



CITY COUNCIL REGULAR SESSION

Monday, March 07, 2022, at 7:00 PM
Council Chambers and YouTube Livestream

MISSION STATEMENT

It is the mission of the City of Forest Park to enhance, strengthen, and grow our city by collaborating with our community to provide the highest level of service. Striving to be recognized as a diverse community that values and respects all members. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.1555

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

Dr. Marc A. Cooper, City Manager
S. Diane White, City Clerk
Mike Williams, City Attorney

APPROVED MINUTES

CALL TO ORDER/WELCOME: The meeting was called to order by Mayor Butler at 7:00pm and read the City's Mission Statement

INVOCATION/PLEDGE: Invocation and Pledge was led by Pastor Clinkscales of Rock Church of Atlanta

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, Mayor Pro-Tem		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

DIRECTORS PRESENT: Chiquita Barkley, Finance Director, Darquita Williams, Deputy Finance Director; Shalonda Brown, Human Resources Director, Lashawn Gardiner, Management Analyst, Latosha Clemons, Fire Chief, Bruce

Abraham, Director Economic Development, Tarik Maxell, Director of Recreation & Leisure, Bobby Jinks, Director of Public Works, Joshua Cox, IT Director, Arthur Geeter, Purchasing Director, James Shelby, Planning & Community Development Director, Nathaniel Clark, Chief of Police and Javon Lloyd, PIO Director

PRESENTATIONS:

1. Swearing in of Urban Design and Planning Commission Board Members – Executive Office

Mayor Butler swore in Rodney Givens and Ron Dobson to the Urban Design Review Board and Michael Clinckscapes, Azfar Haque and Roderick Jackson to the Planning Commission Board.

PUBLIC HEARINGS:

Mayor Butler – These two public hearings that are on the agenda tonight will be done slightly different. Whereas a typical public hearing, is open to the public, because the hearings itself would affect the entire community; but the hearings that are on the agenda for tonight theoretically, it is just affect certain people and so we are going to read one public hearing, is Mr. Powell present? So, he has not shown up, he was the attorney that did the investigations for the first hearing for Councilmember Antoine. The background and summary, that I will read, will serve as the fact findings that he would have presented if he was here in person. Afterwards, Councilmember Antoine, if he chooses to do so will have the opportunity to speak; and that will serve as those in favor of and those in opposition against the public hearing. So, with the public hearing for Councilmember Akins-Wells, similar, I will read the background and history, Councilmember James, as a complainant will have the opportunity to speak and then Councilmember Akins-Wells will have the opportunity to speak, if she chooses to do so. All parties who are speaking will have 10 minutes and if there is any member of the governing body that wishes to comment on the public hearings can use their portion of the closing comments to address these hearings and likewise, if there is any member of the public that wishes to speak, you will fill out a public comment form and that would be your opportunity to do so.

2. FACTS/FINDINGS/DECISION AND RECOMMENDATION REGARDING SPECIAL COUNSEL INVESTIGATION – Legislative Offices/Chief Executive Offices

It was motion to open the public hearing on the Special Counsel Investigation on Councilmember Antoine.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez

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

Mayor Butler read the background and history and stated to Councilmember Antoine that he had 10 minutes to speak on his behalf.

Councilmember Antoine – stated he had no comments

It was motion to close the public hearing on the Special Counsel Investigation on Councilmember Antoine.

Motion made by Councilmember James, Seconded by Councilmember Mears

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

3. **FACT/FINDINGS/DECISION AND RECOMMENDATION REGARD ETHICS VIOLATION** – Legislative Offices/Chief Executive Offices

It was motion to open the public hearing on the Ethics Violation on Councilmember Akins-Wells

Motion made by Councilmember James, Seconded by Councilmember Mears

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

Mayor Butler read the background and history and stated to Councilmember James, as a complainant that she had 10 minutes to speak.

Councilmember James – Thank you madame mayor, first of all I just want to say that this background and history that the mayor just read, it actually comes from our unbiased ethics officer that we employed to represent complaints that the city has against us as the governing body and so, this was very unbiased and I am not going to retry the information that was presented at the hearing, but I will said that I am very pleased with the outcome and the recommendation of the ethics officer. I feel that we as elected officials must be accountable to the words that we speak and the things that we portray in the public so, I am very grateful for this. Someone has spoken to me once and said you know it takes two to tango and one of the things that I said was that you are correct it does take two to tangle, but as some point a bully must be confronted or they are going to continue to keep bullying. So, in my estimation and even some of the things that have happened since this hearing, Councilmember Akins-Wells conduct is unbecoming, I am not one that would recommend a resignation or a removal from office, but a public reprimand, I do believe that is something that is appropriate. It gives the people an opportunity to see what is being transpired through things that are happening. I think it is inappropriate to tell a staff member to go back to where they are from; to get privileged information from police officers and meet with people to try to sue the city; it is improper to lie and say that we voted on certain things that we did not vote on. Those are inappropriate behaviors and I stood up to say that this is not acceptable and in doing so, as I stated before, the unbiased ethics officer that we hired, received the hearing information and made a decision based upon our ordinance that we passed, so I am very pleased with that and I want you all to know that it is nothing personal, it is just, we have to stand up for our for our staff, one another and we have to be accountable as elected officials, we are not above the law, none of us, that includes myself, we are not above the law. We have laws in place for a reason and we as elected officials should abide by those laws as well.

Mayor Butler – Reset the clock, Councilmember Akins-Wells, you have the floor.

Councilmember Akins-Wells – Thank you. First, I would like to thank everyone for being here and apologize for you being here under these circumstances and listening to what I call a bunch of mess, because there is so many other things that we can be focused on. So, let us go back to the Facebook video, I stand on everything that I said, I do not take anything back, I am not a bully, I speak my mind and people hate that; and yes it is personal, it is very personal, because anytime you can spend more time sitting up here discussing a councilwoman and a Facebook video and someone admitted to taking money, basically corruption, it personal; so again there is a whole lot of things that Councilmember James said that contradicts a whole lot of things. First, we are going to start off with this mission statement, some people live up to and some do not, and she is one does not live up to it. Because in the mission statement states, we all strive to provide fair, professional, and courteous service through transparency and open communication as we work to achieve this mission, we will integrity beyond reproach, that is a lie. Councilwoman James on the recording for about 30 to 45 minutes during the campaigning season discussed things that we had discussed in executive session to account to a member of the city a citizen

of the city that was running for office, let us discuss things in it that was going on in executive session nothing has been done about that, nothing has been said about that. Councilmember Antoine admitted to taking money, got beat up for trying to take someone's money but nothing has been done about that and matter of fact it was covered up for a long time because according to our city manager he wanted to wait until after the election to put it out there. So, I am just saying that to say this, if you were not doing anything wrong, you do not have to worry about Councilwoman saying nothing, but if I see wrong doings in people, no matter who those people are I am going to put it out there. And a councilmember can investigate and investigate anything pertaining to the city that they want to, because it is in the charter, we can do that. So, I am not the person to sit back and know things are going on and not investigate them, like a lot of people sitting up here, because I care about my community, I care about our employees, and I am going to continue to fight for the citizens and our employees. It is personal because people want me to be quiet, so when you do not be quiet and abide by their rules, they look at you as a bully, well I will be a bully, if that is what you want to call it, I speak to what I said as far as I have a freedom of speech, even a dog gets tired. I was watched for three and a half years by the Forest Park Police Department, when I was first elected, then to come back and hear oh, somebody is investigating Councilmember Akins-Wells, because she got into a fight, which was a lie. Even a dog gets tired, so yes, when I responded, I responded out of anger, because I am sick and tired hearing and talking about stuff that should not even matter. I am sick of it. So yes, I am going to look into our police department when I get complaints, I am going to bring it to the city manager and do what I need to do as a councilperson; I am going to speak my mind because I have freedom of speech to do so and if you do not like it then that is a personal problem. Again, when you are being unethical and doing unethical things yourself, look in the mirror and check yourself before you try to check anyone else. I am not got to get up here and say, oh, I was wrong I probably should not have said this, I probably should not that, but I did and I stand on every single thing I said, I do not take it back; I fear no man but God, no man but God and I will not be intimidated; the people did not elect me for me to get up here and shut up to please other people. I am not where someone has my hands tied, oh we will not send you to jail if you support us and vote for everything, I am not in that situation, and I never will be. I am not the go along to get along, I am going to do what is right. I am going to fight for the people, because that is what the people put me here to do. So, again yes Kimberly, it is personal it is personal, anytime people go on Facebook trying to befriend my friends and trying to find out what Councilmember Akins-Wells doing following me to games, and it is just a bunch of mess and we have so many other things to focus on. I could have filed a complaint on her, because it is on recording and the city attorney has heard it, where you continuously talking about what we discussed in executive session, but I am not petty, I have a life and being a councilmember is not my life, it is a part of my life, so I am not going to fight you, I do not want to battle with you, not with mess like this, so if anyone wants to file a complaint, its unethical, so someone should, instead of us sitting here talking about a Facebook video, because Councilmember Akins-Wells is tired of people attacking her, because they are in their personal feelings. That is all I have to say, whatever you all decided to do is what you decide to do, I walk with God, I fear no man, no elected official and I will not go alone to get along and I will not shut up because you do not like what I say.

It was motion to close the public hearing on the Ethics Violation on Councilmember Akins-Wells

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

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

It was motion to recess into Executive Session for deliberation on Public Hearings.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember Mears

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

It was motion to reconvene from Executive Session back into Regular Meeting.

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

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

As discussed in Executive Session the following motions were made

Motion was made to reprimand Councilmember Antoine

Motion made by Councilmember James, Seconded by Councilmember Mears. Mayor Butler read Resolution 22-07 for Reprimand of Councilmember Antoine

Mayor Butler – I will open the floor discussion, but there are four (4) options that we could have made; 1) do nothing; 2) removal and under the charter it takes four (4) votes of the governing body to remove an elected official, we did not have the four (4) votes to remove him; 3) was to censure or reprimand and 4) which has also taken place, was to send everything to the District Attorney's office. So, we are at this point, with the censure or reprimand, because there are not four (4) votes to accept the recommendation of the attorney which was removable. Does anyone else have any comments/discussions or questions.

Councilmember Akins-Wells – I would first like to say, that is not why we are censoring, that is what was recommended because, I am not in favor of censoring someone who admitted to taking money on top of several other things that Councilmember Antoine has done. I think that certain things and behaviors deserves certain punishments, and I am not for censure. You censure someone for saying something not for taking money and this person ending up with a contract on behalf of city and Councilmember Antoine coming up here to collect his check, because he felt like some of the money was owed to him, I do not think that is due a censure. I am not in favor of that, I think too he should have been removed, it is not guaranteed that the District Attorney is going to anything and then nothing still gets done, so, I think as a councilmember and us talking about transparency and being held accountable, then we are contradicting everything we are saying just by censoring someone that is involved in corruption.

Councilmember Gutierrez – This is just uncomfortable for me to be honest, knowing these people, some might just see this, but as elected officials we are put in the public eye and it is hard because I have seen the best side of both of them, but like anything, it is like running a business, I cannot expect Dr. Cooper to hold Director Jinks or Director Brown accountable or anyone else accountable if we cannot do it with each other. Something I heard, but I do not know the exact quote, but it is if you surround yourself with people that are smarter than you in certain area and I am not an attorney and not an expert in these things, Mr. Williams is and the investigator we hired. So, if his recommendation is removable with all the things he quoted in the charter, that is what I agree with. I am for the removal of you, Councilmember Antoine, it is business and not personal and it went this way, but you are still here so make sure you pick up the ball and run with it, fix it.

Councilmember James – I just wanted to say that it says a lot for someone who can admit something they did wrong, and you may not know, that even with the investigating that took place a lot of people were asked to participate in the investigation hearing, did not show up, so, we were able to get the full picture of what transpired. Councilman Antoine showed up and stated what he did and received; that says a lot about

a person that shows up. There are things we do not know, as elected officials, that many other people are involved in and we do not have that information, but we have forwarded that information to the district attorney's office. They have more power than an investigative attorney, an investigative attorney can say I want you to show up and that person do not show up; a district attorney tells you to show up and you want to show up and so, they have power to get more information, more in-depth as to what transpired. So, I am of the opinion, and I have talked to other people in the community, and a removal for me as elected official to remove another elected official is not my place, I think it is the place of the people that voted them in to vote them out. If you all feel like you need to remove him, then go through the process for removing him, there is a process that you can do that, but you do as voters, not as me co-person with Councilmember Antoine, to say I want you removed because I feel like this is something that you should be removed for. That is where I am and so, I would not vote for removal for that reason and again it says a lot to me about a person that can admit when they did something wrong, as opposed to saying, I did nothing wrong.

Councilmember Mears – Under the circumstances, with the way the vote would come and the involvement of the district attorney's office in the matter, reprimand with the backup of what transpired with the DA should be punishment enough. I agree with CM James, I hate to reprimand or dismiss a colleague or member, but he was man enough to man up, you see he done it and all that, but there needs to be guideline or changes in our agendas and such so that we have some way to handle this. Right now, there is a lot of personal feelings going in this and it is clouding people's judgement, you cannot let personal feelings get involved in your decision, which I feel that is what is happening now, so you must take the list of two evils and move on with the situation.

Councilmember Akins-Wells – I have one more thing to say and then Councilmember Mears helped me with something else. It is not personal, because number one, we did not take the money; we did not feel like we were owed money so I do not understand how you can say it is personal, it is people personal feelings. So, with me being transparent and me being the person that I am, I am just going to say the writing is on the wall, and what I feel the reason no one asked him to be removed because it is a power thing, and if he is removed then he can no longer be someone's yo-yo and vote with everything that certain people want to do, if you all have notice in the previous meetings that is what has been taken place; after this meeting that is the same thing that is going to take place, because he well feel like they saved him or they kept it on the hush for this long so he owes them something so, he is going to go along and get along, which is another reason why he should not be in office because the people cannot trust him. I heard the word thrown around when it came up to Councilmember Akins-Wells and this Facebook video and the trust and the public's trust and no one say anything about that when somebody admitted to taking money and yes you are right, it says a lot about a person that can admit to it, but he did not have a choice, because it was proven that was what he did, so he did not have a choice but it also says a lot about an elected official that would feel like they are owed money because someone comes and does business in the city of Forest Park, no one owes you anything and that is why you should be removed.

Mayor Butler called for the vote

Voting Yea: Councilmember James and Councilmember Mears

Voting Nay: Councilmember Gutierrez and Councilmember Akins-Wells,

Abstain: Councilmember Antoine

Mayor Butler – since there is a tie, she voted in favor of accepting the motion.

As discussed in Executive Session the following motion was made:

Motion was made to reprimand Councilmember Akins-Wells

Motion made by Councilmember James, Seconded by Councilmember Gutierrez. Mayor Butler read Resolution 22-08 for Reprimand of Councilmember Akins-Wells

Mayor Butler – I will open the floor discussion. Just as before there are four (4) options that we could have made; 1) removal and under the charter it takes four (4) votes of the governing body to remove an elected official, we did not have the four (2) votes to remove him; 3 was to censure or reprimand and 4) a request for resignation. So, we are at this point, with the censure or reprimand, because ultimately there is not four (4) votes to accept the recommendation of the attorney which was removable. Does anyone else have any comments/discussions or questions.

