land Bank Contribution Update – Planning & Community Dev.

### Background/History:

Last year to be equitable regarding the member cities and county of the Clayton County Land Bank, the land bank board agreed that each member's share should be based on population as presented and recommended to the board by then President Mr. James Shelby. As the largest city of the County, the City of Forest Park's share equates to \$41, 250.00. The city's portion is from a total of \$125,000.00. The County's member contribution is \$250,000.00.

**LaShawn Gardiner** - I would respectfully request that this be tabled until the July meeting, that way it will give an opportunity for the Land Bank Authorities representative to be able to explain more.

**City Manager** – Yes, if there are no questions from the mayor and council relative to respective properties, because we do not have the list staff is ready to move forward with this contribution. The contribution will not change based upon the properties that are on the list. The methodology they used to determine the cost for each member city was based upon population shares, as Mayor Butler previously stated. So, if there are no specific questions as to what is on the list we would like to move forward. I think this has been vetted through our legal team, our director's, and Allie Jett, the attorney for the Clayton County Land Bank Authority, and she was not able to be here. What we could do Mayor Butler is bring her in July for an update, but we are ready to ratify this item tonight.

**3. Council Discussion on City Hall Master Plan – Planning & Community Dev.****Background/History:**

Execute Task Order PPI 2023-02 for On-Call Services. Precision Planning will develop a master plan for a new City Hall and Recreation Center Complex at the site of the existing City Hall, Planning Community Development/HR Building, and the Recreation Center. PPI will develop a conceptual design, plan and budget based on an approved program by the city.

**James Shelby, Project Manager** - I want to mention this plan would incorporate all the buildings, the city hall H.R., the rec center, and the new Rite Aid. They would create a master plan for us, and you all will approve it and then we will move forward.

**Comments/Discussions from Governing Body:**

**Councilmember James** - Question about the property that I do not think we own yet. The vacant lot that is in between us, can we have a conversation about that, or can that be included?

**Mike Williams** –Yes, it could be a more in-depth session.

**4. Council Discussion and Approval of Resolution & IGA with Clayton County Board of Elections – Executive Offices****Background/History:**

Clayton County Board of Elections has agreed to enter into an Intergovernmental Agreement with the City of Forest Park for election equipment for the November 7, 2023, Municipal Elections. There is no financial impact to the City of Forest Park. The request is for the Council to approve the Resolution and IGA with Clayton County Board of Elections.

**City Manager** - This is just for the election equipment that we use for the election cycle upon adoption of this IGA. The county has ratified the same IGA, the County elections board, and we are seeking your approval to move forward with procuring the election equipment in an effort to get ahead of the election cycle starting in August of this year.

No Comments/Discussion from Council

**5. Council Discussion/Approval of Cancellation of July 3, 2023, Council Meeting – Executive Offices****Background/History:**

July 3, 2023, meeting of the City Council will occur on the Monday before the Fourth of July. It is proposed that this Council meeting be cancelled in order to reduce any potential disruption in the city employees' holiday and vacation plans centered around July 4th.

**City Manager** - This is purely something we wanted to get ahead of. At the pleasure of the mayor and council, to cancel that meeting, and have only one in the month of July with a work session and regular meeting, on its normal recurring schedule, the meetings will potentially be a little long.

**6. Council Discussion on Lighting Services Agreement – Executive Offices****Background/History:**

As per citizen request, staff is requesting the addition of three (3) new 120-watt LED light fixtures along Elam Church Rd to aide in complaints of the area being too dark. Staff recommendation for this request is for approval; however, we also seek to implement a streetlight district policy for all subsequent requests.

**City Manager** - Our first request is for approval of the streetlights as requested for Elam Church Road. However, we would like to take this moment to try to streamline the process by which streetlights are provided within the city. Historically governments propose street lighting districts in which a certain percentage of the residents or property owners on that street contribute to the cost of any new lighting enhancements.

At current, the City of Forest Park pays for every street like within the city and as you can imagine there is no budgetary way for us to manage what that cost looks like. So, what we are proposing is discussion surrounded around implementing the street lighting district. We have put into place some simple language for you all to consider as it relates to how this will flesh out the resident would not be billed every month for it. It would fall on their tax bill, and it would be amortized over a period.

If a resident on a particular street in the city wants a streetlight, the only thing they would have to do is get 51 or more percentage of individual property owners on that street to attest to it or the rental. If the property owner agrees we would then move forward to petitioning the mayor and council to add said streetlights, however that cost would not solely be on the city of forest park. Right now, we are averaging close to \$200 thousand dollars for just streetlights in residential neighborhoods. This is just one of those housekeeping measures, it is not something new it is new for the City of Forest Park, but it is just one of the things we want to do to streamline what our processes are.

#### **Comments/Discussion from Governing Body:**

**Councilmember James** - Does that mean the streetlights that are currently there? Will we look to separate that bill now or are we talking about new lighting?

**City Manager** - It would be my recommendation that we do not go retroactive. If it is this board's pleasure, we could at least make the ask, but those streetlights have been approved. One of the things that we are starting to do for these recurring contracts throughout my administration is place them on the agenda. They will be in the minutes, so that everybody is aware of the contracts that we have executed. We have not anticipated going retroactive and would start this policy at said date upon adoption.

#### **7. Council Discussion on Implementation of Adopt a Cop - Police Department**

##### **Background/History:**

The Forest Park Police Department is currently authorized to have 95 sworn officers, 63 of which are police officers. Approximately 85% of the police department has less than 3 years of law enforcement experience.

As a department with a young department, the implementation of this program will allow for senior officers to provide mentorship and guidance drawing upon their years of experience.

**Chief Criss, Police Chief** - Just one small piece of information relating to this program's implementation. As I have said it is an extremely young department, and I want to be able to have the best officers in the City of Forest Park. With a young agency, we have several senior officers coming into our department. This

program will allow mentorship within the agency to help our officers progress. I just wanted to bring this before the mayor and council for discussion if there are any questions.

**Comments/Discussion from Governing Body:**

**Councilmember Antoine** – Great job chief, no questions.

**Councilmember Gutierrez** – I love the initiative chief. I am taking a class now on hiring procedures, and just for the retention of employees. That is a huge percentage of the amount of turnover there is when people do not feel supported. I am glad you are standing in front of it now and not later assessing it. Thank you.

**Councilmember Wells** - I second that, thank you chief.

**8. Council Discussion/Approval to Amend the Simplified Noise Ordinance – Police and Legal**

**Background/History:**

It is proposed that the City's noise ordinance be significantly simplified. The ordinance was last amended on October 5, 2020. Under the current ordinance, a decibel meter is required to be utilized to determine whether a person is in violation of the ordinance. It is proposed that the city move toward a "plainly audible" standard under which a violation is noted where a noise is plainly audible more than 100 feet from the source of the noise. This standard is more consistent with the State's noise enforcement standards and easier to enforce.

**Chief Criss, Police Chief** - Current Georgia law requires officers to use the training of their ears as well as visual as it relates to distance, as it relates to enforcing noise violation from moving cars and things of that nature. The current city ordinance is difficult to enforce because there are many different stipulations inside of the current ordinance. This current ordinance has been pushed through legal and allows the officers to use their eyes and ears as it relates to enforcement of the city ordinance.

**Comments/Discussion from Governing Body:**

**Councilmember Gutierrez** – What would you use, is there an actual tool?

**Chief Criss** - Yes, they would use a decibel meter and they would have to go to the department to get the decibel reader and then return to the location, by that time the noise is gone. Now when the officers arrive, they will exit the vehicle and they would take a guess or estimation on how far they are from the location where they are hearing this noise pollution. If it is outside of one hundred feet and they hear it, they will be able to enforce it.

**9. SeeClickFix – Executive Offices**

**Background/History:**

As part of our One Forest Park Initiative, we continue to find ways to better interact with our residents. From tree branches to street issues, SeeClickFix will allow residents to report quality of life issues to the City of Forest Park. SeeClickFix, the place-based reporting platform allows residents to document neighborhood concerns and improvements alike, ranging from litter and flooding to damaged sidewalks and malfunctioning traffic signals. The application will geo-locate the issue, which allows City staff or other

relevant agencies the ability to see the specific concern and know its location. The application allows residents to receive updates from the City as the issue is resolved.

**City Manager** - Our director of Information technology and myself, we are going to tackle this. We are excited to present this item as we step our first foot inside for modernization and digitization of the City of Forest Park. One of the things that I have noticed since I have been here is that our council members and our mayor are busy within their respective wards. This will just aid in some of the phone calls. It will aid in some calls to you, your constituents and to your city manager. However, it allows for accountability on all sides.