Councilmember Gutierrez – I agree with the censure, and I am going off the recommendation of this unbiased ethics attorney. I will say I did see the video and I cannot put myself in Councilmember Akins-Wells' shoes, because I was not investigated by the police and did not go through all of that, but I can see that she was very emotional in the video about what happened and I think that might have triggered some of the thoughts and not to excuse some of the things she said, because later she was asked to remove the video, but she stood her ground and said I stand behind my statements, in which I do not think they were all entirely appropriate but I can see where when someone is emotional, you just say things and I cannot relate to what she had to go through nor Councilmember Antoine had to go through when they were being investigated. Hopefully, we can move forward with all this.

Mayor Butler – Just as before there are four (4) options that we could have made; 1) removal and under the charter it takes four (4) votes of the governing body to remove an elected official, we did not have the four (2) votes to remove him; 3 was to censure or reprimand and 4) a request for resignation. Does anyone else have any comments/discussions or questions?

Councilmember James – We also discussed having something more added in our charter that would have a little bit more consequences to ethical violations, so we need to not allow continued behavior to continue to happen and nothing really happens, other than the public hears about. But again you all have to vote for whomever you want to represent you, should take that opportunity, but I think again, as an elected official it is not my job to remove any elected official from office, but it is my job to make sure that we govern in the way that you all have expectations for us to govern and we hold each other accountable for our actions and that includes me as well, I am not excluded from any expectations that you all have of me.

Councilmember Mears – I have been in the city a long time and I do not believe that we have enough teeth in our charter to handle situations like this. In the 56 years I have been in the city, these kinds of situations have never come up so, in past councils in our defense do not have the proper tools to make a proper decision. People vote to put people in positions and from now on we are going to have to go back and relook at our charter and take up this kind of situation. But you cannot have arguing, disgruntle and all in the council and amongst each other; and going out of bounds on your position or your authority and talking and showing; we have directors to do that and you got a city manager to look after the directors and when council gets involved, when you step out of line and go directly to the people that work in the city and get too involved in their business instead of going to the proper channels then you have chaos and problems and that is where we are right now. So, that is something that is going to have to be addressed by the council and the city manager and directors to get protocol or rank in file situation where we do not have that problem anymore.

Councilmember Gutierrez – I just want to add to your comment, I just think if we are respectful, conflict and disagreement is healthy, you cannot have people that are just robots and think the same, I know that is not what you are saying CM Mears, you are gearing more to the disrespectful side of it. But I think it is

healthy that we think differently, we do not want a city council that is all the same, because it was all the same in the past and we know how much progress Forest Park had when everybody looked the same up here. I think important to have conflict if we are respectful to each other, respect is just we must have that core value.

Councilmember Akins-Wells – I would like to piggyback on what Councilmembers Gutierrez and Mears stated that these types of things never came up; I am 39 and I have been in the city for 30 years and these types of things have come up and matter of fact, it was Councilmember James who filed a complaint on the previous Mayor Deaton and asked for her to step down. I will say this again, basically what has been said up here is shut up, we do not want you to talk, express your feelings, we just want you to go along; and once again want to add more stuff in the charter, so they can shut up and you just go along; when someone asks someone to add to charter to shut me up, then I no longer serve the people and I am not just going to shut up, I am not going to do that. The people elected us to be a voice and although some of us are not, do not hold the people accountable and be made because they step up and they speak up for the people and for themselves, because I am Latresa Shantay Akins Wells before I am Councilwoman Wells. And I am going to defend myself when I feel like I am being attacked and you stated that we need to let the directors do this and we need to let the people do this, we have people higher up, but what do you as a councilmember, when it is the higher up people that budging and stabbing you, then who do we go to? We are left to defend ourselves, but you want us to shut up, I will not, I will not.

Can I go back to Councilmember Antoine's issue? (Mayor Butler stated yes) I just want to bring, because I am transparent and a lot of things was not discussed, I guess because the investigator did not bring certain things up, but as far as the purchasing of items with the city's credit card that was another thing that was kind of brushed under the rug and they did not see any wrongdoings on someone purchase a tailored suit, buying shoes for themselves, I am not an investigator, but I do know if this that if this type of being investigated, if I was investigating then I want to know who that suit was for. If was not for you, who was it for? If the nine and half shoe, that you wear was not for you, then who was it for? I do not understand how the investigator came up with that, but I just wanted to be transparent and let the people know what was really going on.

Councilmember Mears – If all of us are vigilantes and go out and get into everyone's business, we do not need a city manager. We need five councilmembers that will run the city. We have got to have organized chaos, you got to have somewhere, somehow you have got to be under control, everybody runs around taking care of everybody, you have got to get city worker to do this, and you must have organization. When everyone gets involved and try to take care of everyone's business you are going to have chaos.

Mayor Butler called for the vote

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, and Councilmember Mears

Abstain: Councilmember Akins-Wells

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

Ms. White stated that she had three (3) additional public comment speakers, with one not being a resident, which was turned in after the 6:45pm deadline.

It was moved by Councilmember James and seconded by Councilmember Antoine to allow the additional two (2) speakers to speak.

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

There were six (6) speakers for Public Comments:

Ann Pellegrine – When I read tonight’s agenda, I saw in black and white what the community has been observing all along. Some councils have been trying to distract us with signs, names and now a video. A video where I saw someone reacting with raw emotions to ongoing attacks on her character, her family, even involving the school her attended. There is indeed conflict, and to quote the complainant Mrs. James, it erodes the confidence of the public in government. But wait a minute, why is the pot calling the kettle black, we have witnessed this unprofessional pettiness and we wonder as a community is it political or is it personal, because we see who contributes what, we know what brings job to the city. We like having someone tell it like it is, even if some do not like the way she says it. Why do this bother you so? Meanwhile real concerns like the outcome of an investigation involving illegal actions, you said nothing, not since October, through an entire election cycle, not one word. Protected in confidence and in secret even now. We have heard the word accountability thrown around a lot lately, accountability is not a weapon, you do not pick and choose when to wield it depending on how it benefits you personally or politically; accountability is truth. The people of Forest Park, the ones who are walking to get their groceries, struggling to keep housing, put food on the table, still negotiating a pandemic, unemployment, care of aging parents till getting by on the bare minimum, homeless huddled by the laundromat, just around the corner from where you held your bodacious celebratory gala. That was the video that offended us. I quote, “erodes the confidence of the public in government,” end quote.

Clifford Pellegrine – Good evening, Councilmember Antoine broke law. You have known this for a long time, and he should be removed from council. Everyone I have talked with agrees, waited until now for a public hearing, when the appropriate for public input was during the last election, now here we are and you vote to censure him, are you kidding me? And coupled with whatever feud you have going on with Councilwoman Akins-Wells, in that one special counsel described the problem with the word “tribalism”, all of you look bad. Is the entire governing body okay with this? This really concerns me, also, I saw nothing in the document stating what the cost of the repairs would be for the poor workmanship at Perkins Park nor anything addressing whether there are other contracts with the city involved, that concerns me. I ask that the governing body do a deep analysis of their decision regarding this matter, and I encourage you to vote instead for removing Mr. Antoine because that is the appropriate action, and you were sworn to uphold the law, lead the community of Forest Park in the direction of healing, stop talking about it and around it and do the work, very disappointed tonight.

Lois Wright – I want to talk about bringing us in unity, our whole community and one thing that I have seen do that was our summer concerts. Now I have been a resident and a homeowner in this city for a little over 25 years. I have seen bad, good; seen them come and go, but I have never seen over the last couple of years in the summertime all the community come together, and I think that is important that we keep these functions going to keep our communities together and I am not speaking just black, white, Hispanic, Asians. I am business owner, I do taxes and my clients consist of many residents as well as businesses here in the city, so I talked to all the people, I could say firsthand they are excited about what we are doing in the summer, and we have got to keep that going; no matter who bring it forth. Kudos to you Councilmember Akins-Wells (Mayor Butler – please direct everything to the chair). Because we are the largest city in Clayton County, we ought to be the one that is setting the example, not Jonesboro. We need to start bringing things to bring our community together and the only two persons I have seen throughout the council to make this happen is Councilmember Akins-Wells and Councilmember Gutierrez, they have functions that go on and bring the community together, let us keep this going, it is about the community. This is about all of us, stop the bickering and the craziness because you know this is our city, you all represent us, I am a resident and taxpayer and I expect the people I put in place to be respected and to give back to me, the community, the residents; as I do and I am not even a council representative, but I am a community servant and I talk to everyone. You all must

get it together, we got to get it together, this is our city. We got to do better unless and it is all about us, the residents, not them, and you all remember this when it comes election time.

Councilmember James – *Point of order Madame Mayor, although I appreciate the applause it is not appropriate and think we should not have the applause.*

Mayor Butler – *I am okay with the applause, but we are not going to get out of order with it.*

LaWanda Folami – Greetings, I am here to start back in January, all the nonsense, we are sitting around right now is just a group of governing body who has already made a decision. I remember growing up watching “how to catch a thief”; anytime you catch a thief, he is going to tell on himself. I feel like the rest of my community, he should be removed. Let me get to some good news, Censure would be for Mrs. Wells for my record and removal for Mr. Antoine, you were caught red-handed, and the best thing would be for your constituents is to just resign. Back to January 25th I just want to make recommendations for Commissioner Davis who did a warming center to assist the constituents during the time of coldness; I spoke with the minister association who poured out their hearts, Forest Park Church of the Rock, Minister Micah, Brother Cook, Minister Harris, so many joined in together in unity and we bought collectively, we were able to transport people from one location to another. This is something to think about, we have a lot of constituents hugging around the grocery stores trying to keep warm. Kudos to the Park and Recreation & Leisure; I work volunteer with Seven Pillars Academy on Rock Cut Road, we joined in with the Recreation center to have basketball for ages 14 and up. Kudos to Mr. Tariq Maxwell and Mr. Morris who did an outstanding job in helping the kids get to the championship. There is a big pothole on Conley Road, which needs filling up, instead of filling your pockets up, fill up the holes.

Ursula Kinsey – I do not know everyone on the panel, but this is the first time for me attending a council meeting, and I am somewhat saddened by what I see. Unfortunately, we are at a standstill where we must come and look at two council people to determine whether they should be here or not and to watch you bicker amongst each other about pettiness, I think some of it is petty, when it comes to Councilmember Antoine, which is not petty to me. Because it is in your hands, your hands are dirty. But when it comes to Councilmember Wells, I find that to be a bit petty, because of the situation, I noticed what has come to the community. My son was murdered four and half years ago by gun violence; I started a documentary, Councilwoman came to me and said, this is not only happening to you, but it is happening to everyone in the community. We must get our community back, she allowed me to share my story of my son being murdered, my only child, and presented it to the community. Your community, my community our people came out as a whole, white, black, orange, green, and brown; they were all out to say no more gun violence, we are not doing that anymore. That was bringing the community together, then on another occasion, I am in the gym doing step aerobics. So now, you are not only caring about what happened to our youth, but you are trying to make sure I live, doing step aerobics, you are bringing the community together, young and elderly doing step aerobics, that is bringing the community together. And then there is the summer, when I walk out and see in the park, different diverse of people there, I am going to be honest, I have never seen you in my life (Mayor Butler – we are going to direct all comments to the chair) I have never seen that councilperson, but I have seen that one, I rarely even seen you, all I am saying is there are some, the people are here for a reason, and we voted for somebody, and the reason we voted for that somebody is because we want them to represent us, whether it is good, bad or indifferent and it appears that is what councilwoman has done. She has provided us with information that we probably never would have known, she has kept it real, whether you like it or not, maybe her way of doing it may not be tactful but maybe we need some in-service on how to be tactful. A lot of us in the audience are not tactful, but what I can say is she has brought the community together in a health manner, to stop the violence in the community, brought the community together in other ways so that we can be sociable and yet some of the things that has happened because of social media is unprecedented, so maybe you need to look at that. I do want to say, I do appreciate everything that everybody does, but let us be far.

Larry Malone – I am a certified personal trainer, and I grew up in Forest Park, went to Forest Park Middle School and Forest Park High School. Growing up my best friend's mother, Debbie Yeoman, was a Forest Park Councilwoman and we did not know what her job was, we just knew she was on Forest Park City Council, but did not know what she did, her job description. I did not know what a city councilmember does until I met Councilmember Wells, and it was funny because I met her at her real job and she overheard me training someone, and she liked what I was doing; I came up with the original format for step aerobics, it is old school music, it caters to elderly people, preferably 35 and older. (He asked members of the Wellness for Wells to stand) Members of the class came straight to the meeting when we heard about this, the program is no longer going on, but these people followed me to the dance studio, and she has brought me back per request from the citizens six times. When she came to me, she said COVID-19 is affecting the elderly people and I need something like what you got going on to do and bring wellness to the forefront of the community and that is when she came up with Wellness with Wells. As you see it helped, these people came straight from my class and struggling business, it helped my business and helped these people. You would be surprised how much your heart and lungs are pumping can prevent things from happening to you. She does her job, because she brought wellness to the forefront of the community and growing up in Forest Park, I never seen a city councilmember do anything that I knew was going on.

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

Mayor Butler, we need to amend the agenda to consider Daniel Penaloza for an appointment to the Urban Design Review Board.

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

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

It was moved to adopt the agenda with the amendment

Motion made by Councilmember James, Seconded by Councilmember Mears

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

APPROVAL OF MINUTES:

- 4. Council Approval of Council Work Session and Regular Meeting Minutes from February 21, 2022 - S. Diane White, City Clerk**

It was motion to approve the Council meeting minutes from the February 21, 2022, meeting

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

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

NEW BUSINESS:

- 5. Council to Approve Resolution 22-09 Authorizing Approval to Award a Contract to Hogan Construction Group LLC to Construct a New Public Safety Building at the Gillem Logistics Center– Department of Planning & Community Development**

It was moved to approve Resolution 22-09 authorizing approval to award contract to Hogan Construction Group, LLC

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

6. Council Approval of a Proposed Entertainment District Ordinance 22-01– Department of Planning & Community Development

It was to adopt Ordinance 22-01 Entertainment District.

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

7. Council Approval of Resolution 22-10 in Support for the People of the Ukraine and Condemn the Russian Invasion – Legislative Office/Chief Executive Office

It was moved to approve Resolution 22-10 in Support for the People of Ukraine.

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

ADDENDUM(S):

8. Council to Approve the Appointment of Daniel Penalzoa to the Urban Design Review Board - Planning & Community Development

It was moved to approve the appointment of Daniel Penalzoa to the Urban Design Review Board.

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

Mayor Butler – we will swear you in after the meeting.

CLOSING COMMENTS BY GOVERNING BODY:

Councilmember James – Let me first just say that I do give Councilwoman Akins-Wells her kudos for the things she does in the community, I do not take anything away from her on the things that she has done and I do not take it away things that I have done as well; you may say you have not seen me, but I have been out there, and I have people that support me to tell you that I have been out there. Not only have I been out there, but I also send out messages on a bi-weekly basis on things that is going on, including Fun Friday in the Park, and Food Truck Friday, so I am with an effort trying to bring the community together. As far as what councilmember does, we are to make laws and govern our city and make sure that we are taking care of our employees as well as the residents, so we have different departments, including the Rec Department. Do not think that if we amend the budget to put certain things, we have an \$8 million fire station that we thought would cost us \$4 million, so we must come up \$8 million to take care of that, Therefore, there will be things that we will have to cut. Does that mean we are cutting things that bring our community together, no, it does not mean that? We have a parks and recreation department, so believe me the things that Councilmember Akins-Wells have brought to the table and the things Councilmember Gutierrez has brought to the table is not going away, these things will continue to happen. There are a couple of things I wanted to outline on

some of the things that someone had said. They read a quote that says, "erodes the confidence of government", I like to say, that is not my quote, this quote came from the ethics attorney, not me. And there was a comment made about the character of a person when something is not brought up during the election cycle. If you read our charter, as an elected official, we cannot bring up items during election cycle, that is something that is not to come up during the election cycle, it is the charter written, I did not make that law it is there, read it for yourself. So, the reason we did not get the information that the investigator found out until after the election, is because it is in the charter. It could not be given during an election cycle, and it just turned out that the results came and we as a council did not even know what the results of the investigation was. Our city manager brought it to us after the election. Why? Because it is in our charter, our law is what we must abide by. So, you all can have your different opinions or whatever, but make sure that you are going by the law. Another comment was made do not shut me up, I am not asking anyone to shut up, I am asking to tell the truth, I do not want lies to be portrayed out that are not true. I mean it is just not true, so, as an elected official, I should not be telling you things that are not true, I think you should hold me accountable for that, no matter what good I do, no matter how many meetings I give, no matter how much stuff I do for the community, whatever, I should not tell you something that is not true and I should be held accountable for that. The comment made about me disclosing things in executive session; anything that is discussed in executive session that we come out and vote on it is no longer privileged information, so when you talk about wanting to give a former city manager a six months compensation, you talk about it in executive session and you come out of executive session and you vote on it, it is no longer privileged information, the people need to know. Yes, that is something that I said, we talked about giving a previous city manager, who had been gone for almost a year, six months of salary, why? It was not a lawsuit. He was friends with a councilperson and wanted six months' salary and the councilperson brought it up, that this is what we should do. That is not privileged information, it was information that could be disclosed and go out. I stand behind everything that I say, and I do not say things that are not true, I do not fabricate and make innuendos, you all do not have the full picture in some cases, you do not have the full picture of some of the things that have transpired. It is easy to take the side of someone you are hearing from all the time, it is very easy to take that side, so, I am saying that to say, make sure you get the facts and the complete story, make sure you are not one sided in receiving your information, make sure you are receiving information in its entirety. I will not bring up Mayor Dayton, but if you want to talk to me on the side, I will talk with you about it.

We had a Hunger Walk, you may have seen it on the news, the community food bank held a hunger walk in the state of Georgia and we as Forest Park High School, which I was the team captain. We raised money to feed the community in Forest Park and was able to raise \$907, which will go towards having a food drive at the high school, where we will be able to invite the community to come and get food items. Big thanks to JenCare Senior Medical Center, one of our sponsors, who provided shaved ice for the walkers, and pictures will be posted soon. Big congratulations, I am probably stealing the Mayor's thunder on this one, but congratulations to Forest Park High School Girls Basketball team who are going to the state championship on Thursday. If you want, go to the Macon Coliseum to see them play, tickets available at www.gofan.co to support the Lady Panthers as they go up against Woodard Academy for the state championship. Thank you all for coming out, I appreciate you, if you need to speak with me, I am open to you and I am here to serve.

Councilmember Antoine – Good evening, everyone, and I want to tell everyone thank you for the opportunity to be her continuing the spread the good work that Forest Park is doing. I also want to share, the bible says your silence shall be your strength; when you know the truth you do not have to say much, because you know the truth. Thanks to everyone in Ward 2 that is here, the emails and internet that I got in support of me. Congratulations to those who were sworn into the various boards; to the Sergeant with his new infant. Ward 2, we have a big major senior development that coming to College Street, 55 and older, that will be a huge development and we are looking forward to that. Thanks again for coming and let us keep it moving, pushing, and doing the people's business. God bless you all.

Councilmember Gutierrez – Just to echo my colleagues, thank you for coming out and sitting through all of this. Congratulations to the Public Works & Parks/Recreation departments for a successful food truck event at the Fountain, there were a lot of people, lot of the community and to the elected officials that were present, thank you for coming out and enjoying the community. Also shout out to Mr. Freeman of Concrete Technique, I introduce him to the middle school principal, and she mentioned to him some of the hardships and he made a \$2,500 donation on the spot which I thought was impactful. Sometimes a lot of businesses come here and say they are going to do things but do not, so I really appreciated him doing that for the middle school. March 22nd I will be having a women's panel in honor of Women's Month. I will be partnering with Forest Park Women's Roundtable which is a non-profit, that my wife is a member of, we will have a ray of speakers from different generations, and I am excited because honestly, if it was not for a lot of women, I would not be functioning as an adult. March 23rd, we will be having an event at the library, I am partnering with Ms. Sabrina Hill from District 7 School Board, we will be reading books and our teen committee "Panthers in Action" will be there, which is a good opportunity for them to interact with some of the younger crowd in Forest Park and just to promote all the services the library has to offer. I am excited about the resolution for Ukraine we approved, and we hosted a delegation here and our sympathies are with them. The world is in a war, and we are privileged and bickering about small things when people are dying, so make sure you take that into account. Sgt. Lewis, congratulations on fatherhood, I think that is the most beautiful and priceless thing a man can do, the title of a father there is nothing like it and welcome Ms. Barkley to the city, you have an amazing finance department; congratulations to all the new board members and if anyone wants to talk about any of my decisions, I am available. Thanks, and take care.

Councilmember Akins-Wells – Thanks to everyone for coming out and this month is Women's History month, so, I would like to thank and show appreciation to every woman in the city of Forest Park, every employee and thank you for all that you do, women make the world go around and if it was not for us, we would not be here, again happy Women's history month. There are a few things, and I am not going to be long-winded, thank you to the directors would are still with us. First I would like to respond to Councilwoman James, and after this meeting, unless it is city business and not my business, I will not bring it up, I am not going back and forth with no one about mess, I am working on being a better Chante', because I am Chante' before I am Latresa, but I am working on being a better me, so after today I am done with it. But what I will say, you stated that you tell the truth and did not discuss things that took place in executive session, well you did, I have the recording for those that want to hear it, as well as my husband and daughter who were employees of the city, you violated the HIPPA Law by discussing my husband's health issues and stated that my husband was terminated and went to the city of Atlanta and was forced to be hired back with the city of Forest Park, when in actuality the city asked him to come back and he made more money, because he got his CDLs while he was with the City of Atlanta, all of this is on the tape, and she is bashing my husband and daughter asking how did she get this job, when I can name a whole lot of people, but I want, because I am not playing the petty game. They have friends that work for the city and she was qualified to do the job and she was hired she was not forced. So, you discussed things that was not voted on in executive session, and again it is on record; I will not file an ethics complaint because I do not have time. I have a business, my son has a business, I have a job, I do stuff and it is not tied up in city stuff. I am not sure if you all paid attention, but I pay attention body language and to the sighs and when the people and I appreciate you all, I did not know everyone from Wellness with Wells was coming, I appreciate you all and everyone that spoke on my behalf, it means more than you would ever know. Because being a councilmember that is fighting for the community, and you have certain individual that want to keep attacking because they are bothered personally, or they feel this person is in the spotlight a little more than them that is an issue. So, I paid attention to body language, when they were speaking about wellness with wells, people may not like it and that is why they want to take it out of the budget and give it to parks and rec, so that Councilwoman Wells' name will not be on it, so they can make it seem like everyone is involved and Councilmember Gutierrez with his food truck Fridays, there are things that we push to do. I do not if you ride around the county, but you will see signs everywhere around Clayton County a Commissioner doing this, a Commissioner doing that; i.e., back to school bags, Halloween trunk or treats; people are recognized for the things they bring to the table, why is that an issue here? Because it is personal, instead of coming together saying how we can make this better for the city, it is let us do away

with it, let us give it to Parks and Rec so that her name is not involved in it. But guess what, it will be, because I will then become a sponsor and raise money and then my name will still have to be on it. So, that is what it is all about, it is personal. It is no different than what other cities are doing, the county, all around the world not just right here in little old Forest Park. If you talk about unity, and you read the mission statement and all this is true and this is what you go by, instead of trying to do this and that, because of one little old person, come to the table something. Councilwoman let us sit down and see how we can make this better, get the word out to bring and get more people involved; how can we get well-known artists here, how can we get more people to participate; what can I do to help? Those are the type of conversations we should be having. I am going to tell you that we have to come up with \$4 million dollars, Fun Friday and Food Truck Friday is nowhere \$4million dollars, it is just an excuse to get rid of the things that Councilmember Akins-Wells helped initiate that brings our community together; let's take her name off of it, we do not want her involved, do not want her on stage fellowshiping with the community and bringing the people together, we want someone else to do that. But I am always going to be her because it is my city, where I grew up and where I serve. Appreciate you for coming out, have a blessed day and safe ride home.

Councilmember Mears – Glad to see everybody here that came out; anyone that is sitting in this room can see the problem. We have had several comments about if you do the crime, you pay the time, well you must have rules and regulations and people that will make it happen and we do not have that. Have a good night and see you next meeting.

Mayor Butler – Father Jacque, who presides over Felipe de Jesus, Pope Francis has appointed Reverend Father Jacque, a Forest Park resident as the new Bishop elect of the Roman Catholic Diocese in Charleston, SC. Father Jacque, who is from Haiti, will become the 14th Bishop of the Diocese succeeding Bishop Robert and Father Jacque will be the first black Bishop for that diocese and will be ordained April 29th. This just adds to everything we have going on in Forest Park even we hate to have him leave. Unidos had a Mardi Gras ceremony and it was amazing, they are also looking for people to come out and read to the children; I said that I would mention this to the Forest Park Minister Association to see how we can partner with them, they are also having a shortage with staff, and substitute teachers, so I would like to put this out to the community; you will have to go through the process of volunteering, but know that we do have a school in need. And if I could have a proud mother moment, my baby had her first solo flight a few weeks ago, I am terrified to fly, but when I speak to my daughter every time she gets out of that cockpit, I can hear the excitement, the enthusiasm it permeates through the phone, and so I am just happy and now she is officially flying solo. We have some new recruits in the Fire department to be introduced at the next meeting and Chaunda Melson in the finance department, lost her mother, if you could add her and her family to your thoughts and prayers as well, would be appreciated.

EXECUTIVE SESSION: There was no Executive Session

ADJOURNMENT:

It was moved to adjourn the Council Regular Meeting at 9:16pm.

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

File Attachments for Item:

1. Swearing in of Urban Design and Planning Commission Board Members – Executive Office

Background/History:

Mayor Butler swears in all board appointees; the following persons are to be sworn in

Urban Design Review Board Members – Rodney Givens, Ron Dobson and Yahya Hassan

Planning Commission Board Members – Darnell Moorer, Michael Clinkscales, Azfar Haque, Andy Porter and Roderick Jackson



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Swearing in of Urban Design and Planning Commission Board Members – Executive Office

Submitted By: S. Diane White

Date Submitted: March 1, 2022

Work Session Date: N/A

Council Meeting Date: March 1, 2022

Background/History:

Mayor Butler swears in all board appointees; the following persons are to be sworn in

Urban Design Review Board Members – Rodney Givens, Ron Dobson and Yahya Hassan

Planning Commission Board Members – Mary Colvin, Michael Clinkscales, Azfar Haque, Andy Porter and Roderick Jackson

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

Financial Impact:

N/A

Action Requested from Council:

Mayor Butler to swear in the board members

File Attachments for Item:

2. FACTS/FINDINGS/DECISION AND RECOMMENDATION REGARDING SPECIAL COUNSEL INVESTIGATION – Legislative Offices/Chief Executive Offices

Background/History:

Under the investigative authority of Section 2.15, the city council of the City of Forest Park, Georgia empowered the Special Counsel to review the actions and involvement of city council member Dabouze Antoine with regard to two events:

A city contract to refurbish the basketball courts and other improvements at Perkins Park

The purchase of Christmas gifts on December 17, 2020, with fund donated to the city by a private party

In Section 2.15 of the City Charter, the city council is authorized to conduct inquiries and investigations. The Charter provides: “The City Council may make inquiries and investigations into the affairs of the city and the conduct of any department, office or agency thereof, and for this purpose my subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issue in the exercise of these powers by the city council shall be punished as provided by ordinance.” Under this investigative authority, the city council retained the services of attorney, Anthony O.L. Powell of Powell and Edwards, PC to conduct a fact-finding investigation.

Special Council concluded with regards to the Perkins Park contract that there is conclusive evidence that Council Member Antoine violated the laws of the State of Georgia, the charter and city codes of the City of Forest Park by accepting gifts from a city private contractor in excess of \$500.00 who was subsequently awarded a city contract to refurbish the basketball courts, fencing and parking lot at Perkins Park on the recommendation of council member Antoine. Based on this admission by council member Antoine, Special Council further recommends that the city council consider the evidence in a public hearing conducted pursuant to Section 2.15 and 5.16 of the city charter and remove Mr. Antoine from his office under the authority of Section 5.16 (1), (4), (5), and (6). Furthermore, Special Council recommends that this report and the supporting evident be forwarded to the Clayton County District Attorney for consideration of additional sanctions based on the admissions of Mr. Antoine. In the event council member Antoine is criminally charged and convicted, he could also be suspended and removed from office based on Section 5.16 (2) of the charter of the city.

Special Council concludes with regards to the purchase of Christmas gifts with funds donated to the City by a private citizen that there is no evidence that council member Antoine is guilty of an offense that would justify any disciplinary action.

The City Manager is seeking council's direction on how they would like to proceed with the attached Resolution 22-07 in this matter.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: **FACTS/FINDINGS/DECISION AND RECOMMENDATION REGARDING SPECIAL COUNSEL INVESTIGATION** – Legislative Offices/Chief Executive Offices

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: February 28, 2022

Work Session Date: March 07, 2022

Council Meeting Date: March 07, 2022

Background/History:

Under the investigative authority of Section 2.15, the city council of the City of Forest Park, Georgia empowered the Special Counsel to review the actions and involvement of city council member Dabouze Antoine with regard to two events:

- 1.) A city contract to refurbish the basketball courts and other improvements at Perkins Park
- 2.) The purchase of Christmas gifts on December 17, 2020, with fund donated to the city by a private party

In Section 2.15 of the City Charter, the city council is authorized to conduct inquiries and investigations. The Charter provides: "The City Council may make inquiries and investigations into the affairs of the city and the conduct of any department, office or agency thereof, and for this purpose my subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issue in the exercise of these powers by the city council shall be punished as provided by ordinance." Under this investigative authority, the city council retained the services of attorney, Anthony O.L. Powell of Powell and Edwards, PC to conduct a fact-finding investigation.