We will be able to provide you with monthly reports as to when the infraction occurred regardless of what it was. In addition to that, you would be able to see in a heat map format, where the different violations are going on. Whether it is code violations, whether it is public works and one of the things that I shared with SeeClickFix is that we want to be the first entity that integrated all their departments under one app. The beauty of it is both I and our Information Technology Director, Mr. Cox, have utilized this system. Our aggressive plan is to implement this app and release it before the end of summer with full Forest Park branding. Not only just with our new city logo and our seal and pictures of our elected officials, but we will be able to push notifications. It may be weather alerts, special events within our recreation and leisure department, and the police department simply with a BOLA or missing person.

We will be able to use one comprehensive application to push this information out to everyone. Councilman Gutierrez sent this information to us based upon a call that he had. It was two years ago and so we took the ball and ran with it just to try to get it over with. Anything further as it relates to the technological infrastructure, our own Director of Information Technology Mr. Cox,

**Josh Cox** – I will be happy to answer any questions.

#### **Comments/Discussion from Governing Body:**

**Councilmember James** – So, I do remember this presentation at one of our conferences. How much is this going to cost, I know it say that it is budgeted for?

**City Manager** - The complete cost of SeeClickFix is tethering around twenty thousand dollars one of the things that we are going to identify, since this is a way for us to continue to communicate and enhance our technological infrastructure, we are going to look at the feasibility of using already designated ARPA Funding for this cause. In addition, if we are not able to use ARPA Funding, which we know that we will be, we have some additional funds left within our technological budget that we can use to offset the cost of this expense, just based upon us being at year end.

**Councilmember Mears** - I agree.

#### **10. Council Discussion on City Edge Project Quarterly Update – Executive Offices**

##### **Background/History:**

On September 7, 2021, the City Council approved to set aside \$400,000 of the American Rescue Funds allotment to aid with rental assistance specifically for residents of the City of Forest Park. The city received a proposal from the City Edge Project based in Forest Park to help administer the city's rental assistance



program. This is the Quarterly update for the Mayor and City Council on the City of Forest Park's Fast Track Rental Assistance Program. This program is administered by the City Edge Initiative on behalf of the city.

**Ashely Beeler, City Edge** - I want to give you an update on the numbers since we started the second quarter with \$300,000. The numbers have been extremely low for the third quarter from October, November, December. We had one to three people and that was only \$21,000. Moving forward January to March we only spent \$45,000, but the numbers were between four to six. It is the same for the next two months, April and May. The numbers are consistent, but they are low, and I do not know what you all want to do to move forward, since we are not spending much.

I was invited to a community fair that is coming up on Saturday the 24<sup>th</sup> to sit with some other programs that are doing rental assistance. I hope this will help to increase the number so that we can go ahead and move this money, because we still have a good bit left. The total is around \$148,000 left to spend for rental assistance. The numbers are consistent, they are just low. Income is still an issue, we had about 63 percent that have income, but it is low. They are still not able to pay their rent and need more. The numbers are still increasing as far as denied people, because they do not qualify for Covid, which is the main issue.

#### Comments/Discussion from Governing Body:

**Councilmember Gutierrez** - Thank you so much for the presentation. The need is there like you said. It is because of the qualifications of what it needs to be for Covid. I do not know as a council if we can change it in any way. I have been to a few events that our school district has had at Extended Stay Motel, and we have a few here in Forest Park. We have a lot of our children in the community that could use that help. So, I hope that we can reconsider, if possible, allocating that money.

**Councilmember Akins-Wells** – That is what I was going to say. We need to change the qualifications because we know there is a need for the funds. We just need to figure out how to get them to the community. How are we as a city pushing out the information so that residents know about it? It is not that they are not applying because they are.

**Ashley Beeler** – Lots of people are coming from other cities after hearing about us, and I had to reject them because they are not City of Forest Park residents. Some are applying that are residents of Forest Park, but they do not meet the qualifications. At the last meeting we talked about the treasury saying it had to be covid related, we cannot change it which is another issue. As far as the Extended Stay we had a few people to apply, but I knew that was not a requirement, so I had to reject them. I think we should change it if we can.

**Councilmember Akins-Wells** – Is there something that can be done, or does it have to be covid related? Can we not change that?

**Ashley Beeler** – Can we change the time frame for it?

**Mayor Butler** – What do you mean?

**Ashley Beeler** - I know that is something that we talked about before. They may say they had Covid in January, but you are only behind for this current month. It does not justify that it was behind due to covid. I know we talked about it before, should it matter when they had Covid. Can we help them just to go ahead and use the money?

**Mayor Butler** – If the State of Emergency surrounding Covid has ended, can we still use these funds for Covid related purposes or can we reallocate it as the council seems to be directing?

**City Manager** - One of the reasons why we wanted to have this presentation is I have spoken to Ms. Beeler and her team. My recommendation is for us to bring this funding in-house, reevaluate the program, issue new guidance relative to how we spend the dollars and then reissue it. My thought process is individuals experiencing evictions at this point. Some of it could be based upon the fact that during the pandemic, they got so far behind and even with the assistance that we have provided them they are only able based upon the requirements of this program to receive said funds one time.

Some of the individuals have requested it twice, but my thought process is to let us bring this funding in-house, let us reevaluate the program, let us look at the needs of our community let us get with our PIO to issue a new marketing campaign. Then we can decide how we wish to move forward with expending said dollars because we only have a little bit more time to spend down these dollars. So, if it is the pleasure of the board, it is an action item just for direction from the mayor and council to see if we can reevaluate how we handle this program.

**Mayor Butler** - Is that something that the council would be amendable to?

**Councilmember James** – Yes, I agree we can reevaluate. I also want to ensure that we are following the guidelines in place. There were certain requirements or restrictions that were in place for us to receive the funds, so we need to make sure that we are going back to that as we re-evaluate.

**City Manager** – Yes, and the final rule that the Department of Treasury issued, as I am sure you know, has changed several times. So, the intent of said funds speaks to the corpse of us helping or improving a community that was distressed throughout the pandemic, I think we will be fine, because what happened your allocation of funding was based upon your population size. You, as a local governing body, can choose within certain standards what you want to allocate said funds for. Bringing it back in allows us to do a clean sweep. We can bring it back in, re-evaluate the program, issue new guidance and then re-push the program as to how mayor and council want to see it happen. I spoke with Ms. Beeler about this.

**Mayor Butler** - Any other questions or comments?

**Ashley Beeler** - Should I go ahead and move forward with the event on the 24<sup>th</sup>, until you all ask for the money back to reallocate it.

**Mayor Butler** – Mr. Clark, will be back in touch. We are going to vote on this in the seven o'clock hour.

**Ashley Beeler** - Okay.

## 11. Discussion of a Home Repair Grant Program and Guidelines - Executive Offices & Procurement

### Background/History:

The Final Treasury Rules around the American Rescue Plan Act (ARPA) funds which took effect April 2022 appropriated funds that local municipalities could use to aid Disproportionately Impacted Households and Communities. Per the direction of the City Council, the City Manager reviewed several programs to determine the proper criteria and use and submits for council review and prerogative the attached

guidelines. Such improvements will increase the lifespan of the City's housing stock, work to address systemic housing inequities, and stabilize home values for the neighborhood and the residents.

In February 2023, the city issued an RFP for Home Repair and associated guidelines. The RFP was advertised on 02-21-2023, and 3 proposals were received. The fees for the services came in well over \$300,000 per year. After extensive conversation, the City Manager is requesting to save the money for the consultant and to bring the process in-house.

**City Manager** - Mayor and Council again, my apologies; we have been looking at how we do business as a city. Mr. Geeter worked hard to push out this RFP for these dollars that have been appropriated for this home repair program. However, there is no way that I can look at you in your face and tell you that we paid three hundred thousand dollars to a consultant to do work that you pay administrative administrators to do every day. For this type of program, it is a simple grant application. We will make it easy to where they can either fill it out digitally or electronically, submit it through the office of grants method within my office, and we will move forward with it that way.

I do not think it is a good use of our funds to pay a consultant three hundred thousand dollars, when those funds can be pushed out to the community to begin repairing some of the houses that are here. The other thing that we are looking to do, this program was limited to only residential units, but when we travel up and down some of our busy commercial districts, we see things such as abandoned signs and buildings that need to be painted. We just do not get the feel of what I know you all envision for this community. A portion of these funds we want to appropriate to businesses for beautification. Those beautification efforts do not include dollars inside the store, it simply includes you ensuring that the aesthetics of your building resemble what it is that I know you all want to see.

So, my request here tonight is to not move forward with the RFP not expending three hundred thousand dollars, but to move forward with allowing our residents our seniors especially, to receive said funds and reevaluating the program criteria that we have and hope to release this program sometime by mid-summer. Mr. Geeter is here to add more regarding the RFP process that he issued out.

**Mr. Geeter, Procurement Manager** - What we are requesting is that we cancel this RFP, follow the city manager's lead, and bring it in-house.

**Councilmember James**- The RFP was to determine the funds that we were going to use to fix up the homes in the community, and not necessarily the business community or the city facilities, but the actual homes, correct me if I am wrong. If we are moving it in-house, are we now saying that we will have an opportunity for our seniors or our people that are our Legacy Residents to apply for some type of home improvement through us?

**City Manager** – Correct, because the RFP was for a consulting firm to help distribute the money, like City Edge. So, what we are saying based upon the cost that we received back we would rather appropriate that three hundred thousand dollars to help even more of the Legacy Residents that we have in this community.

**Mr. Geeter** – Incidentally, it was three hundred thousand dollars per year.

**Councilmember Gutierrez** – I am excited about this. Thank you for bringing it back in. I like the business aspect of adding this to it. Let us make sure we keep a balance of like 70 percent people. I like this idea, I was more for our people, and I am all about beautification, but I want to make sure most of this money

goes to our people. What is the process and, Mr. Geeter, who is going to do the job? I know different contracting companies that are smaller within the city. I think it would be an opportunity to give them the chance to come up. It is not a huge contract but could be a smaller thing to keep it local.

**Mr. Geeter** – Originally, it was tens of thousands of dollars per homeowner. We still need to address but it is over a hundred different homes. We could address it and since it is only about ten thousand you will only have small contractors who would even be eligible or even want to participate in this. We will make sure that the homeowners are aware of small contractors, but it is up to the homeowner to contract those contractors for the work.

**Councilmember Gutierrez** - We do not have a recommended list; they choose whoever they want?

**Mr. Geeter** - I am not sure if we want to get into it.

**City Manager** - My recommendation would not be for us to have a list. However, the contractor would have to be bonded, have insurance, and have a valid state license, that way we are not getting involved or endorsing a company that goes out and does unpleasant work. We are totally off the hook and the funding would go to the contractor, correct?

**Mr. Geeter** – That is correct.

**City Manager - One of the other things we must address is what one of the council members asked.** If the resident could pay? I remember going to the senior center, one of our Legacy Residents asked about replacing their HVAC, because their home has never had HVAC. Well, if they could pay for it, they would have already had it done, but we are relying on them to pay for it and we reimburse them. This is something we must look at. If that is the situation, we will work with our legal team to produce some type of agreement to pay the contractor half, because we know the seniors do not have the money to do the work. I am not sure how Attorney Williams will feel about that, but we will consider if the individual seniors could do the work themselves, they would not need our grant dollars.

**Mike Williams, City Attorney** – One of the things we talked about was requiring residents to get three bids to submit. Then the staff would review and confirm the value that we want to have. We do not want them to get ripped off or pay too much. Similarly, to the rental program we can insist that we pay the contractor directly. That would resolve some of the situations the city manager is talking about.

**Councilmember Mears** – I agree.

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

It was moved to recess into Executive Session at 6:51pm for Personnel, Litigation or Real Estate matters.

Motion made by Councilmember James, Seconded by Councilmember Mears.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

It was moved to reconvene back into the Council Work Session at 7:07pm

Motion made by Councilmember James, Seconded by Councilmember Mears.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-

Wells, Councilmember Mears

**ADJOURNMENT:**

It was moved to adjourn the June 20, 2023, Council Work Session at 7:07pm

Motion made by Councilmember Mears, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-

Wells, Councilmember Mears

DRAFT





# CITY COUNCIL REGULAR SESSION

Tuesday, June 20, 2023, at 7:00 PM  
Council Chambers and YouTube Livestream

Website: [www.forestparkga.gov](http://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  
S. Diane White, City Clerk  
Mike Williams, City Attorney

## DRAFT MINUTES

**CALL TO ORDER/WELCOME:** The meeting was called to order at 7:07pm by Mayor Butler.

**INVOCATION/PLEDGE:** The invocation and pledge were led by Minister Cook, Rock Church.

**ROLL CALL - CITY CLERK:** A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2 <i>via zoom</i>		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5 <i>via telephone</i>		✓

Javon Lloyd, PIO Officer, Jeremi Patterson, Deputy Finance Director; Arthur Geeter, Purchasing; LaShawn Gardiner, Director Planning & Community Development; Shalonda Brown, HR Director; Diane Lewis, Deputy HR Director; Bobby Jinks, Public Works Director; Nigel Wattley, Deputy Public Works Director; Bruce Abrahams, Director Economic Development; David Halcome, Deputy Fire Chief; Police Chief; Brandon Criss; Tarik Maxwell, Parks and Recreation, James Shelby, Project Manager and Joshua Cox, IT Director.

**PRESENTATIONS:****1. Forest Park High School Recognitions – Executive Office**

Mayor and Council presented certificate of recognitions to the following persons from Forest Park High School for the year 2022-23 and took pictures:

Elijah Johnson-Region Player of the Year; Eduardo Gopar Gopher-2022-23 Valedictorian; Bradley Murphy- Region Pitcher of the Year; De'Antae Milling-Principal Award; Elisha Jones-Fox 5 Teacher of the Year; Gian Tran-2022-23 Salutatorian; Samuel Garcia-Teacher of the Year; Joshua Froneberger-Baseball Coach of the Year and Cary Hargett-Boys Soccer Coach of the Year; both Mr. Froneberger and Hargett were Region 3 AAAAAA.

**Cary Hargett** – I want to say good evening to everybody. First, I want to give thanks to several people here. I want to thank Councilwoman James for the recognition. I also want to thank Dr. Dancy and the staff at Forest Park, because none of this would be possible without these two ladies and all the kids and everyone in the community. So, I just want to say thank you for this acknowledgment and hopefully we will keep making you guys proud. When you are bored next spring come out and support the soccer program, come out and support baseball because we are doing some great things. We are trying to win a championship, we are close, and would really appreciate your support. Last, but not least I want to thank my wife for coming and supporting me. I will say this as a coach when soccer season starts, I do not see my wife too much and when I get home I usually do not want to be bothered especially if we lost and something didn't go the way I wanted it. She has really been very supportive of me doing my journey. So, I wanted to say thank you, and thank you guys, the parents and community.

**Joshua Froneberger** - Thank you all for coming out just to piggyback off what coach Hargett said. I would like to thank the administration, Dr. Dancy, and her staff as well as Councilwoman James and her staff; and a special thanks to Mrs. Akins-Wells, as my first cousin. As you can see this is a Forest Park thing. I am a Forest Park kid who grew up here and came back to the high school to teach, and to teach the game of baseball. This year we were blessed to have the player of the year as well as the pitcher of the year, because their hard work on and off the field, in and out the classroom, the persistence and just great foundational parents they have is just a testimony to the dedication of Forest Park. Thank you all for coming out and thank you for the recognition as well.

**Councilmember Akins-Wells** – I am so proud of my cousin. We are just kids from Forest Park, we grew up in the city of Forest Park and we are serving the city of Forest Park. I just want to tell you a little bit about the type of man that this guy is. I am getting emotional talking about it, because coming up in Forest Park was not easy.

He is a product of his environment. He left, he went to play baseball and he came back to give back to the community that raised him. I am just so proud of you, he has instilled so much in my son and my son graduated this year and also played with Elijah, and I am so proud of you Elijah, congratulations. I just want to say when live in the community you can leave and come back and give back to that same community and Josh from Froneberger is living proof. I just want to say thank you, I thank God for you, and I am glad that you came back to the City of Forest Park that raised you to serve your community.

**Councilmember James** - I want to bring up Dr. Dancy and Victoria Williams.

**Dr. Dansey, Principal of Forest Park High** - I was so excited when given the invitation by Miss James. I am the recently appointed principal, although I have been at Forest Park High School for 10 years. This is just a small example of the greatness that is going on at Forest Park High School. We had a few individuals that could not be here, one is a salutatorian who has a full ride to Brown University, our other salutatorian could not be here she is going to Georgia Tech on a full scholarship. You see EJ, you see Bradley, you see Coach Josh, and you see coach Hargett. There are amazing and awesome things going on at Forest Park. We just wish to keep on with greatness and excellence.

**Victoria Williams** – I just want to say congratulations to everyone.

## 2. DHS Medicaid Redetermination Presentation – Legislative Offices

**Martha Whaley - GA Department of Human Services** - Spoke to everyone about the changes in Medicaid Redetermination and shared a slide presentation.