Special Council concluded with regards to the Perkins Park contract that there is conclusive evidence that Council Member Antoine violated the laws of the State of Georgia, the charter and city codes of the City of Forest Park by accepting gifts from a city private contractor in excess of \$500.00 who was subsequently awarded a city contract to refurbish the basketball courts, fencing and parking lot at Perkins Park on the recommendation of council member Antoine. Based on this admission by council member Antoine, Special Council further recommends that the city council consider the evidence in a public hearing conducted pursuant to Section 2.15 and 5.16 of the city charter and remove Mr. Antoine from his office under the authority of Section 5.16 (1), (4), (5), and (6). Furthermore, Special Council recommends that this report and the supporting evident be forwarded to the Clayton County District Attorney for consideration of additional sanctions based on the admissions of Mr. Antoine. In the event council member Antoine is criminally charged and convicted, he could also be suspended and removed from office based on Section 5.16 (2) of the charter of the city.

Special Council concludes with regards to the purchase of Christmas gifts with funds donated to the City by a private citizen that there is no evidence that council member Antoine is guilty of an offense that would justify any disciplinary action.

The City Manager is seeking council direction on how they would like to proceed in this matter.

Cost: \$ 0

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

Financial Impact:

N/A

Action Requested from Council:

Seeking council direction on how they would like to proceed in this matter.

OCTOBER 20, 2021

**TO: MAYOR & COUNCIL
CITY OF FOREST PARK, GEORGIA**

**FROM: ANTHONY O.L. POWELL
INVESTIGATOR-SPECIAL LEGAL COUNSEL
POWELL & EDWARDS, PC
(Referred to herein as “Special Counsel”)**

INVESTIGATIVE REPORT OF SPECIAL COUNSEL

Legal Authority for Investigation:

In Section 2.15 of the Charter of the City of Forest Park, Georgia, the city council is authorized to conduct inquiries and investigations. The Charter provides: “The city council may make inquiries and investigations into the affairs of the city and the conduct of any department, office or agency thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the city council shall be punished as provided by ordinance....” Under this investigative authority, the city council retained the services of attorney, Anthony O. L. Powell of Powell & Edwards, PC to conduct a fact-finding investigation.

Furthermore, in the case of a member of the city council, the Charter provides that under certain circumstances, a council member may be removed from office:

Sec. 5.16. – Removal of officers.

- (a) The mayor, council members, or other appointed officers provide for in this charter shall be removed from office for any one or more of the following causes:**
- (1) Incompetence, misfeasance or malfeasance in office;**
 - (2) Conviction of a crime involving moral turpitude;**
 - (3) Failure at any time to possess any of the qualifications of office as provided by this charter or by law;**
 - (4) Knowingly violating any express prohibition of this charter;**
 - (5) Abandonment of office or neglect to perform the duties thereof; or**

(6) Failure for any other cause to perform the duties of office as required by this charter or by state law.

(b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished as follows: by the vote of four councilmembers after an investigative hearing. In the event an elected officer is sought to be removed by the action of the city council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. Any elected officer sought to be removed from office as herein provided shall have the right to appeal from the decision of the city council to the Superior Court of Clayton County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court.

Matters Investigated:

Under the investigatory authority of Section 2.15, the city council of the City of Forest Park, Georgia empowered the Special Counsel to review the actions and involvement of city council member Dabouze Antoine with regard to two events:

- 1) A city contract to refurbish the basketball courts and other improvements at Perkins Park
- 2) The purchase of Christmas gifts on December 17, 2020 with funds donated to the city by a private party.

Conclusions and Recommendations of the Special Counsel:

- 1) With regard to the Perkins Park contract, Special Counsel concludes that there is conclusive evidence that council member Antonine violated the laws of the State of Georgia, the charter and city codes of the City of Forest Park by accepting gifts from a city private contractor in excess of \$500.00 who was subsequently awarded a city contract to refurbish the basketball courts, fencing and parking lot at Perkins Park on the recommendation of council member Antonine. Based on this admission by council member Antonine, Special Council further recommends that the city council consider the evidence in a public hearing conducted pursuant to Section 2.15 and 5.16 of the city charter and remove Mr. Antonine from his office under the authority of Sections 5.16 (1), (4), (5) and (6). Furthermore, Special Counsel recommends that this report and the supporting evidence be forwarded to the Clayton County District Attorney for consideration of additional sanctions based on the admissions of Mr. Antonine. In the event Mr. Antonine is criminally charged and convicted, he could also be suspended and removed from office based on Section 5.16 (2) of the charter

of the city. The factual findings supporting this conclusion and recommendations is attached hereto as Exhibit "A"

- 2) With regard to the purchase of Christmas gifts with funds donated to the City by a private citizen, Special Counsel concludes that there is no evidence that council member Antonine is guilty of an offense that would justify any disciplinary action. The factual findings supporting this conclusion and recommendation is attached hereto as Exhibit "B".

Respectfully Submitted this 20th day of October, 2021.

Powell & Edwards, PC

A handwritten signature in blue ink, appearing to read "Anthony OL Powell", written over a horizontal line.

By: Anthony OL Powell

Special Counsel, City of Forest Park, Georgia

EXHIBIT "A"
DETAILS OF THE INVESTIGATION
AND FINDINGS OF FACT

Special Counsel visited the site and confirmed that the work performed by the contractor hired to refurbish the basketball courts, parking lots and surrounding improvements was defective. The pictures taken at the site clearly show the work was defective. Pictures showing Perkins Park after the contractor finished are attached hereto as Exhibits 1 through 7. Having determined that the work was defective, Special Counsel acquired the documents from the city evidencing the relationship between the city and the contractor. Those documents are included with this report as Exhibits 8 through 16. From the city records and from the corporate records of the Georgia Secretary of State, Special Counsel identified the officers and principals of the contractor companies. Using these records, the following individuals were identified as material witnesses with information concerning the contractor and its performance. Special Counsel sent subpoenas to the following:

1. Johnny "Rocko" Coleson
Individually and as agent for
Golden Deluxe Management Group, Inc.
P.O. Box 1871
Jonesboro, Ga 30237

Atlanta Paving Solutions



Atlanta Paving Solutions



Atlanta Paving Solutions



2. Mina McFarland
Golden Deluxe Management Group, Inc.
P.O. Box 1871
Jonesboro, Ga 30237

Atlanta Paving Solutions



[REDACTED]

3. Ashley Richey

[REDACTED]

4. Heather Esterling

[REDACTED]

Subpoenas were issued and served pursuant to the authority of Section 2.15 of the city charter on all the above referenced officers and employees of the contractor companies identified in the city records and in the records of the Georgia Secretary of State. Copies of these subpoenas are attached hereto as Attachment 1. A hearing was set for 9:00 am at the City Council Chambers for the City of Forest Park located at 745 Forest Park Parkway, Forest Park, Georgia 30297 on August 13, 2021. There was circumstantial evidence that Mr. Johnny “Rocko” Coleson might have in his possession certain text messages that might be significant to this investigation. None of the representatives subpoenaed from the contractor companies appeared at the hearing or responded to repeated telephone calls from the Special Counsel or his office.

In addition to the contractor group identified above, Special Counsel interviewed the current Procurement Manager for the city, A Girard Geeter. Mr. Geeter was not employed with the city when this project was initiated and attempted. Once hired, Mr. Geeter reported he did have some contact with the contractor. Mr. Geeter identified several contracting deficiencies in the method used by staff at the time to procure the work from the contractor. None of these deficiencies directly implicated council member Antonine. Mr. Geeter should be credited with ending the attempt by the contractor to expand the contract beyond that which had been approved and authorized by the council. Mr. Geeter acknowledged a number of deficiencies in how the work was done which were obvious when the site was visited. (See Exhibits 1 through 7 attached). Mr. Geeter was the source of almost all of the records relied upon in this report originating from the city’s records concerning the Perkins Park contract. (See Exhibits 8 through 16 attached).

At the hearing on August 13, 2021, council member Antonine and city council aide Tenisma Dixon appeared pursuant to a subpoena and where subjected to examination by the Special Counsel under oath. This examination was recorded. (Council member Antonine’s testimony is incorporated into this report on a thumb drive attached hereto as Attachment 2). The recommendation of removal in this case is primarily based on the recorded testimony of council member Antonine.

Council member Antonine admitted that knew Mr. Coleson and recommended to the city staff that he be considered for this contract.. Council member Antonine admitted that he texted with the contractor representative Johnny “Rocko” Coleson. In the recording between minutes 24 and 27 minutes, Mr. Antonine admitted the following:

Mr. Antonine: “Yea, I texted him.”

Special Counsel: “Do you recall the content of those texts?”

Mr. Antonine: “I don’t remember.”

Special Counsel: “Any of that concerning additional payments to him or?”

Mr. Antonine: “Not to him, no.”

Special Counsel: “Or his company...for work at Perkins Park?”

Mr. Antonine: “No, if anything it was just, he’ll ask me or I would ask him you know to pay for my gas, you know he paid for my gas, my license plates. But that’s about it.”

Special Counsel: “So Mr. Coleson helped you out financially?”

Mr. Antonine: “He just paid my gas and a couple of other stuff. But it was no city funds. He was just like a regular person, he just wanted to help you out.”

Special Counsel: “Do you recall how much money he spent just helping you out?”

Mr. Antonine: “(noise) It wasn’t, probably less than \$1,000.00.

Special Counsel: “And was it during the time that he was being reviewed for contract status?”

Mr. Antonine: “Um, no, it was before then when I first met him, he would see him at a gas station and he would pay for my gas and he pay for, he took me out to eat and stuff like that.”

Special Counsel: “It was more than \$500.00 but less than \$1,000.00.”

Mr. Antonine: “Yea it was like different times; It wasn’t like hey, give me \$1,000.00, it was like different times. But it wasn’t no city funds”

Special Counsel: “Right, right nothing from the city was passed on. This is what you understood to be, ah, either his company or his personal funds.”

Mr. Antonine: “This is personal funds, him being a good guy and just like, um, hey, you want to go out to eat? Sure! I’m digging; I’ll like that.”

Based on the entire interview and specifically the testimony transcribed above, the conclusions and recommendations of this report are fully supported by the admissions of Mr. Antonine.

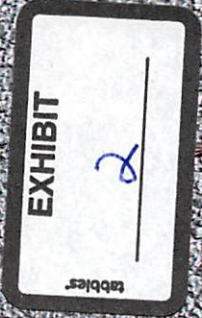
EXHIBIT "B"**DETAILS OF THE INVESTIGATION**
AND FINDINGS OF FACT CONCERNING THE
PURCHASE OF CHRISTMAS PRESENTS

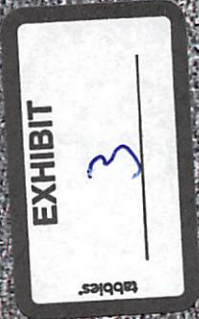
Special Counsel interviewed Tenisma Dixon, a city council aide for the City of Forest Park on this issue. I had been given the documents evidencing these purchases which are attached as Exhibits 18 through 21. There was no testimony or entry on the records that Council member Antonine did anything improper with these funds. I confirmed that a private citizen gave these funds for the restricted purpose of buying presents for citizens. There was no testimony from Ms. Dixon or entries on the Exhibits that demonstrated any wrongdoing by Council member Antonine. The practice of allowing a private citizen to get a federal income tax deduction while using those donated city funds to buy presents for private parties, while using the city's sales tax exemption to buy the gifts should be discontinued by the city. This practice may not violate the letter of the law, but it surely is beyond the intent of the requirements of the law.

EXHIBIT
1
tabbles



Item # 2.





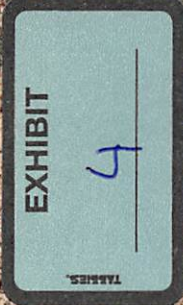




EXHIBIT
5

EXHIBIT

6





EXHIBIT
7

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Larry D. & Margurita Y. Pryor

2 Business name/disregarded entity name, if different from above

BP Infrastructure Services, LLC

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ S

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

[Redacted address information]

[Redacted requester name and address]

Print or type. See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
[Redacted SSN]

or
Employer identification number

[Redacted EIN]

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here
Signature of U.S. person ▶ Margurita Y. Pryor

Date ▶ 7-15-2020

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.





Atlanta Paving Solutions
[Redacted]
FAX 888-677-3522



Concrete: Thomas 3000 psi. Sub grade to be balanced + or - 1/10 of finished grade without the need for additional borrow or waste materials. Prices based on one mobilizations each additional move in will be \$750.00 each. Not responsible for drainage or bird baths off of the existing pavement. Cracking due to excessive weighted vehicles or crack resignation will not be covered by warranty. Graded aggregate base under or behind curb and gutter is excluded. Sub grade to have compaction of 95% or better. All quantities are estimates. All billings are made from actual field measurements.

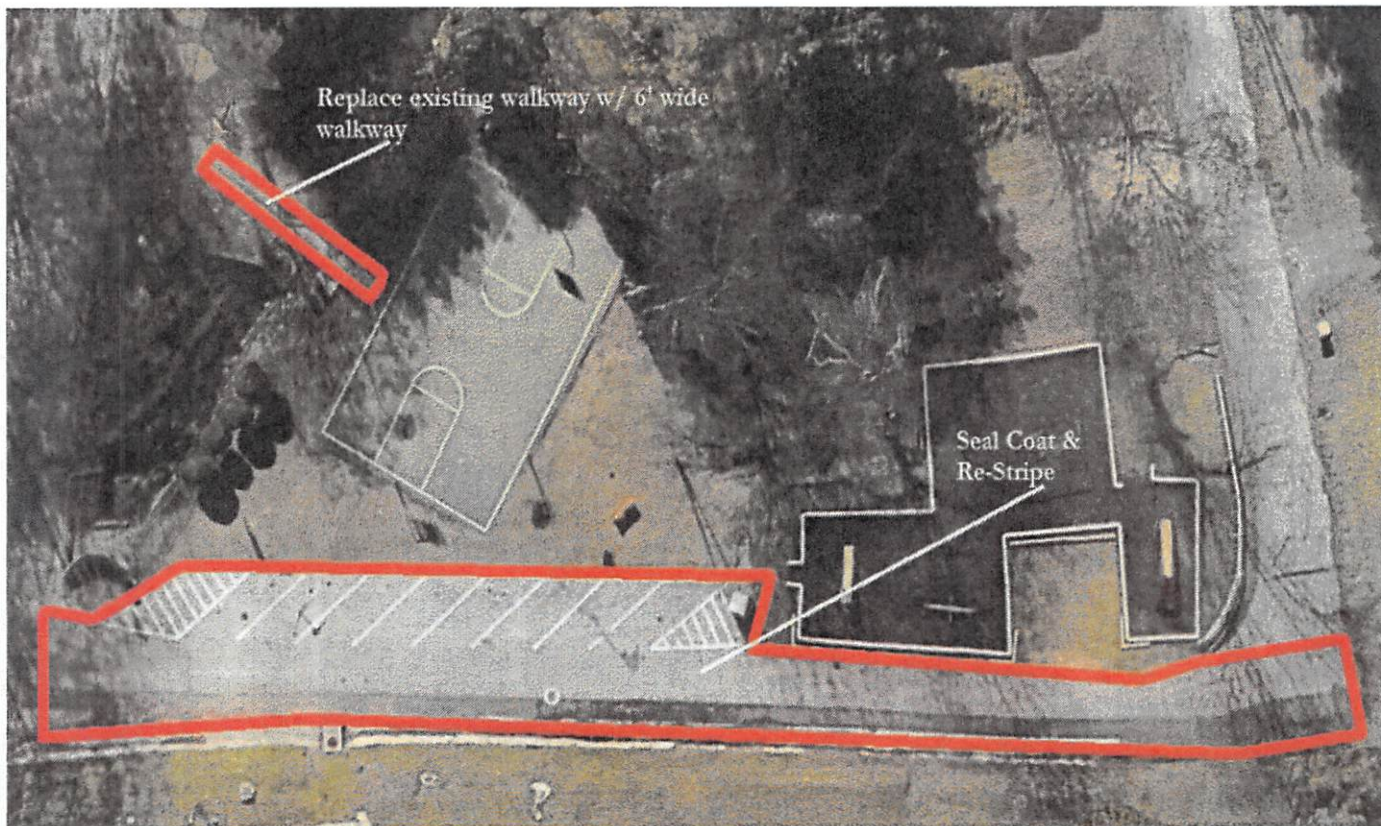
Star Triton Asphalt Sealer - (2) overlapping coats. Always mixed to the manufacturers specifications. Never watered down.