### Comments/Discussion from Governing Body:

**Councilmember James** – When I first spoke with Ms. Martha, and she shared the information about if you get a letter and do not respond and your contact information is not correct you are going to lose your services. It is important for the community members that are transient to go in and update their information, so they do not lose benefits for their kids.

**Councilmember Antoine** – Thank you, I have taken mental notes and I will be sharing this information.

**Councilmember Gutierrez** – Thank you, how can people get more information on this if they have questions?

**Martha Whaley** – Mrs. James has my contact information she can also your contact information with me. I will email links with more information you can share and leave some flyers outside.

**Councilmember Gutierrez** – Is there information in Spanish also?

**Martha Whatley** – Yes.

**Mayor Butler** – State Representative Rhonda Burnough, has a flyer that we are going to post on our website. She shared with me in conjunction with Chairperson Turner and Clayton Board of Health, they are coming up with a systemic plan to go into the communities to make sure people have awareness, and the ability to answer the call of the letter and to check their profiles accordingly. It is important that all of us really get the word out to make the residents do not fall out of the redetermination process.

## 3. Proclamation in recognition of LGBTQ+ Pride Month

Mayor and Council presented a proclamation in recognition of LGBTQ+ Pride Month. Mayor Butler asked if any was in the audience that wanted to speak.

**Javon Lloyd, Public Information Officer** - I just want to say thank you to the mayor and Council. One of the things that I did reflect on was that I had to realize that it is not easy for everybody. There are still a lot of people out there that face discrimination. I know a lot of friends who have lost their jobs or employment just because of how they want to live their life. So, I just want to say thank you and I appreciate being able

to come to a job every day where I can be myself. I am not judged because of the way I live, but by the character of my work and by the character of who I am as a person, so thank you.

**Sgt. Brittney Sparks, Forest Park Police Department** – Mayor, council and citizens of Forest Park and you know my employees, thank you. I mean there is nothing better than being able to come to work and be yourself and not be judged by what you go home to. I am grateful and happy to be here.

**4. Recognition of Edwin Torres – Level II GACE Certification – Executive Offices**

Mayor and Council recognized Edwin Torres for receiving his Level II GACE Certification, which he will officially receive in September during the GACE Fall conference. They took pictures with all of the Code Enforcement employees that were present.

**Edwin Torres, Code Enforcement** - I just want to say thank you to the city for allowing code enforcement to advance to the next level. I want to thank our director Lashawn Gardiner for allowing us that budget to go out there and receive these certifications. Also, to our coach Officer Flemming, who is our supervisor coaching us on a daily basis, thank you.

**5. Recognition of officer receiving the Attorney General's Award for Distinguished Service in Community Policing - Police Department**

Chief Brandon Criss recognized Officer Sheena Shelton who received the Attorney General's Award for Distinguished Service in Community Policing.

Chief Criss, stated that Officer Shelton had responded to a domestic call involving a woman who was suicidal and threatening her husband with a rifle. Upon officer Shelton's arrival, the threats were then targeted towards her. After 4 long hours of negotiations, Officer Shelton was able to get the woman to surrender. Officer Shelton's calm demeanor and quick thinking saved lives and protected the public and other officers from harm.

Chief Criss, Mayor and Council took a photo with Officer Shelton.

**6. Recognition of Officer of the Month - Police Department**

Chief Brandon Criss, Police Chief announced the Officer for the Month of May 2023 as Officer Anthony Pope.

Chief Criss stated that Officer Pope, was the most productive and active officer within the agency. Officer Pope excelled in the following areas: citizen contacts, traffic enforcement, law enforcement, and written reports. Officer Pope's overall work performance led him to be selected.

Chief Criss, Mayor and Council took a photo with Officer Pope.

**PUBLIC COMMENTS: (All Speakers will have 3 Minutes)**

There were three (3) Public Speakers:

**Carl Evans** – Would like the issues with the streets over at Gillem addressed. You have Metcalf at Birch Drive and there is a 30ft section that is in horrible condition. On the other side of the intersection there is another place about four inches deep on the edge. If someone hits it there will be damage done to the

vehicle. At the Enclave entrance there is an area about the size of a football. On Anvil Dr by Kroger Dr. At the light there are about six spots in a row.

If I were a multi-dollar business looking to come here and saw that, I would think the city could not take care of their infrastructure and would not want to come here. Like on Main Street, most of it is in horrible shape. There are no sidewalks going north past Hale Dr, yet there are all these warehouses and apartments. I would love to see it fixed up toward the redevelopment part of Main Street, so we can draw a lot of people here. Thank you, Mr. Clark, for looking into those consultant fees, I think more people in government should think like you do.

**Lawanda Folami** – I wanted to come on behalf of the MTS Sickle Cell Foundation. The CEO wanted me to show her gratitude by thanking the City of Forest Park for the invitation to come out and be a part of the Health Fair. We had a wonderful time this weekend and that is what Forest Park is about, unity in the community. Shoutout to PD, we are going to do an extravagant Star under the Night, with black and white attire. We are going to invite you all to come fellowship with us under the stars.

We have 6 branches that are active here in Clayton County, we are a resource hub. We are advocating on behalf of renewal with Gateway for those who are not literate with computers, and that need translation. We do not want anyone to fall out of the gap for Peace Care or Medicaid. If you know anyone that needs help, please send them to any library. Also, I would like to give my condolences to my colleague Ruthena Ozar, she lost her son.

**Delores Jones Anderson** – I would like to address the sanitation department coming off Cash Memorial onto Lamar Drive. There has been a lot of trash in the streets, and they are not cleaning it up. They come at all times of the night when there is supposed to be a cut-off time. At the very top of the street where you enter, I burst my tire and that is why I am here. Also, the trash trucks are lining up from the top of the street to the end of the street blocking everything, the smell is horrible, and the tenants are complaining about the trash.

#### **ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:**

It was moved to adopt the Council Regular for June 20, 2023, as printed.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

#### **APPROVAL OF MINUTES:**

#### **7. Council Approval of Council Work Session and Regular Meeting Minutes from June 5, 2023 - City Clerk**

It was moved to accept the Council Work Session and Regular Meeting minutes from June 5, 2023.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears



**NEW BUSINESS:****8. Council Approval on Government Tax Solutions – Executive Offices**

It was moved to approve the agreement with Government Tax Solutions

Motion made by Councilmember Akins-Wells, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**9. Council Approval on Land Bank Contribution Update– Planning & Community Dev.**

It was moved to move forward with the Land Bank contribution as described in the Work Session.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**10. Council Approval of Executing Task Order for City Hall Master Plan – Planning & Community Dev.**

It was moved to approve the execution of the Task Order for the City Hall Master Plan

Motion made by Councilmember Akins-Wells, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**11. Council Approval of Resolution & IGA with Clayton County Board of Elections – Executive Offices**

It was moved to table this item by Councilmember James and seconded by Councilmembers Mears

**Comments/Discussion from Governing Body:**

**Councilmember James** – Mr. Clark, this is the one we need to review, correct?

**City Manager** – For clarity we are on a tight time schedule. The distinction is we can move forward with the IGA, with the understanding that we are either using paper ballots or we are using the machines. As prescribed inside the resolution or the intergovernmental agreement as prepared. It speaks to utilizing the 3-image cast precinct scanners, three plastic ballot boxes for ICPS. Ms. Diane, correct me if I am wrong that is utilizing the paper ballots.

**Diane White, City Clerk** – Yes, that is what the council directed me to do in the January Retreat.

**Councilmember James** – Yes, we did. The understanding now is that we want to change that. I do not know who wants to change, but I am not in favor of changing it.

**Councilmember Akins- Wells** – The residents do not want to vote on paper ballots, it is 2023. Everyone was complaining about it. I do not know why we did that or who decision it was. Mr. Clark, if you can talk about why we should not.

**City Manager** – With the system that is in place and sponsored by Dominion, the election process and my estimation is simpler. The voter is coming in the precinct and the precinct manager is programming a ballot card. At such times, the voter can go over to the ballot box and vote. They should not leave the precinct until they have duly scanned their actual ballot, but there is no room for the ballot to be changed.

It is all about preference and my preference will always be the machine, based upon the error that can happen with the paper ballot. With the process Ms. Diane explained to me here, what happens is the residents complete the oval and the paper ballot is put inside the machine and calculated. If we go with the machine there is no paper in the process. This is at the discretion of the mayor and council and how you want to move forward, but we must get it procured from the county.

**Councilmember James** – It is okay one way or the other, but it was less costly. We did have some complaints and it was like the electronic process. The only difference was you got paper instead of a card. My only objection is we do not have a large list of things to vote on, it is either one or two items.

**Councilmember Gutierrez** – I would like to move toward the electronic process. I do not want there to be any doubts out there and just for transparency. I know the people here work hard and are ethical, and none of that is happening. I would like to go with what technology is offering.

**Councilmember Akins-Wells** – I agree with Councilmember Gutierrez and the city manager. It is 2023, and I have never seen residents have to vote on paper since I have been in office. There is room for error because people must count these ballots. I do not have a lot of trust in people and want them to feel comfortable.

Councilmember James withdrew her original motion.

It was moved to approve the IGA with Clayton County Board of Elections with the understanding that the voters will use electronic devices to vote.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

## 12. Council Approval of Cancellation of July 3, 2023, Council Meeting – Executive Offices

It was moved to Cancel the City Council meeting scheduled for Monday, July 3, 2023, and just have one meeting on July 17, 2023

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

## 13. Council Approval on Lighting Services Agreement – Executive Offices

It was moved to approve the lighting service agreement with GA Power for Elam Church Road

Motion made by Councilmember Akins-Wells, seconded by Councilmember Antoine

**Comments/Discussion from Governing Body:**

**City Manager** – Is this the lighting services and the policy agreement relative to the street lighting district? Or would you all prefer us to bring this back before you, so you can have more time to look at the policy and we can separate the two. This sounds good for Elam Church Road, and we can bring the policy back at another meeting.

**Mayor Butler** – Yes, absolutely.

**Councilmember James** – We are voting on the lighting agreement, but not the policy?

**Mayor Butler** – We are voting for the item on the agenda specifically for Elam Church Road, and the policy will come back soon, in the future.

**Councilmember Antoine** – It is a good vision, I agree.

**City Manager** -

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**14. Council Approval on Implementation of Adopt a Cop - Police Department**

It was moved to implement Adopt-A-Cop Program

Motion made by Councilmember James, Seconded by Councilmember Antoine.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**15. Council Adoption to Amend the Simplified Noise Ordinance – Police and Legal**

It was moved to adopt the amendment to the Simplified Noise Ordinance

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**16. Council Approval to Implementation of SeeClickFix – Executive Offices**

It was moved to approve the implementation of SeeClickFix.

Motion made by Councilmember Antoine, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**17. Council Action Regarding City Edge Project Quarterly Update – Executive Offices**

It was moved to bring the rental project program in-house for reevaluation.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember James.

**City Manager** - Staff will work with Mr. Geeter to try and make a recommendation by the July 17th meeting.

Voting Yea: Councilmember Antoine, Councilmember Mears

**City Manager** - Just for clarity with legal, based on City Edge currently have the funding, should we establish a date in which the funds are returned to us, until we can reevaluate the program?

**City Attorney** - I assume they have the funds; I would recommend 48 hours.

**18. Council Action Regarding Home Repair Grant Program and Guidelines** - Executive Offices & Procurement

It was moved to cancel the RFP and bring process inside.

**Comments/Discussion from Governing Body:**

**Councilmember Gutierrez** – I would like to see a marketing campaign with this, highlighting the recipients, so people can see what we are doing in Forest Park.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**CLOSING COMMENTS BY GOVERNING BODY:**

**Councilmember James** – The monthly ward meeting that I have every month has been updated and will be uploaded soon. Some issues Mr. Evans addressed our city manager is addressing. We are separating the zoning department from the business community piece. I am excited about all the things going on in Forest Park. Please make sure you visit the website and see the information being shared by our zoning department and all the other departments. We even met our new court administrator. Our city manager, our mayor and our City Representative Rhonda Brodeau was available to give information as well.

Next month on the third Thursday we will be at 696 Main Street. Tomorrow is a big day for Forest Park. Helping Hands Ending Hunger, at Forest Park High School, and Clayton County as a whole. It is the first day for gifts at the park. I received word from Carla that the truck will be at Forest Park at 11 am. We will have a tractor trailer full of goods on Friday and the volunteers will be there at 9am to help set up the tables. We have at least 156 people that have signed up to receive gifts and they have allotted time slots. If anyone would like to come, please give me, Ms. Dixon or Ms. Johnson, a call and we will sign you up. If you want to volunteer, come around 9am and we will hold a press release, Madam mayor. Thank you all for coming out.

**Councilmember Antoine** – I would like to thank you all for coming out and I would like to give a shoutout to the new employees. Congratulations to Forest Park High School, Dr. Dancy and the staff. To the students remember you all are leaders, never followers. Mr. Carl, thank you for what you shared, I wrote every concern down and will be working on that.

**Councilmember Gutierrez** – Thanks to everyone that showed up here tonight. Happy Father's Day to all the fathers, and shoutout to Ms. Jonesy and her inauguration. It was fun being over there. Thanks to parks and rec and all the

city employees that put together the Juneteenth and Fun Friday celebration. I showed up late, but it seems like they had a fun time. I really enjoyed my family at Juneteenth, I had never seen the park that packed.

Thank you, Councilwoman James, for recognizing our young players and coaches. It fills me with pride to see them up here. Thank you for the lighting on Elam Church Road, Ms. Hampton Baldwin has been advocating for that road for a long time. The Medicaid presentation was good and if you know someone that has it make sure they are following up with that, because once it is lost it is hard to get back in the system. I will be representing the City of Forest Park in Savannah this weekend. SeeClickFix is something I saw at GMA, and if you want to be more familiar with this, Clayton County has one, called Click Clayton. It is an app, and you can take a picture of something, and it will go directly to them, and they fix it.

**Councilmember Akins-Wells** – Congratulations to the new employees. Congratulations to Officer Pope and Officer Shelton. Thank you so much for being committed to the City of Forest Park. Fun Friday, to our city manager, he believes in one Forest Park and bringing people together. Thank you to the employees that came out, I hope you enjoyed yourself. Thanks to our city manager, Dr. Folami and Mr. Jonathan for helping with the city event. Mr. Maxwell, you are an awesome MC, thank you and your crew so much. Mr. Evans, thank you for your comments. We must be held accountable and hold others accountable. We had the groundbreaking for the City of Forest Park Middle School, it was amazing. To our board members, our mayor and anyone that had a part in this, it means so much.

I would like to recognize our new Executive Assistant Samaria, you are amazing. She put a huge smile on one of the residents' faces. She was at fun Friday, and she won the tv and the two hours on the party bus. One of the residents was the first to buy a raffle ticket and all she wanted was that party bus. Samaira won and she gave her the prize for the party bus. Ms. Donna was so happy; you made her day and things like that make a difference. It may be small but huge to someone else.

**Councilmember Gutierrez** – Ms. Kim, from HR was amazing. I called them to help with the ADP emails I kept receiving, so I want to give a shoutout to her. She has a positive attitude, and I am glad that we have her serving the city. I would like to acknowledge the young lady that spoke on the Waste Management problem we are going to get on that.

**Councilmember Akins-Wells** – I would like to get your information before you leave. I have been talking about this for years and years. Our residents should not have to suffer because we have a dump in the middle of our community. I have been complaining about it, and I spoke to our city attorney about it. What can we do to get them out of our community? We have to do better, by our residents.

I just sent an email to our city manager today about Cash Memorial. Our public works department should not have to go up there and clean up their mess. These are the streets of Forest Park, and we want our residents comfortable. I want something done about it. I am tired of our residents coming up here complaining about the same thing over and over. Who is going to do something about this because I am only one person, but I cannot do this by myself. I know it is in my ward, but we are One Forest Park.

**City Manager** - One thing we can do immediately as we are looking to deploy these FLOCK cameras, is put them in the community, perhaps we can find an innovative way to establish cameras over there, so we can see what is going on the street. It will be hard for the residents to say they are there at five o'clock because no one is here. If we have to put up a FLOCK camera or a ring camera, we just need a to first be able to see first what is going on and then make them responsible for what we see on the camera. There will be no hiding, and I will go with Chief Criss, to see what we can do, and we may even ride the area tonight, just to see if we can spot those infractions.

**Mayor Butler** – We have a clean sweep coming up July 8, from 8 to 4. Mr. Jinks, would you like to add something?



Bobby Jinks, P.W. Director – During the new contract with waste management, recycling is no longer part of the contract. We extended our clean sweep from 4 hours to 8 hours. Since it is waste management property, we cannot use that. I would like to get the word out for the time being that the new location is 330 Forest Parkway. You will come off Hale Rd and turn on Central and we will have, and we will have people working from 8 to 4pm. You must have a Forest Park address, limit of four tires, paint dried up and the other rules that always apply to the clean sweep.