Star Triton Acrylic latex based and Alkyd based Traffic Paint

- Please ensure that irrigation system is off prior to the work date and area to be paved is free of vehicles or any obstructions.

What you can expect from us:

- Quick & Efficient Turnaround On All Request
 - Competitive Pricing
- Proper Design, Mixture, and Application of All Materials
 - Immediate Response To Any Question or Concern
 - Clear Communication Regarding Project Schedule
- Personal Communication with Each Manager Prior to Application
 - Strive to Complete the Project with as Minimal Impact as Possible
- Quality & Dependable Equipment Professional Appearance & Behavior at All Times





P.O. Box 1871
Jonesboro, GA 30237



INVOICE #LB-1011

Bill to:

City of Forest Park
745 Forest Parkway
Forest Park, GA 30297

***Paving for Basketball Court**

➤ Paving for Perkins Park

\$9,600

Johnny Coleson 8/3/20

Paid in Full on 7/31/20

*Price includes labor and materials. All prices and estimates are subject to change based on the contractor's final assessment. For all ACH payments, there will be a \$35 fee assessed per returned payment. Furthermore, there is a 4% late fee assessed per month accrued starting the 31st date after service for our commercial/rental accounts. This fee is only assessed after there is no timely communication with any of the Golden Deluxe Management Group office personnel.

Thanks in advance for your understanding.
We appreciate your business!

tabbles	EXHIBIT
	11

Page 38

October 22, 2020

Heather Easterling and Johnny Coleson
Golden Deluxe Management Group, Inc.



Dear Heather Easterling and Johnny Coleson:

This letter is to notify you once again that your balance of \$5,615.00 that is owed to my company, Atlanta Paving Solutions for the work that we provided for your company Golden Deluxe Management Group at Perkins Park (City of Forest Park, GA) is overdue. Our proposal was approved by Johnny Coleson on August 18, 2020 and invoiced on September 4, 2020.

You have replied to (2) of my emails. On Thursday October 15, 2020 you replied "I will look into this and get back to you" which you have not done and the second reply was on October 20, 2020 at 10:03 pm you replied "I will call you today". You never called me so again I called twice and received your voicemail. I called again on October 21, 2020 and at 1:47 pm you texted me "Rocco will take care of it. I'm in a meeting until 4:30". I never heard from you or Rocco and I texted you at 5:13 pm "Did our check go out today?" and never heard back from you. Today I went to the business address you have listed on your website: 3379 Peachtree Rd Suite 555 Atlanta, GA. 30326 and found that this is not your business address but rather a virtual office where you receive your mail and phone calls. I called you from there and received your voicemail.

As you both already know, I have been in contact with the City of Forest Park and have been told that you were paid for the work that we completed. I was not given a date of when you were paid but it seems to have been very shortly after the work was completed so I'm not understanding, if you have been paid then why the delay in paying us.

Your delinquency forced my company to pay for materials out of pocket. We have an exceptional relationship with all of our suppliers and situations like this jeopardize that. They expect us to pay for materials in a timely manner and we expect the same from our customers. Situations occur and we have worked with many customers when there has been money issues but when my phone calls and emails are going unanswered and we know that you have been paid (our money), then we can't help but be concerned.

I am hereby requesting that you:

- 1) Call or Email with the status of our check for \$5,615.00
- 2) Send check for \$5,615.00 via FedEx or UPS within (5) days after receiving this letter

Please contact me within (1) day of receiving this letter to confirm that you will honor my request. I have prepared a complaint for submission to the proper agencies for investigation. I will not file the complaint if you resolve the problem within this time period I have indicated.

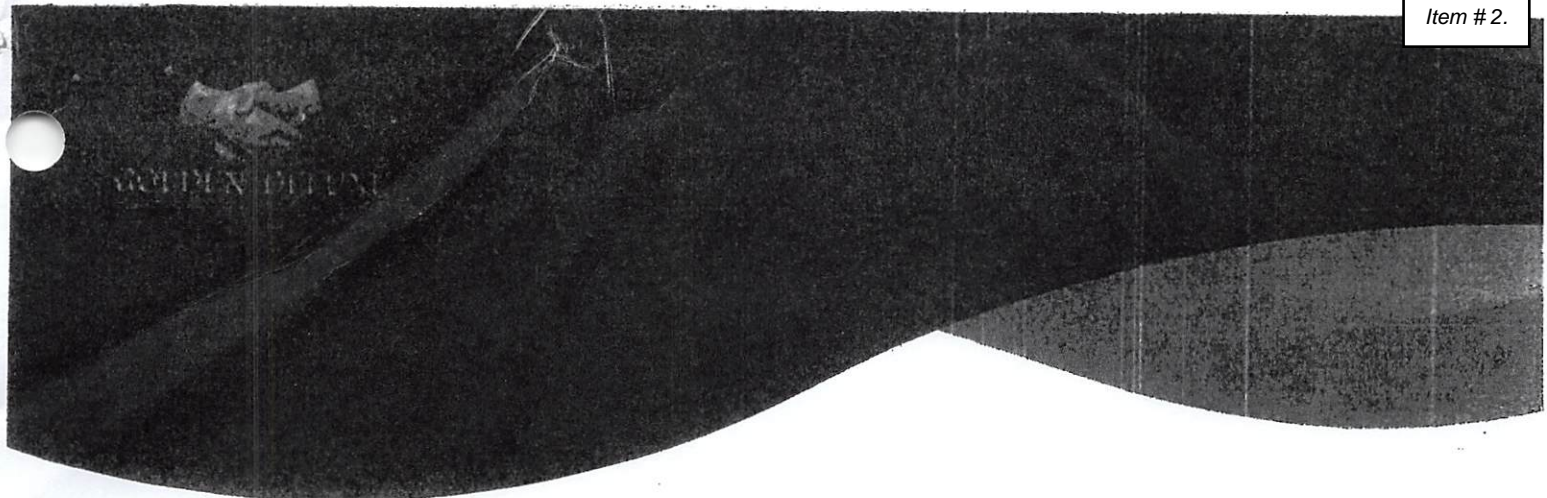
Sincerely,

Kyle Glazener
Atlanta Paving Solutions



Enclosure(s): Copy of Agreement and Copy of Invoice

- cc: Georgia Department of Law Consumer Protection Division
- cc: City of Forest Park Nekeeta Davis - Accounts Payable
- cc: City of Forest Park Ken Thompson - Finance Director



SERVICES PROPOSAL

City of Forest Park

Perkins Park

July 27, 2020

***Paving for Basketball Courts**

EXHIBIT
tabbles
13

➤ Paving for Perkins Park

\$9,600

Total Estimate

\$9,600

***Price includes labor, materials, shipping and storage.**

Quotation Prepared by **Mina McFarland**

Approved by Johnny Coleson

GOLDEN BELLE

P.O. Box 1871
Jonesboro, GA 30237**Equipment for Perkins Park:**

- ❖ 500 Sq. Covered Park Grill with Utility Shelf Base Option/In-Ground Mount Base (2)



- ❖ 46-in. Round Picnic Table: Color (Dark Blue) Pattern Type (Expanded Metal) Mounting Option (Portable Mount) (1)



- ❖ 6-Ft. Heavy Duty Rectangular Picnic Table: Color (Dark Blue) Pattern Type (Expanded Metal) Hole Option (Without Umbrella Hole) Mounting Option (Portable Mount) (2)



- ❖ Heavy Duty Rectangular ADA Picnic: Table Color (Dark Blue) Pattern Type (Expanded Metal) Hole Option (Without Umbrella Hole) Mounting Option (Portable Mount) (1)

- ❖ Bench Product 5 6ft Strap Bench - Thermoplastic Coated -Color (Dark Blue) (3)



- ❖ DOGIPOT Poly Pet Station (1)



- ❖ 300 Sq. ADA Rotating Pedestal Grill 3 1/2 O.D.: Shelf Option (Without Utility Shelf) (1)
- ❖ Anchoring Option (No Anchors) (2)



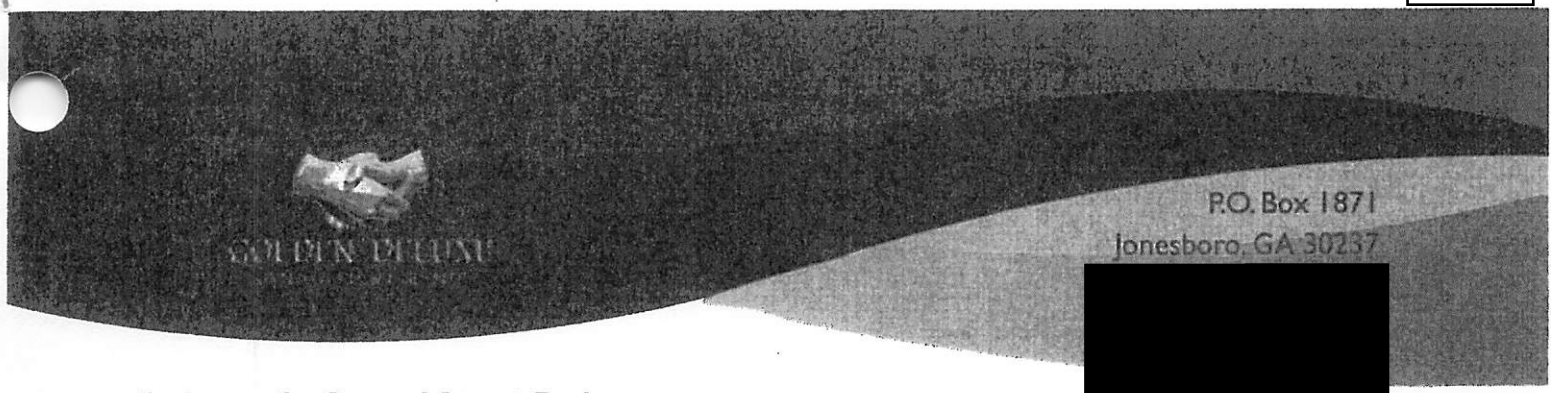
- ❖ Gallon Trash Receptacle: Color (Dark Blue) Pattern Type (Expanded Metal) (2)



- ❖ 3 Row Aluminum Bleachers-Sideline Series: Size: 7.5' Long No Drawings (3)



- ❖ 300 Sq. Rotating Pedestal Grill: Shelf Option (Without Utility Shelf) (2)



Equipment for Second Street Park:



- ❖ 6-Ft. Heavy Duty Rectangular Picnic Table: Color (Red) Pattern Type: (Expanded Metal) Hole Option: (Without Umbrella Hole) Mounting Option: (Portable Mount) (1)



- ❖ Gallon Trash Receptacle: Color (Red) Pattern Type (Expanded Metal) (2)



- ❖ 46-in. Round Picnic Table: Color (Red) Pattern Type (Expanded Metal) Mounting Option (Portable Mount) (2)

- ❖ Bench Product 4 6ft Strap Bench - Thermoplastic Coated - Color Red (2)

Equipment for Both Parks



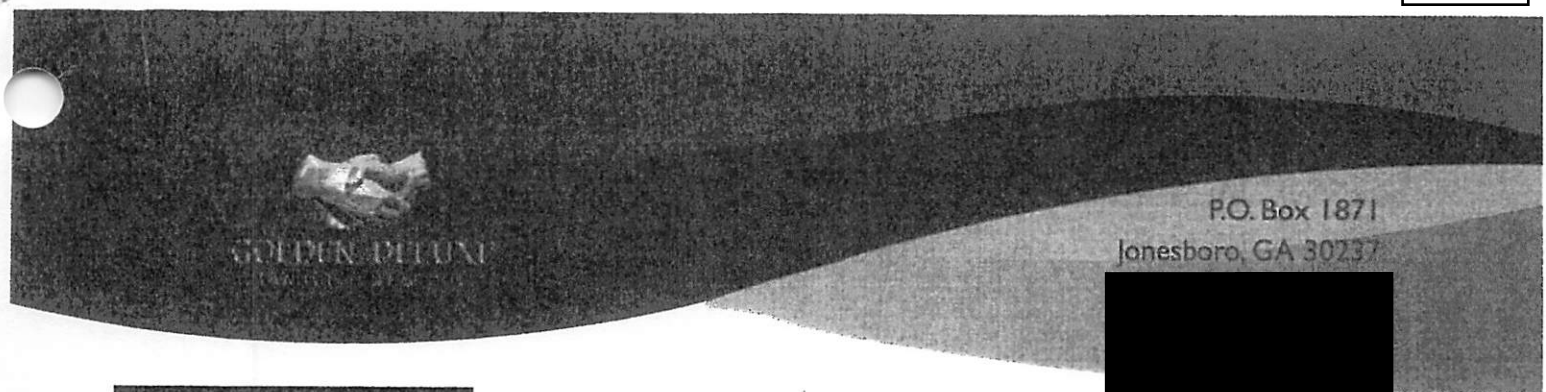
- ❖ 32 Gallon Steel Dome Receptacle Lid (5)



- ❖ 32 Gallon Plastic Receptacle Liner (5)



- ❖ 4-Person Sanitizing Foam Station Standard (5)



DELIVERABLE

This project could potentially re-establish more interaction in community functions. Allow a place where social interaction can bring positive vibes and future activities. Also, there is a comfort in knowing that you don't have to look any further than your own "back yard", which can enhance the growth in local businesses and the economy. Additionally, the possibility of promoting the youth through local fun and excitement keeps the next generation healthy in mind and body.