**Mayor Butler** – I echo the sentiments of my colleague; Fun Friday was a lot of fun and I look forward to next month.

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

There was no Executive Session

**ADJOURNMENT:**

It was moved to adjourn the June 20, 2023, Council Regular Meeting at 8:26pm.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

DRAFT



## CITY COUNCIL SPECIAL CALLED

Thursday, June 22, 2023, at 6:30 PM  
Council Chambers and YouTube Livestream

Website: [www.forestparkga.gov](http://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  
S. Diane White, City Clerk  
Mike Williams, City Attorney

### DRAFT MINUTES

**CALL TO ORDER/WELCOME:** The meeting was called to order at 6:32pm by Mayor Butler.

**ROLL CALL - CITY CLERK:** A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2	✓	
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5	✓	

Jeremi Patterson, Deputy Finance Director; LaShawn Gardiner, Director Planning & Community Development; Shalonda Brown, HR Director; Diane Lewis, Deputy HR Director; Bobby Jinks, Public Works Director; Nigel Wattley, Deputy Public Works Director; Bruce Abrahams, Director Economic Development; David Halcome, Deputy Fire Chief; Police Chief; Brandon Criss; Tarik Maxwell, Parks and Recreation, and Joshua Cox, IT Director.

#### PUBLIC HEARING:

- PUBLIC HEARING – 1ST Reading of the FY24 Fiscal Budget Ordinance – Executive/Finance Department**

**Background/History:**

Public Hearing for FY24 Proposed Budget - First Reading

The **Proposed Funded** dollar amount of the FY24 Budget is \$37,624,374.00. The full FY24 Budget can be viewed on the City of Forest Park's website by clicking the following link: [fy23-24\\_budget\\_book\\_1.pdf](#) (forestparkga.gov)

It was moved to close the Special Called meeting and open the Public Meeting at 6:38pm

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.  
Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells

There were no speakers in favor of or against the budget.

**Mike William, City Attorney** – Recommending allowing Sterling Seacrest and Pritchard to give a presentation on insurance connected to the budget.

**Anthony Burger, Sterling Seacrest, and Pritchard** - Gave a presentation on insurance as it relates to the budget.

**Comments/Discussion from Governing Body:**

**Mayor Butler** – When you are marketing the city and companies, how far back are they looking at our claim history?

**Anthony Burger** – They look back five years. As we get one more good year under the Employment Practices Liability, then one of the bad years drops off.

**Councilmember James** – The company that offered us the employment practice liability. You said there was only one willing to offer that. Is that company reputable?

**Anthony Burger** – Yes, they were going to non-renew the business, but we were able to talk to them when Mr. Clark came on board, and talked about the success he had in Jonesboro and the work he did there. We got them a lot more comfortable, and it went from not renewing to offering a program. This company does a wonderful job, and they their pay claims. I think we should be happy with them.

It was moved to close the Public Meeting and reconvene the Special Called Meeting at 6:46pm.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.  
Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells

**Mayor Butler** – Mr. Clark, I understand there are some changes you would like to present.

**City Manager** – Based on the presentation that you heard; it alarms me based upon the renewal. One thing I can assure you is when you are presented with something operational that needs to be fixed. This is a situation that is going to take all of us. Embedded in our plan moving forward one of the things he spoke about was the entity decided to finally bid, because we would have had no coverage.

They know of the programs that I have implemented to help mitigate those issues. Over the next few months, we will bring forth policies to start holding people accountable for their actions and wrecking our cars.

After going through this report, we have a lot of claims, and they are mostly on the automobile side and employment lawsuits. To be clear for every claim that we get we will have to pay 250,000 dollars. I shared with the broker that I feel the company can do better than that number. So, he will be having additional conversation and I will be talking to them as well.

To help with these accident claims we are going to implement an accident review committee. The employees will have a representative and we will review every accident in this city. It will be set up on a point system, so if the employee is not at fault, then there are no points. If they are at fault, there are points that count toward their employment based upon the infraction. It is not meant to be punitive but to bring awareness of what an accident does to our insurance policy.

The fiscal year 2023-2024 budget just to be transparent, there are additional items and changes just based upon dialogue. The first one I will talk about is the proposal that we just heard. We have increased our property and liability insurance across the city by \$137,000.00. It went from \$622,000.00 to \$759,000 and this is because of the various increases that you all just heard.

**Mayor Butler** - Where is that in here?

**City Manager** - I believe the line item is called Property and Casualty Insurance within the budget. In addition to that we mentioned this last time, we are recommending a five percent cost of living increase across the board. It has been placed in our contingency funds for us to spread across the member departments. In addition to that, on our last meeting I shared with you that this was to keep us from doing any reclassifications at this time. Today procurement started working on that RFP for the pay compensation and study planning. We hope to have that before the fourth quarter or third quarter of this year. In addition to that, for our public works department as we are going through the budget, we called out that there was an error in the amount of \$438,000.00. Based upon us being able to true up that era we were able to add additional updates to public works.

One is updating our gas pumps that are 22 years old, that amount is \$42,000.00. In addition to that for the public works department there is a four by four for their use. This is not an administrative vehicle and is total at \$63,000.00 and that is with the full-service body. In addition, just some different tools for the pickups and cars over at public works, as well as some additional tools for the heavy-duty trucks. This increase was a hundred and \$138,000.00. Keep in mind we removed the \$438,000 from their budget that was there, so we were still able to balance there. These additions that we are calling out are within our capital projects budget.

In addition to that for our fire department we were able to outfit them with three additional pickup trucks. The issue is with their equipment, which is sometimes hard for them to put in the back of a Tahoe when they are on the scene. This is just a new and cheaper way for them to still do their services. These three pickup trucks were \$60,000.00, including the outfitting it was a \$180,000.00. This \$180,000.00 increase from what we presented to you at our budget session of \$505,000.00.

Finally, the last addition to this budget as we stated in the last meeting. Councilmember James had four additional events that were added for a total of \$10,000.00. Those four events are only \$2500.00 dollars, for each of those events. That is your fiscal year 23 - 24 budget that we are proposing. This budget is \$37 million dollars, and we still have a net surplus of 602 thousand dollars as we reevaluate this budget in six months. This budget is not just a document for us, it will serve as a guide to lead us forward with fiscal responsibility, operational effect efficiency, and tightening our belts as to the way in which we do businesses every day as you know we continue to preach on revenue recovery effort. That means all eyes from every director is on

every penny that goes out of the city as well as the city manager looking and reviewing everything we pay out in this city, just to bring back dollars we may not be accounting for.

**Councilmember James** - I would like to talk about the 5% cross-the-board increase. I understand you said that it is cost of living increase, and we have had discussions about the difference between the highest paid and lowest paid employee. For example, someone making \$20,000 compared to someone making \$100,000, is a huge difference. Can you speak on the 5 percent and how you feel that is fair across the board.

**City Manager** – From what I see your compensation document is based upon steps and grades. Each step is based upon a percentage change across the organization from the lowest to the highest paid employee. The steps equate to years of service and the grades equal the percentages. While we recognize a 5 percent increase varies based upon the dollar amount that someone is paid the job requirements differ based upon that salary. I would say there is no right or wrong answer. I have seen it done several ways, but my recommendation is always going to be across the board to be equitable.

I am happy with whatever the pleasure of this board is. This recommendation gives us the opportunity to really evaluate the salaries. I shared with the mayor and council some of the things that I have found on how salaries and increases were provided, and it is alarming to me. Directors could hire individuals at rates they wanted based on mid-, medium- and high. To fix some of this, and before I give any additional raises, my commitment to this governing body is to study it all. To make certain every time I present you with something relative to a salary, that it is equitable from the lowest paid employee to the highest paid employee, based on those job descriptions and functions are.

I know we had the conversation Councilwoman James, and your feeling relative to a specific dollar. We want to make sure that the big vision and ideas that each of you have, that we keep big vision employees to keep that up. So instead of saying no increases, my recommendation was to give the 5 percent to continue to align with the market and then bring back to you a full comprehensive report. In addition to this I am looking at the study to ensure our rates are equitable across the region and that we are in line with other municipalities.

**Councilmember Akins Wells** – Councilwoman James and I are on the same page with this. We have employees that have been here 30 and 40 years that are just now making \$17.00. I trust you and I feel like some of our employees deserve a raise. That is why I will always be with the merit system and giving a raise based on their performance. I also understand what you were saying, what if their supervisor does not like them, and they do not get what they deserve.

**City Manager** – Councilmember Wells one of the things I will share, if we have an employee out of 250 employees with every one of our directors sitting here. If we have an employee that is not working and not doing their job, I will be looking at the director. Why are you not doing your job to ensure that first, you set the expectation of that job, second you measure that employee not just annually, but on a day-to-day basis and you lay out the path forward. If there is a deficiency, I am looking at the directors that you all have put in charge to ensure that those deficiencies are fixed. So, there will be no room for us to have any employees that are not carrying their weight, because if we do, I am looking to the supervisor to see what you are doing to fix that.