TASK TO BE COMPLETED	BY WHEN
Do Pre-Assessment Survey of Park (Measurements/Schematics)	10/26/20
Documentation for Project/Signage for Local Residents & Community	10/28/20
Gather Essential Personnel for Project	10/31/20
Prepare and Gather Materials and Machines Needed	11/09/20
Complete Project	*12/18/20
Do Post-Assessment with Appropriate Personnel	*12/22/20

MILESTONE	ENDING DATE
Inform the local community and residents with appropriate signage.	10/26/20
Resurfacing Basketball Court & Playground Equipment for Perkins Park	*11/09/20
Second Street Park Parking Space Install/Concrete Work	*11/09/20
Resurfacing Basketball Court & Basketball Equipment	*11/23/20
Order Park Equipment	*11/23/20
Store Equipment/Install & Assemble in 10x20 Storage	*12/16/20
Finish Organizing and Installing Equipment for Perkins and Second Street Park	*12/18/20

231700

**Request for Taxpayer
Identification Number and Certification**

RECEIVED JUL 30 2020

Item # 2.

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Golden Deluxe Management Group Inc

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
[Redacted]

Requester's name and address (optional)

6 [Redacted]

7 [Redacted] (optional)

Print or type.
See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

				-						
--	--	--	--	---	--	--	--	--	--	--

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Signature of U.S. person ▶ **Johnny Coleson** Date ▶ **03/30/2020**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

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Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

- Form 1099-INT (interest earned or paid)





Atlanta Paving Solutions
[Redacted]
[Redacted]-3522

Name:	City Of Forest Park	Date:	August 7 2020
Address:	5127 West St Forest Park, GA 30297	Job Address:	Perkins Park
Office#:	404-999-2152	Contact:	Mina McFarland
Cell#:	678.713.4722	Title:	Project Manager
Fax#:		Email:	[Redacted]

Seal Coating, Striping, & Concrete Walkway Replacement

Asphalt Seal Coat Total: 714 Square Yards
Clean entire area to be sealed with metal brooms and blowers
Apply (2) overlapping coats of Star-Triton Asphalt Sealer
Re-stripe to current configuration.

*** Price to complete the work in (2) mobilizations *** Total: \$2,650.00

Concrete Walkway Replacement Total: 276 Square Feet @ 6' Wide
Haul away damaged concrete away offsite
Form, pour, and finish 3000 psi

*** Price to complete the work in (1-2) mobilizations *** Total: \$2,965.00

Total: \$5,615.00

See Aerial Image Below

Acceptance of Proposal: The above prices and specifications & conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. This proposal will be void & returned within 15 days of the proposed date. Full balance due upon completion. Legal & court cost incurred in the collection of monies owed according to this contract will be paid by the customer. Interest of 1.5% per month will be charged on accounts over 30 days.

Kyle Glazener
Atlanta Paving Solutions Representative

Customer's Signature

Johnny Coleson, CFO 8/18/20
Print Name, Title, & Date



Invoice

Bill To:
Golden Deluxe Management Group

Please make check payable to:
Atlanta Paving Solutions

Invoice No: 0391
September 4, 2020



QUANTITY	DESCRIPTION	RATE	AMOUNT
	5127 West St Forest Park, GA 30297 Perkins Park		
	Concrete Walkway Replacement and Asphalt Seal Coat & Re-Stripe	5,615.00	\$5,615.00T
	Exempt from sales tax	0.00%	0.00
			Due Upon Completion
Balance Due			\$5,615.00

Thank you for choosing Atlanta Paving Solutions. We appreciate your business and look forward to working with you again!

D&K SUIT CITY

1300 MT ZION RD
MORROW, GA 30260
DKSUITCITY.COM
Follow us on Instagram
@DKSuitCity

Cashier: kay Receipt #: 449265
Associate: godwn Store: 006
Date: 12/17/2020 WS: 1

Bill To: KEN THOMPSON
TAX EXEMPT



ITEM#	VC	DESC	QTY	PRICE	EXT. PRICE
114807	JS	STACY ADAMS POLI	1	14.99	14.99
		JIMMY SALES NECKWEAR		Savings: 15.01	
		ALL ALL			
235825	EDCS77	MD BLUE	1	119.99	119.99
		2 BUTTON NOTCH SLIM FIT		Savings: 178.01	
		MD BLUE 42R			
279284		HEM	1	10.00	10.00
				Savings: (10.00)	
279284		HEM	1	10.00	10.00
				Savings: (10.00)	
279275		RECU7	1	40.00	40.00
				Savings: (40.00)	
325277	TPC	F41617	1	14.99	14.99
		DRIVING SHOES		Savings: 50.01	L DISC
		CAMEL 9.5			
344717	BSC	DS-361	1	19.99	19.99
		TAILORED FIT DRESS SHIR		Savings: 19.01	
		LT BLUE 17.5 4/			
377005	TPC	F41829	1	29.99	29.99
		DRIVING SHOES		Savings: 20.01	
		BLACK 8.5			
388053	UW	G1235-NP	1	49.99	49.99
		2 BUTTON NOTCH LAPEL S		Savings: 150.01	L DISC
		KHAKI 42R			

9 Unit(s) Subtotal: 309.94
0.000 % Tax:
RECEIPT TOTAL: 309.94
Tend: 309.94

CrCard: 309.94 VISA
CC #: [REDACTED]

Estimated Retail Value: \$ 682.00
D&K Suit City Savings: \$ 432.06
You Paid (excluding taxes): \$ 309.94

You Saved Today: \$ 372.06

All exchanges or refunds must be made within thirty (30) days of purchase date with a receipt. Customers returning for a refund or exchange without receipt will be given store credit at the managers discretion and at the current sale price. Exchanges or refunds on dress shirts must contain all original packaging. No exchanges or refunds on belts that have been cut to size. Exchanges or refunds on all other items must contain the original manufacturers tags. No returns, exchanges, or refunds on any item that has been used, reduced on sale or clearance, marked "as is" or altered. Returns or exchanges on cufflinks or other accessories. NO REFUNDS ON LAYAWAYS OR LAYAWAY DEPOSITS. ALL LAYAWAYS EXCHANGE ONLY. Proper identification is required for all purchases made with check or by credit/debit cards with no or unclear signature.

DABOUZE ANTOINE
COUNCIL MEMBER WARD 2

Burlington

1516 South Lake Park, Morrow, GA
Store Mgr.: Charles S. (770) 960-7555
www.Burlington.com

12/17/20: 2:58 PM
Trans.: 65246 Store: 00290
Reg.: 003 Cashier: Adriene
Customer: city of forest park



Certificate Number: 00000
Customer: city of forest park
Reason: Government

- 1CM00884-321 VULC 13 REPEAT L \$26.99 E
- AB35406543 1 @ \$26.99
- GT155DEC SPACE DYE INSERT PANE \$7.99 E
- MB75806336 1 @ \$7.99
- VHM00CPT04ZO 5PK TANKS:WHITES \$14.99 E
- MB75416182 1 @ \$14.99

Subtotal \$49.97
 Trans. Tax Override:
 Reason: Government
 Total Sales Tax \$0.00
 Total \$49.97
 Credit \$49.97
 Card: Visa
 Account [REDACTED]
 AID: A0000000031010
 Auth: 05366G (A)
 Entry: Chip Read

MID: *****0884
 TID: ***9472
 Total Tender \$49.97
 Return by 01/16/21
 Change Due \$0.00

SHOP WITH CONFIDENCE Return policy on back

YOUR OPINION MATTERS!
 COMPLETE A SHORT SURVEY WITHIN 7 DAYS FOR
 A CHANCE TO WIN A \$1,000 SHOPPING SPREE!!
 Visit www.burlingtonfeedback.com
 ENTER CODE: 121720 142900 365246

*No purchase necessary to enter.
 See sweepstakes official rules at*
<http://burlington.com/swprule>
 for details and free entry method



DABOUZE ANTOINE
Councilman Ber Wards

ROSS
DRESS FOR LESS
MORROW, GA 30260
770-478-0431

Receipt # 0557-02-6928-0352-7



400219489090 fila 4pk orng/hthr \$12.99IR
400209883495 80G 6PC SM WHITE Q \$17.99IR
Subtotal \$30.98
Sales Tax 8.000% \$2.48
Total \$33.46

Sold: 2 Returned: 0

Visa \$33.46

Card No. [REDACTED]
800352005570021718/
Auth. No. 04518G
AID: A0000000031010
VISA CREDIT

Cardholder

Please Retain for Your Records

Receipt #: 0557-02-6928-0352-7

Tender Detail #: 1-01-3-09-003346

1-01-3-09-003346



Store: 0557 Reg: 02 Tran: 6928
Date: 12/17/20 2:07:59 PM Assoc: 464283

Like us on Facebook!

www.facebook.com/RossDressforLess

You Could Win a \$1000 Gift Card!

Take a short survey for the chance to win a \$1000 gift card Grand Prize or be one of 5 winners of a \$100 gift card.

www.RossListens.com

Winners will be drawn monthly.

Visit website above for complete rules.

No purchase necessary.

¡Particpe en una encuesta para la oportunidad de ganar \$1000!

Purchases from 11-1-20 - 12-24-20 may be returned through 1-24-21

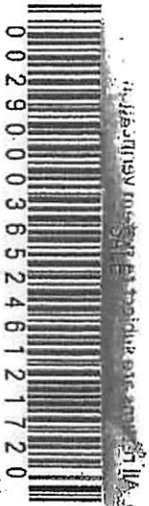


DABOUZE ANTOINE
COUNCILMEMBER WARD 2

Burlington

1516 South Lake Park, Morrow, GA
Store Mgr.: Charles S. (770) 960-7555
www.Burlington.com

12/17/2011 2:58 PM
Trans.: 65246 Store: 00290
Reg.: 003 Cashier: Adriene
Customer: city of forest park



Certificate Number: 00000
Customer: city of forest park
Reason: Government

1CM00884-321 VULC 13 REPEAT L \$26.99 E
AB35406543 1 @ \$26.99
GT155DEC SPACE DYE INSERT-PANE \$7.99 E
MB75806336 1 @ \$7.99
VHM00CPT04Z0 SPK TANKS:WHITES \$14.99 E
MB75416182 1 @ \$14.99

Subtotal \$49.97
Trans. Tax Override:
Reason: Government
Total Sales Tax \$0.00
Total \$49.97
Credit \$49.97

Card: Visa
Account: [REDACTED]
AID: A00000000031010
Auth: 053666 (A)
Entry: Chip Read

MID: *****0884
TID: ***9472
Total Tender \$49.97
Return by 01/16/21

Change Due \$0.00

SHOP WITH CONFIDENCE Return policy on back

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ENTER CODE: 121720 142900 365246

*No purchase necessary to enter.
See sweepstakes official rules at:
<http://burlington.com/swprule>
for details and free entry method

*Drabouze Antoine
Causalman Bee Wheels*



Give us feedback @ survey.walmart.com
Thank you! ID #: 7PBVY1CB082

Walmart
770-968-0774 Mr. MATTHEW
6065 JONESBORO RD
MORROW GA 30260

ST# 01047	OP# 000051	TR# 08033
LIGHT UP FO	004288742633	3.96 X
BARBIE DOLL	088796190848	24.88 X
BARBIE DOLL	088796180418	4.94 X
BARBIE DOLL	088796188214	4.94 X
BARBIE DOLL	088796180417	4.94 X
BARBIE DOLL	088796188213	4.94 X
SUBTOTAL		48.60
TAX 1	0.00	3.89
TOTAL		52.49
VISA CREDIT		52.49

DABOUZE ANTOINE
COUNCIL MEMBER WARD 2

VISA CREDIT
APPROVAL # 036436
REF # 1042000314
TRANS ID - 580352827597575
VALIDATION - MXS3
PAYMENT SERVICE - E
AID A0000000031010
AAC B7ED7D8D57FEA348
TERMINAL # SC010428

12/17/20 17:59:20
CHANGE DUE 0.00
ITEMS SOLD 6
TC# 7966 9763 7012 3188 8593



12/17/20 17:59:20
CUSTOMER COPY



1380 MT ZION RD
MORROW, GA 30260
DKSUITCITY.COM
Follow us on Instagram
@DKSuitCity

Cashier: kay Receipt #: 449265
Associate: godwin Store: 006
Date: 12/17/2020 WS: 1

Bill To: KEN THOMPSON
TAX EXEMPT

ITEM#	VC	DESC	QTY	PRICE	EXT. PRICE
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		JIMMY SALES NECKWEAR ALL		Savings: 15.01	
235825	EDC	S77-MD BLUE	1	119.99	119.99
		2 BUTTON NOTCH SLIM FIT MD BLUE 42R		Savings: 178.01	
279284	HEM		1	10.00	10.00
				Savings: (10.00)	
279284	HEM		1	10.00	10.00
				Savings: (10.00)	
279275	RECUT		1	40.00	40.00
				Savings: (40.00)	
325277	TPC	F41817	1	14.99	14.99
		DRIVING SHOES CAMEL 8.5		Savings: 50.01	L DISC
344717	BSC	DS-361	1	19.99	19.99
		TAILORED FIT DRESS SHIR LT BLUE 17.5 46		Savings: 19.01	
377005	TPC	F41829	1	29.99	29.99
		DRIVING SHOES BLACK 8.5		Savings: 20.01	
388053	UW	G1235-NP	1	49.99	49.99
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0.000 % Tax:					
RECEIPT TOTAL:					309.94
Tend:					309.94
CrCard: 309.94 VISA					
CC #: XXXXXXXXXX					

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COUNCIL MEMBER WARD 2

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ATTACHMENT 1

SUBPOENA FOR SWORN TESTIMONY

TO: Johnny "Rocko" Coleson
 as agent for
 Golden Deluxe Management Group, Inc.

GREETINGS:

The Mayor and Council of the City of Forest Park have appointed attorney Anthony O. L. Powell to conduct an investigation under Section 2.15 of the Charter of the City of Forest Park, Georgia. The investigation involves potential irregularities with regard to the following events:

1. A City Contract for construction and repair of City Basketball Courts at Perkins Park and surrounding improvements.
2. Use of a city credit card.


An evidentiary hearing under oath will take place in the City Council Chambers at City Hall. You are hereby commanded that, laying all other business aside, you personally be and appear at the City of Forest Park, 745 Forest Parkway, Forest Park, GA. 30297 at 9:00 a.m., on the 13th day of August, 2021, before this appointed hearing officer of the Mayor and Council.

HEREIN FAIL NOT UNDER PENALTY OF THE LAW.

Witness my hand and seal of this Court, this 15th day of July, 2021.

By: *S. Diane White*
 CLERK, CITY OF FOREST PARK

PREPARED BY:
 Anthony O. L. Powell, Esquire
 POWELL & EDWARDS, PC
 P. O. Box 1390
 Lawrenceville, GA 30046

SUBPOENA FOR SWORN TESTIMONYTO: Johnny "Rocko" Coleson




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CLERK, CITY OF FOREST PARKPREPARED BY:
Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046


SUBPOENA FOR SWORN TESTIMONY

TO: Johnny "Rocko" Coleson
Atlanta Paving Solutions

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PREPARED BY:
Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046



SUBPOENA FOR SWORN TESTIMONY

TO: Mina McFarland
Golden Deluxe Management Group, Inc.

GREETINGS:

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By: S. Diane White
CLERK, CITY OF FOREST PARK

PREPARED BY:
Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046

SUBPOENA FOR SWORN TESTIMONY

TO: Mina McFarland
Atlanta Paving Solutions

**GREETINGS:**

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By: 
CLERK, CITY OF FOREST PARK

PREPARED BY:
Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046



SUBPOENA FOR SWORN TESTIMONYTO: Ashley Richey


GREETINGS:

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By: 
CLERK, CITY OF FOREST PARK

PREPARED BY:

Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046


SUBPOENA FOR SWORN TESTIMONYTO: Heather Esterling



GREETINGS:

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CLERK, CITY OF FOREST PARKPREPARED BY:
Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046


SUBPOENA FOR SWORN TESTIMONY

TO: DaBouze Antonine
 [REDACTED]
 Forest Park, GA 30297

GREETINGS:

The Mayor and Council of the City of Forest Park have appointed attorney Anthony O. L. Powell to conduct an investigation under Section 2.15 of the Charter of the City of Forest Park, Georgia. The investigation involves potential irregularities with regard to the following events:

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HEREIN FAIL NOT UNDER PENALTY OF THE LAW.

Witness my hand and seal of this Court, this 15th day of July, 2021.

By: J. Diana White
 CLERK, CITY OF FOREST PARK

PREPARED BY:
 Anthony O. L. Powell, Esquire
 POWELL & EDWARDS, PC
 P. O. Box 1390
 Lawrenceville, GA 30046
 [REDACTED]

SUBPOENA FOR SWORN TESTIMONYTO: Ms. Tenisha Dixon
**GREETINGS:**

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By: 
CLERK, CITY OF FOREST PARK

PREPARED BY:
Anthony O. L. Powell, Esquire
POWELL & EDWARDS, PC
P. O. Box 1390
Lawrenceville, GA 30046


ATTACHMENT 2

RESOLUTION NO. 22-07**RESOLUTION CENSURING COUNCIL MEMBER DABOUZE ANTOINE;
PROVIDING FOR SEVERABILITY, REPEALING INCONSISTENT
RESOLUTIONS, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER
PURPOSES.**

WHEREAS, the City of Forest Park (“City”) is a municipal corporation located within Clayton County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City- Ward 2;

WHEREAS, Council Member Dabouze Antoine was elected to serve the citizens of the City;

WHEREAS, Mr. Antoine swore an oath, that among other things, he would perform the duties of the office of Council Member in the best interests of the City of Forest Park;

WHEREAS, the office of a City Council Member requires that such person meet and maintain the highest standards of behavior;

WHEREAS, pursuant to Section 2.15 of the City Charter, the City engaged the services of Powell & Edwards, P.C. (the “Investigator”) to conduct an investigation into the circumstances surrounding a contract for certain improvements to be made at Perkins Park and other matters;

WHEREAS, a copy of the Investigator’s report (the “Report”) is attached hereto as Exhibit A;

WHEREAS, a public hearing to receive the Investigator’s report was held before the Mayor and Council on March 7, 2022 at which time Mr. Antoine was afforded the opportunity to respond and defend himself with respect to the matters set forth in the Report;

WHEREAS, the Report determined that there was conclusive evidence that Mr. Antoine violated the laws of the State of Georgia, the City Charter and the Code of Ordinances of the City of Forest Park in that he admitted to accepting gifts in excess of \$500 from a private contractor who was subsequently awarded the contract for the improvements to be made at Perkins Park;

WHEREAS, the Report has been forwarded to the Clayton County District Attorney’s office for further investigation;

WHEREAS the City Council wishes to make clear that the Council does not condone nor accept Mr. Antoine’s behavior;

WHEREAS, the City Council finds that this resolution is necessary and beneficial to its citizens and to the proper use of City funds.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES AS FOLLOWS:

Section 1. **Censure.** – Mr. Antoine is hereby formally censured for his unacceptable and inexcusable behavior. Mr. Antoine is called upon to cease the afore-mentioned behavior and to conduct himself in a manner fitting the office of City Council Member.

Section 2. **Approval of Execution** - The Mayor is hereby authorized to sign all documents and to perform all other acts necessary to effectuate this Resolution on behalf of the City of Forest Park. The City Clerk is authorized to execute, attest to, and seal any document which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 3. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 4. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 7. **Effective Date** - This Resolution shall be effective on the date of its approval by the City Council and Mayor as provided in the City Charter.

SO RESOLVED this 7th day of March, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

3. FACT/FINDINGS/DECISION AND RECOMMENDATION REGARD ETHICS VIOLATION – Legislative Offices/Chief Executive Offices

Background/History:

The City of Forest Park's Ethics Officer scheduled and hearing testimony and evidence in Ethics Complaint 2022-01 – Kimberly James, Complainant verses Latresa Akins-Wells, Councilwoman. The referenced complaint and defendant and various other individuals testified under oath and several members of the community attended the hearing.

Kimberly James, a fellow councilwoman submitted a complaint that arise from a Facebook video that was published by Akins-Wells on September 22, 2021. A transcript of Akins-Wells' monologue video was attached to the complaint. It was alleged that Akins-Wells statement erodes the confidence of the public in government, undermines staff, discloses confidential information, and contains a number of false claims and defamatory statements.

Alternatively, Akins-Wells counters that she as a right of freedom of speech and such statements were not made by her in her roles as an elected official but individually.

After the hearing the ethics officer's decision and recommendation stated that much discussion took place by the parties regarding the public/private nature of the Facebook account. It was pointed out that the Facebook account identified Akins-Wells as a "Councilwoman of Forest Park" while Akins-Wells assert that it functioned as her private account. The ethics office cited that while this distinction may be important under certain facts and circumstances, it is not in this case. Here, Councilwoman Akins-Wells was commenting on matter directly related to Forest Park and its governance including employees and fellow elected officials. The mode of communication does not shield an individual from a violation if the content is such communication falls under the prohibited conduct set forth in the ordinance.

The Mayor and Council of Forest Park voted to be bound by the dictates set forth in its Ethics Ordinances and Code of Conduct. The Code of Conduct addresses conduct and communications by council members with fellow elected officials, employees, and the public-at-large. By way of example, the adopted Code of Conduct directs elected officials to practice civility and decorum, avoid personal comments that could offend other governing body members, treat all staff as professionals, refrain from criticizing and individual employee, and to not get involved in administrative functions. It is laudable to hold elected officials to a higher standard which promotes trust and legitimacy in local government among its citizens and stakeholders.

Specifically, Section 2-6-5(1) of the Code of Ethics provides that "No City Official shall use his position in such a manner as to threaten, intimidate or humiliate the public of City workforce."

Councilwoman Akins-Wells levied a number of accusations against the staff of the city and fellow councilmembers in her statement. Taken in its totality, the scope and remarks of the Facebook tirade seems to run afoul of the dictate of the Code of Conduct and the Ethics Ordinance. The Code of Conduct provides that an elected official shall "treat all staff as Professionals. Clear, honest communication that

respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not accepted.” The Code warns to “Never Publicly Criticize and Individual Employee” and “Avoid Personal Comments that could offend other governing body members.” The statement of Councilwoman Akins-Wells do seem to rise to the level of conducted prohibited in Section 2-6-5(1). Forest Park utilizes a professional manager form of government. The City Council sets policy and direction of the City and the Manager, and his staff carries out the Council’s policies. The ethics officer further states that the remarks of Councilwoman Akin-Wells fuel inuendo amongst other employees and the community at-large. Moreover, these types of accusation when made to the public only work to harm the City’s reputation and ability to attract quality personnel. Thus, Councilwoman Akins-Wells is harming her own efforts in bringing investment to the community.

The Hearing Officer find that the totality of the statements contained in the Facebook video and the public manner in which they were uttered equate to a violation under the City’s Ethics Ordinance and a censure or reprimand may be appropriate. It should also be noted that the City Council ultimately decides if any penalty is imposed on the elected official, and it is not bound by the Hearing Officer’s Recommendation. Section 2-6-12 lists three potential penalties: (a) public reprimand or censure; (b) request for resignation; and (c) removal from office by procedures of the City Charter. The City Manager seeks the direction of council of how they would like to proceed with the attached Resolution 22-08 in this matter.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: FACT/FINDINGS/DECISION AND RECOMMENDATION REGARD ETHICS VIOLATION
– Legislative Offices/Chief Executive Offices

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: February 28, 2022

Work Session Date: March 07, 2022

Council Meeting Date: March 07, 2022

Background/History:

The City of Forest Park's Ethics Officer scheduled and hearing testimony and evidence in Ethics Complaint 2022-01 – Kimberly James, Complainant verses Latresa Akins-Wells, Councilwoman. The referenced complaint and defendant and various other individuals testified under oath and several members of the community attended the hearing.

Kimberly James, a fellow councilwoman submitted a complaint that arise from a Facebook video that was published by Akins-Wells on September 22, 2021. A transcript of Akins-Wells' monologue video was attached to the complaint. It was alleged that Akins-Wells statement erodes the confidence of the public in government, undermines staff, discloses confidential information, and contains a number of false claims and defamatory statements.

Alternatively, Akins-Wells counters that she as a right of freedom of speech and such statements were not made by her in her roles as an elected official but individually.

After the hearing the ethics officer's decision and recommendation stated that much discussion took place by the parties regarding the public/private nature of the Facebook account. It was pointed out that the Facebook account identified Akins-Wells as a "Councilwoman of Forest Park" while Akins-Wells assert that it functioned as her private account. The ethics office cited that while this distinction may be important under certain facts and circumstances, it is not in this case. Here, Councilwoman Akins-Wells was commenting on matter directly related to Forest Park and its governance including employees and fellow elected officials. The mode of communication does not shield an individual from a violation if the content is such communication falls under the prohibited conduct set forth in the ordinance.

The Mayor and Council of Forest Park voted to be bound by the dictates set forth in its Ethics Ordinances and Code of Conduct. The Code of Conduct addresses conduct and communications by council members with fellow elected officials, employees, and the public-at-large. By way of example, the adopted Code of Conduct directs elected officials to practice civility and decorum, avoid personal comments that could offend other governing body members, treat all staff as professionals, refrain from criticizing and individual employee, and to not get involved in

administrative functions. It is laudable to hold elected officials to a higher standard which promotes trust and legitimacy in local government among its citizens and stakeholders.

Specifically, Section 2-6-5(1) of the Code of Ethics provides that “No City Official shall use his position in such a manner as to threaten, intimidate or humiliate the public of City workforce.”

Councilwoman Akins-Wells levied a number of accusations against the staff of the city and fellow councilmembers in her statement. Taken in its totality, the scope and remarks of the Facebook tirade seems to run afoul of the dictate of the Code of Conduct and the Ethics Ordinance. The Code of Conduct provides that an elected official shall “treat all staff as Professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not accepted.” The Code warns to “Never Publicly Criticize and Individual Employee” and “Avoid Personal Comments that could offend other governing body members.” The statement of Councilwoman Akins-Wells do seem to rise to the level of conducted prohibited in Section 2-6-5(1). Forest Park utilizes a professional manager form of government. The City Council sets policy and direction of the City and the Manager, and his staff carries out the Council’s policies. The ethics officer further states that the remarks of Councilwoman Akin-Wells fuel inuendo amongst other employees and the community at-large. Moreover, these types of accusation when made to the public only work to harm the City’s reputation and ability to attract quality personnel. Thus, Councilwoman Akins-Wells is harming her own efforts in bringing investment to the community.

The Hearing Officer find that the totality of the statements contained in the Facebook video and the public manner in which they were uttered equate to a violation under the City’s Ethics Ordinance and a censure or reprimand may be appropriate. It should also be noted that the City Council ultimately decides if any penalty is imposed on the elected official, and it is not bound by the Hearing Officer’s Recommendation. Section 2-6-12 lists three potential penalties: (a) public reprimand or censure; (b) request for resignation; and (c) removal from office by procedures of the City Charter.

The City Manager seeks the direction of council of how they would like to proceed in this matter.

Cost: \$ 0

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

Financial Impact:

N/A

Action Requested from Council:

Seeking Councils Direction

**IN THE CITY OF FOREST PARK
STATE OF GEORGIA**

Kimberly James, Complainant)	
)	ETHICS COMPLAINT
)	
vs.)	2022-01 Kimberly James
)	
Latresa Akins-Wells, Councilwoman)	

HEARING OFFICER REPORT AND RECOMMENDATION

Pursuant to the *City of Forest Park Revised Code of Ethics Ordinance*, the undersigned hearing officer was appointed, and the matter came on for hearing on February 3, 2022, at Forest Park City Hall. The above parties and various other individuals testified under oath and several members of the community attended the hearing.

COMPLAINT AND TESTIMONY

The complaint submitted by Kimberly James, a fellow councilwoman, arises from a Facebook video that was published by Wells-Atkins on September 22, 2021. A transcript of Akins-Wells’ monologue video was attached to the Complaint. James alleges that Akins-Wells’ statement erodes the confidence of the public in government, undermines staff, discloses confidential information, and contains a number of false claims and defamatory statements.

Alternatively, Akins-Wells counters that she has a right of freedom of speech and such statements were not made by her in her role an elected official but individually.

During her testimony, James highlighted eleven (11) statements uttered by Akins-Wells which she argues amounts to an ethics violation under the City’s Code. These include but are not limited to: (1) that City Manager Cooper instructed the Police Chief to investigate Councilwoman Akins-Wells and was pursuing other investigations; (2) that several councilmembers and the

Mayor were scheming to remove her from office; (3) that individuals that are friends with Councilwoman Akins-Wells and are employed by the City were being terminated; (4) that council members' efforts in passing an amended ethics ordinance was a plot or means to restrict Akins-Wells; (5) that Mayor Butler has not undertaken any efforts to expand job opportunities for citizens; (6) that the existing elected officials do not care about their constituents; and (7) allegations about her husband's employment. James also charged that Akins-Wells disseminated or mentioned confidential information that was discussed during an executive session concerning a legal claim against the City involving the Police Chief.

Mayor Butler testified as to her reaction of the Facebook post and the lack of veracity of the various allegations. She stated she had heard from several constituents and said the accusations had damaged the City. She also detailed her efforts to notify the public about job opportunities in contradiction to Akins-Wells' statement. Former City Manager Barker testified that he was not forced to hire Akins-Wells' husband or daughter. Cassandra Thomas, a former council aide, testified as to the strained relationship between Akins-Wells and the Mayor and that employees often felt that they were forced to take sides out of fear of retaliation. She further stated that it was her belief she failed to receive a raise or advancement because of her relationship with Councilwoman Akins-Wells.

While the testimony of these three individuals provides context of the existing acrimony between elected officials, the testimony generally did not bear directly on the statements made during the Facebook post or was dispositive of the matter.

In her closing argument, Akins-Wells stated that she may be outspoken, but she is passionate for her community and has the unfettered right to investigate anything in her capacity as an elected official. James countered that the remarks in the video were blatantly false and hurt

the city and its staff.