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

It was moved to recess into Executive Session at 6:58pm for Personnel, Litigation or Real Estate.



Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells

It was moved to reconvene back into the Special Called Meeting at 7:59pm.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells

**ADJOURNMENT:**

It was moved to adjourn the Special Called Meeting at 8:00pm.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-1555.

DRAFT



# CITY COUNCIL SPECIAL CALLED

Thursday, June 29, 2023, at 6:30 PM  
Council Chambers and YouTube Livestream

**Website:** [www.forestparkga.gov](http://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

## DRAFT MINUTES

**CALL TO ORDER/WELCOME:** The meeting was called to order at 6:35pm by Mayor Butler.

**ROLL CALL - CITY CLERK:** A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

Jeremi Patterson, Deputy Finance Director; LaShawn Gardiner, Director Planning & Community Development; Shalonda Brown, HR Director; Diane Lewis, Deputy HR Director; Bobby Jinks, Public Works Director; Nigel Wattley, Deputy Public Works Director; Bruce Abrahams, Director Economic Development; David Halcome, Deputy Fire Chief; Police Chief; Brandon Criss; Tarik Maxwell, Parks and Recreation, and Joshua Cox, IT Director.

**PUBLIC HEARING:**

- 1. PUBLIC HEARING – 2nd Reading of the FY24 Fiscal Budget Ordinance** Executive/Finance Department

**Background/History:**

Public Hearing for the 2nd Reading of FY 2023-2024 Budget - The Governing Body was presented with a proposed budget on June 2, 2023. A copy of the budget as proposed has been posted on the City's website since that date. A public hearing to receive comments concerning the budget was held on June 22, 2023. Revisions to the budget as agreed to by the Governing Body following the public hearing and a Special Called Meeting with the Mayor and Council with Department Heads are incorporated in the budget document for final adoption.

You can view the full FY24 Proposed Budget on the City's website by clicking the link below:

Request of Council is to have the 2nd Reading of the FY 2023-2024 Fiscal Budget.

It was moved to close the Special Called meeting and open the Public Meeting at 6:36pm.

Motion made by Councilmember James, Seconded by Councilmember Antoine.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears.

There were no speakers in favor of or against the budget.

It was moved to close the Public Meeting and reconvene the Special Called Meeting at 6:38pm.

Motion made by Councilmember James, Seconded by Councilmember Antoine.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**NEW BUSINESS:**

- 2. Council Approval of Adoption of FY 2023-2024 Fiscal Budget Ordinance** Executive/Finance Department

**Background/History:**

The Governing Body was presented with a proposed budget on June 2, 2023. A copy of the budget as proposed has been posted on the City's website since that date. A public hearing to receive comments concerning the budget was held on June 22, 2023. Revisions to the budget as agreed to by the Governing Body following the public hearing and a Special Called Meeting with the Mayor and Council with Department Heads are incorporated in the budget document for final adoption.

You can view the full FY24 Proposed Budget on the City's website by clicking the link below:

Request of Council is to adopt the FY 2023-2024 Fiscal Budget.

It was moved to approve the Adoption of FY2023-2024 Fiscal Budget Ordinance.

Motion made by Councilmember James, Seconded by Councilmember Mears.

**Comments/Discussion from Governing Body:**

**Councilmember James** - I would like to ask about the proposed raise. I asked Mr. Clark to give us a proposal for the 5 percent for the lowest paid employee and what their amount would be?

**City Manager** – The 5 percent increase for the lowest paid employee, which is \$17.00 an hour would be approximately .85 cents. The .85 cent spread across the organization annually would be \$1,768.00 dollars, it would be \$17.85 or \$37,128.00.

**Councilmember Gutierrez** – Just the capital outlay money changed from \$47,000 to \$30,000.

**City Manager** – This is based upon the presentation. The \$30,000 dollars was presented to the council in January. That number has remained unchanged, so we did not touch it. One of the things we can do, and this budget is just being used as a guide, is reevaluate this budget in the next 6 months. At that time, we plan to go back through the same process the council went through to adopt the budget, in reviewing not only the revenue at that time, but looking at the forecasted numbers. If it is the pleasure of the board at that time, we can review every portion of the budget line item by line item. As to where we are in six months. The other thing for clarification is Mayor Butler, when we talk about capital funds the updated package that Mr. Patterson passed out, what it was when we printed this the line shifted, so we just shifted the numbers down. There were no changes. It initially showed in Councilmember Mears Ward 5 there was nothing budgeted there it is the same for every ward, we just shifted the numbers down.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**3. Forest Park Pedestrian Bridge/Connectivity Study**

**Background/History:**

The City of Forest Park applied for LCI/TIP for funding for a pedestrian bridge that would span Forest Parkway and the railroad tracks beginning at or near Lake Drive and ending at Main Street. The Pedestrian Bridge would provide safety to pedestrians crossing the multi-lane parkway and railroad tracks. It is also the intent to connect with the proposed Model Mile Greenway Trail project, and the City Center project. The awarded funds are for a feasibility study to determine the best location for the bridge and to place the city in a position to apply for federal transportation funds.

Asking for Council’s approval.

**Lashawn Gardiner** – This is for the feasibility study for the pedestrian bridge project. We did apply over a year ago and have since received the agreement from the ARC, after a long overdue wait. We are asking for your approval so we can get the signed agreement to ARC which will put us in the process to apply for an RFP.

**Comments/Discussion from Governing Body:**

**Councilmember James** – Did we not do a feasibility study before?

**Lashawn Gardiner** – No, if you can recall when different congress members were listing funds for different shovel ready projects, we did apply, but because we did not have a study at hand, we were not considered shovel ready. Now this will put us in a position to move forward with some construction costs.

**Councilmember Gutierrez** – Was this not brought up to the DA board at one point? Did we not approve a study, or did it never get approved?

**Lashawn Gardiner** – As I recall the DA was asked to participate with some of the matching funds, but I do not know what happened with that discussion. In the interim, we were waiting to receive this agreement, so we would have this in place for us to move forward.

**Councilmember Gutierrez** – Is that a yes or a, no? Is the DA not participating in this?

**City Manager** – This grant is \$26,000.00 of which our grant funding is \$160,000.00, which means our match is 40,000.00. Our conversations relative to this we do plan once approved by mayor and council to the various boards, as this pedestrian bridge crosses over our Main Street district.

One of the things we discussed with staff was a cost sharing mechanism. The contract for this program just came in on Monday, so we brought it to you before our meeting in September so we could advance getting the RFP out. We anticipate going to the DA and DDA to participate in the \$40,000.00 match the city is required to match.

**Councilmember Gutierrez** – Thank you, I know at one point it was brought up in our meetings then it evaporated into the air. I never heard back.

It was moved to Approve Forest Park Pedestrian Bridge/Connectivity Study

Motion made by Councilmember Mears, seconded by Councilmember James  
Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

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

It was moved to recess into Executive Session at 6:45pm for Personnel, Litigation or Real Estate.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember James.  
Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

It was moved to reconvene back into the Special Called Meeting at 7:04pm.

Motion made by Councilmember James, Seconded by Councilmember Antoine.  
Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears



It was motioned to amend our current pay classification scale for our City Clerk and our Senior Management Analyst position to a pay grade of 119.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**ADJOURNMENT:**

It was moved to adjourn the Special Called Meeting at 7:05pm.

Motion made by Councilmember Wells, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

**File Attachments for Item:**

**13. Council Approval of Request to Reconsider Previous Vote on Redistricting – Legislative Offices**



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

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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.

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**Cost: \$** **Budgeted for:**  **Yes**  **No**

**Financial Impact:**

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**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**



## 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_Wht]	[% NH_Blkl]	[% 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:**

**14. Council Approval of City of Forest Park Accident Review Committee – Executive Offices**

**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 4<sup>th</sup> 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 # 14.

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	
<b>TOTAL POINTS ASSIGNED</b>		<b>A.</b>

<b>CREDITS FOR PREVIOUS ACCIDENT RECORD</b>	<b>Maximum of 3 credits</b>	
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	
<b>TOTAL CREDITS</b>		<b>B.</b>
<b>TOTAL SCORE (Subtract B from A for Grand Total)</b>		

### 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.

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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.

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**Cost: \$ Variable**

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

**Financial Impact:**

N/A

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**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 17<sup>th</sup> 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:**

**15. Council Approval of CDBG Funds Reallocation – Executive Offices**



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.

**[Remainder of Page Left Intentionally Blank]**



SO RESOLVED this 17<sup>th</sup> day of July, 2023.

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

ATTEST:

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

APPROVED AS TO FORM:

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

**File Attachments for Item:**

**16. Council Approval of Revision to Personnel Manual With Respect to Employee Terminations – Executive Offices**



CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Council Approval of Revision to Personnel Manual With Respect to Employee Terminations– 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 Personnel Manual be revised to provide that Department Heads shall 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.

**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.

**[Remainder of Page Left Intentionally Blank]**

SO RESOLVED this 17<sup>th</sup> day of July, 2023.

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

ATTEST:

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

APPROVED AS TO FORM:

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



**File Attachments for Item:**

**17. Council Approval of Revised Resignation and Paid Leave Policy – Executive Offices**



CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Council Approval of Revised Resignation and Paid Leave Policy – 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 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.

**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.

**[Remainder of Page Left Intentionally Blank]**

SO RESOLVED this 17<sup>th</sup> day of July, 2023.

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

ATTEST:

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

APPROVED AS TO FORM:

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

**File Attachments for Item:**

**18. Council Approval of Request for Ratification Purchase of Ford Interceptors - Police Department**





1080 2nd Street  
 PO Box 746  
 Unadilla, GA 31091  
 P: (478) 627-3221 F: (478) 627-9550  
[www.brannenmotorcompany.com](http://www.brannenmotorcompany.com)



DATE: 07/0/2023

SOLD TO: FOREST PARK

INVOICE / QUOTE #

QTY.	DESC.	YEAR	MAKE/ MODEL	NEW OR USED	VIN	PRICE PER UNIT	SALES: GOV/FLEET
15	SILVER	2023	FORD INTRECEPTORS	NEW	1. 1FM5K8AB9PGA32540 2. 1FM5K8AB9PGA32554 3. 1FM5K8AB9PGA32599 4. 1FM5K8AB6PGA32544 5. 1FM5K8AB0PGA17683 6. 1FM5K8ABXPGA32563 7. 1FM5K8AB9PGA32702 8. 1FM5K8AB8PGA32478 9. 1FM5K8AB6PGA32608 10. 1FM5K8AB3PGA32548 11. 1FM5K8AB2PGA32427 12. 1FM5K8AB8PGA32626 13. 1FM5K8AB5PGA32664 14. 1FM5K8AB1PGA32452 15. 1FM5K8AB6PGA32740	\$44,700.00	KELLEY/REED

**DEPARTMENT: FOREST PARK**

PRICE OF CAR  
 FREIGHT AND  
 HANDLING  
 OPTIONAL EQUIP.  
 ACCESS.

**PRICE DOES  
 NOT INCLUDE  
 DELIVERY**

PHONE CONTACT-  
 VEHICLE(S)- 15- FORD INTERCEPTORS, SILVER IN COLOR W/ SPOTLIGHT,  
 NEW NEVER TITLED, NO MILES LISTED.

EMAIL- [jamey@brannenmotors.com](mailto:jamey@brannenmotors.com), [jake@brannenmotors.com](mailto:jake@brannenmotors.com)

\$---

NO ADDED FEES  
 GPC APPLIED  
 PER UNIT  
 \$---

LICENSE AND TITLE

NO TAX (GOV)

	<p style="text-align: center;"><b>TOTAL</b></p>          <p style="text-align: center;">PLEASE FEEL FREE TO CALL OR EMAIL WITH ANY QUESTIONS OR CONCERNS-</p>	<p style="text-align: right;"><b>\$670,500.00</b></p> <hr/> <p>JAKE KELLEY GOV/ FLEET BRANNEN MOTORS 229-322-9702 JAKE@BRANNENMOTORS.COM</p>
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CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Request for Ratification Purchase of Ford Interceptors

**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:**

**19. Council Approval of Reorganization of the Police Department - Police Department**



CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Reorganization of the 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.

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.

**Cost: \$ Variable**

**Budgeted for:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Financial Impact: Savings of \$86,115.57**

N/A

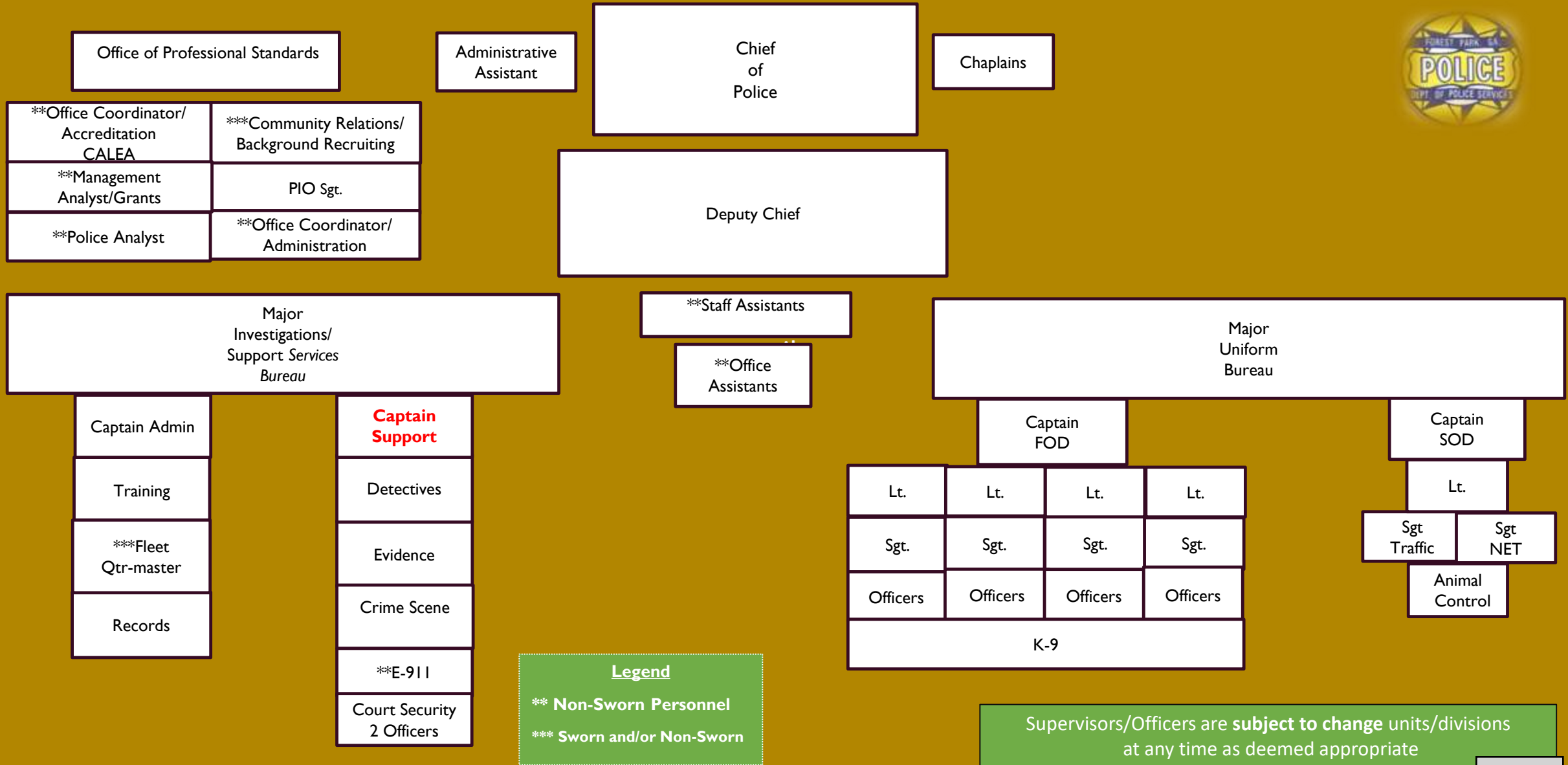
**Action Requested from Council: Approve the ordinance**





# POLICE DEPARTMENT ORGANIZATIONAL CHART

Organizational Chart Subject to Item # 19.



**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

## 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 # 19.

## Police

### Significant Expenditure & Staffing Changes

#### Delete:

*(1) Deputy Chief Position*

**File Attachments for Item:**

**20. Council Approval of Forest Park Fire Department Employee Referral Program – Executive Offices**



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





**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.

**[Remainder of Page Left Intentionally Blank]**

SO RESOLVED this 17<sup>th</sup> day of July, 2023.

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

ATTEST:

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

APPROVED AS TO FORM:

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

**File Attachments for Item:**

**21. Council Approval of Forest Park Fire Department Sign - On Bonus – Executive Offices**



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.

**Cost: \$ Variable**

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

**Financial Impact:**

N/A

# 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.

**[Remainder of Page Left Intentionally Blank]**

SO RESOLVED this 17<sup>th</sup> day of July, 2023.

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

ATTEST:

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

APPROVED AS TO FORM:

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