DECISION AND RECOMMENDATION

Much discussion took place by the parties regarding the public/private nature of the Facebook account. James pointed out that the Facebook account identified Akins-Wells as a “Councilwoman of Forest Park” while Akins-Wells asserted that it functioned as her private account. While this distinction may be important under certain facts and circumstances, it is not in this case. Here, Councilwoman Akins-Wells was commenting on matters directly related to Forest Park and its governance including employees and fellow elected officials. The mode of communication does not shield an individual from a violation if the content of such communication falls under the prohibited conduct set forth in the ordinance.

Private citizens generally have robust first amendment rights in criticizing their government. However, the Mayor and Council of Forest Park voted to be bound by the dictates set forth in its *Ethics Ordinance* and *Code of Conduct*. The *Code of Conduct* addresses conduct and communications by council members with fellow elected officials, employees, and the public-at-large. By way of example, the adopted *Code of Conduct* directs elected officials to practice civility and decorum, avoid personal comments that could offend other governing body members, treat all staff as professionals, refrain from criticizing an individual employee, and to not get involved in administrative functions. It is laudable to hold elected officials to a higher standard which promotes trust and legitimacy in local government amongst its citizens and stakeholders.

Specifically, Section 2-6-5(1) of the *Code of Ethics* provides that

No City Official shall use his position in such a manner as to threaten, intimidate or humiliate the public or City workforce.

Councilwoman Akins-Wells levied a number of accusations against the staff of the city and fellow councilmembers in her statement. Taken in its totality, the scope and remarks of the Facebook tirade seem to run afoul of the dictates of the *Code of Conduct* and the *Ethics Ordinance*. The *Code of Conduct* provides that an elected official shall “Treat all Staff as Professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not acceptable.” The Code also warns to “Never Publicly Criticize an Individual Employee” and “Avoid Personal Comments that Could Offend other Governing body Members.” The statements of Councilwoman Akins-Wells do seem to rise to the level of the conduct prohibited in Section 2-6-5(l). Forest Park utilizes a professional manager form of government. The City Council sets policy and direction of the City and the Manager, and his staff carries out the Council’s policies. Staff is an important resource in achieving the goals of the body. Derogatory remarks and accusations leveled at staff such as ordering an investigation of an elected official severely undermine staff’s authority and hinders the day-to-day operations of the City. These remarks also fuel inuendo amongst other employees and the community at-large. Moreover, these types of accusations when made to the public only work to harm the City’s reputation and ability to attract quality personnel. Thus, Councilwoman Akins-Wells is harming her own efforts in bringing investment to the community.

The Hearing Officer finds that the totality of the statements contained in the Facebook video and the public manner in which they were uttered equate to a violation under the City’s Ethics Ordinance and a censure or reprimand may be appropriate.¹ What is equally apparent is

¹ The City Council ultimately decides if any penalty is imposed on the elected official, and it is not bound by the Hearing Officer’s recommendation. Section 2-6-12 lists three potential penalties: (a) public reprimand or censure; (b) request for resignation; and (c) removal from office by procedures of the City Charter.

that all of the elected officials testifying before the panel have a passion for the City of Forest Park and further tribalism amongst the councilmembers will do little to advance the city. This passion must be channeled in a constructive manner to allow the city to prosper and build community. Elected officials may zealously advocate for their position, however such advocacy should not be personal in nature and should be civil and grounded in fact.

This 15th day of February 2022.



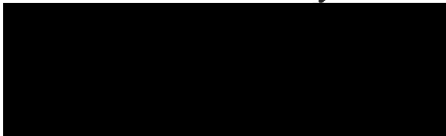
Gregory D. Jay
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Councilwoman Kimberly James



Councilwoman Latresa Akins-Wells
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Dr. Lawanda Folami



RESOLUTION NO. 22-08**RESOLUTION CENSURING COUNCIL MEMBER LATRESA AKINS-WELLS; PROVIDING FOR SEVERABILITY, REPEALING INCONSISTENT RESOLUTIONS, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Forest Park (“City”) is a municipal corporation located within Clayton County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City -Ward 4;

WHEREAS, Council Member Latresa Akins-Wells was elected to serve the citizens of the City;

WHEREAS, Mrs. Akins-Wells swore an oath, that among other things, she would perform the duties of the office of Council Member in the best interest of the City of Forest Park;

WHEREAS, the office of a City Council Member requires that such person meet and maintain the highest standards of behavior;

WHEREAS, an ethics complaint has been filed against Mrs. Akins-Wells;

WHEREAS, pursuant to the Ethics Ordinance, an ethics officer (the “Ethics Officer”) conducted a hearing on February 3, 2022 to hear evidence on circumstances surrounding the complaint;

WHEREAS, a copy of the Ethics Officer’s report (the “Report”) is attached hereto as Exhibit A;

WHEREAS, a public hearing to receive the Ethics Officer’s Report was held before the Mayor and Council on March 7, 2022 at which time Mrs. Akins-Wells was afforded the opportunity to respond and defend herself with respect to the matters set forth in the Report;

WHEREAS, the Report determined Mrs. Akins-Wells violated Section 2-6-5(1) of the Ethics Ordinance which provides that “no city official shall use [her] position in such a manner as to threaten, intimidate or humiliate the public or city workforce”;

WHEREAS, the Ethics Officer’s determination was based upon a Facebook video which was published by Mrs. Akins-Wells on September 22, 2021 in which she leveled a number of accusations against the City staff and members of the City Council;

WHEREAS the City Council wishes to make clear that the Council does not condone nor accept Mrs. Akins-Wells’s behavior;

WHEREAS, the City Council finds that this resolution is necessary and beneficial to its citizens and to the proper use of City funds.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES AS FOLLOWS:

Section 1. **Censure.** – Mrs. Akins-Wells is hereby formally censured for her unacceptable and inexcusable behavior. Mrs. Akins-Wells is called upon to cease the afore-mentioned behavior and to conduct herself in a manner fitting the office of City Council Member.

Section 2. **Approval of Execution** - The Mayor is hereby authorized to sign all documents and to perform all other acts necessary to effectuate this Resolution on behalf of the City of Forest Park. The City Clerk is authorized to execute, attest to, and seal any document which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 3. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 4. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 7. **Effective Date** - This Resolution shall be effective on the date of its approval by the City Council and Mayor as provided in the City Charter.

SO RESOLVED this 7th day of March, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Latresa Akins-Wells, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

4. Council Approval of Council Work Session and Regular Meeting Minutes from February 21, 2022 - S. Diane White, City Clerk



CITY COUNCIL WORK SESSION

Monday, February 21, 2022, at 6:00 PM
Council Chambers and YouTube Livestream

MISSION STATEMENT

It is the mission of the City of Forest Park to enhance, strengthen, and grow our city by collaborating with our community to provide the highest level of service. Striving to be recognized as a diverse community that values and respects all members. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.1555

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

DRAFT MINUTES

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James The Honorable Dabouze Antoine
The Honorable Hector Gutierrez The Honorable Latresa Akins-Wells
The Honorable Allan Mears

Dr. Marc-Antonie Cooper, City Manager
S. Diane White, City Clerk
Mike Williams, City Attorney

CALL TO ORDER/WELCOME: The meeting was called to order at 6:00pm 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, Mayor Pro-Tem		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

DIRECTORS PRESENT: Darquita Williams, Interim Finance Director; Shalonda Brown, Human Resources Director, Lashawn Gardiner, Management Analyst, Latosha Clemons, Fire Chief, Bruce Abraham, Director Economic Development, Tarik Maxell, Director of Recreation & Leisure, Bobby Jinks, Director of Public Works, Joshua Cox, IT

Director, Arthur Geeter, Purchasing Director, James Shelby, Planning & Community Development Director, Nathaniel Clark, Chief of Police and Javon Lloyd, PIO Director

CITY MANAGER'S REPORT: Dr. Marc-Antonie Cooper, City Manager

COMMUNITY INFORMATION/REMINDERS:

- On Monday, February 14 Mayor Butler and I met with the executive leadership of Norfolk Southern Railroad regarding parking the trains in the City of Forest Park. We discussed the concerns regarding residents' safety, inconvenience in mobility, as well as the lack of communication on the part of the railroad. The railroad committed to working with us to improve internal communications and offered some partnership opportunities with the city to obtain funding for public safety efforts and pre-emptive signage.
- Registration is now underway for the City of Forest Park Recreation & Leisure Department's youth spring sports. The following sports are currently being offered as a way to encourage Forest Park youth to get out and remain active:
 - **T-ball** (Ages 3 to 4)
 - **Baseball** (Ages 5 to 12)
 - **Softball** (Ages 9-17)

The cost to register is \$80 per youth, with league play scheduled to begin on Saturday, April 16. Fees for each sporting activity includes a uniform, photo, and participation award. Slots are limited for each sport, and registration is available on a first-come, first-served basis. To register or for additional details, visit bit.ly/fpy-springsports (type as displayed), and select the "Youth Programs" tab or call (404) 363-2908.

- The City of Forest Park entered into an agreement with Red Speed to have speed cameras set up in our school zones. From August 2, 2021 – February 17, 2022, a total of 14,187 violations were observed. These devices are in the areas of Reynolds Road, Phillips Drive, Rock Cut Road and Ash Street. We are asking everyone to slow down and monitor your speed on all our city roads, but especially in the areas with our young people attending school. These cameras are active 24/7 and if you are exceeding the speed limit you will be cited.
- The city has installed Speed Cushions at College St., Slaton Street, Cynthia Lane, and Ponderosa Park Drive. Stop signs have also been installed at Pineridge Rd and Springdale and at Pineridge Road at Cynthia Lane. Please be cautious as you are driving and adhere to all the rules of the road.

CITY OPERATIONS:

- We receive a lot of requests for Speed control devices in neighborhoods and roads in the city. Just understand that there is an entire process that we must go through required by law to determine if an area qualifies for a speed control device.
 - Those streets where the speed limit is 25 m.p.h. or 30 m.p.h.
 - Those streets where an average of traffic count of 400 – 4,000 vehicles per day.
 - Cannot be more than 4,000 vehicles per day. If more than 4,000 vehicles the road does not qualify.
 - City of Forest Park Public works will do a speed study and talk it over with the City Manager and Police Department.

- If determined that speedhumps may qualify, the Police Department will do a 30-day study to confirm, by looking at accidents reported, speed percentages etc.

CONGRATULATIONS / SHOUT OUT

- Shout out Cardiac Arrest Call – FAO Jeff Landrum, FF/AEMT Ryan Whitley, FF/AEMT Joseph Kidd, and FF/AEMT Takuya Gatlin. Responded to a 28 y/o diabetic dialysis patient was able to get Return of Spontaneous Circulation (ROSC) and hours later the patient was alive and doing impressively well.
- Company 2 Lt. Conway Ferguson, Paramedic Caleb Flood, and FF/EMT Deandre Robbins with Rescue crew FF/AEMT Takuya Gatlin and FF/AEMT Joseph Kidd delivered a baby boy at midnight in the McDonald's Parking lot at Forest Parkway and 1941. Dispatcher's Sierra Jackson, who is new to the city and Katherine Capps and Leah Shoemaker who walked her through the process did and outstanding in coaching our first responders through birthing instructions until Rescue 2 arrived.
- Forest Park Police Department's own Officer Anfernee Morgan who is currently deployed abroad, over this past weekend joined the ranks of a Non-Commissioned Officer in the U.S. Air Force, when he was promoted to the rank of Staff Sergeant. CONGRATULATIONS TO Officer Morgan and to all our men and women whom currently and have served in the armed forces – Thank You for your service.

NEW BUSINESS:

1. **Council Discussion of a Telecommunications and Right of Way Management agreement (TRM) –**
Chief Executive Offices

Background/History:

Currently in Georgia, franchise fees are required and telephone, cable, electric and natural gas companies pay approximately \$188 million dollars each year. Cities receive 91% of these fees and counties receive 8% of the fees. The City of Forest Park is entitled to a portion of the nearly \$171 Million dollars in fees paid to cities throughout Georgia annually.

The City Manager is seeking the City Council's approval to enter into an agreement with the Georgia Municipal Association (GMA) to help us manage and collect our share of revenue. The Telecommunications and Right of Way Management (TRM) program through GMA will aid with all aspects of federal and state cable and video franchising, including by not limited to franchise renewals and modifications, state franchise applications process, franchise fee reviews and customer service issues.

Comments/Discussion from Governing Body:

Mayor Butler – this could not have come at a better time, given that we are in the preliminary phases of our budget talks for the next year. And one of the things that we have uncovered is that we are not collecting nearly as much money as we are due as a municipality. So, we are asking departments and even the governing body to re-examine our priorities for fiscal year. This is a huge indicator why, because if we were collecting the revenues that we are entitled to as a municipality then we may not have to ask people to cut as much as their desired wish list for the upcoming fiscal year. I do urge the city council to pass this so, we can make sure that we are collecting all that is due to us.

2. **Council Discussion of the Homeland Security Grant Program SHSP FY2020 Grant from GEMA - Fire Department**

Background/History:

The fire department and EMA division applied for a grant available through the Georgia Emergency Management Agency and Homeland Security office, named the "State Homeland Security Program" or SHSP for short. The department was awarded a total of \$36,523 for two separate projects from SHSP FY2020 funding. One project, "HazMat", was awarded \$30,800 and the other project, "GSAR", was awarded \$5,723. This grant is 100% reimbursed by the State and will assist the department in obtaining a portion of the necessary and required equipment for safe operations in these areas.

Comments/Discussion from Governing Body:

There were no comments/discussion.

3. **Council Discussion of the Appointments to Urban Design Review Board and Planning Commission – Department of Planning & Community Development**

Background/History:

On September 7, 2021, the City Council passed a new Zoning Ordinance. The new ordinance established the Urban Design Review Board and the Planning Commission. The Urban Design Review Board shall consist of five (5) members, who shall be appointed by the Mayor and City Council (Governing Body) for terms of three (3) years each. Each member shall be a resident or working professional within Clayton County.

Qualifications of individuals considered for appointment to the Board shall meet either one (1) of the two (2) following minimum requirements:

1. He or she shall be educated and/or experienced in the field of land development, arts and culture, engineering, architecture, urban planning, landscape architecture, real estate, or similar professional field; or
2. He or she shall be a design professional registered and licensed by the State of Georgia in one (1) of the following professional fields: architecture, engineering, or landscape architecture.

The Planning Commission shall consist of and continue as a five (5) member commission. Members shall be appointed and confirmed in accordance with Mayor and City Council approval. Planning Commission members shall be residents or property owners within the city and shall not be members of the city governing authority. Members shall be appointed for four (4) year terms and shall serve until their successor is appointed and qualified. Each successive appointment shall be for three (3) years.

Comments/Discussion from Governing Body:

Mayor Butler – this is something that we can have an in-depth conversation in executive session

4. **Council Discussion of the Reappointment of James Shelby, Director of Planning and Community Development to the Land Bank Authority – Executive Offices**

Background/History:

The City of Forest Park has appointment power over 1 seat on the Clayton County Land Bank Board. The Board Members' terms are staggered, such that some terms expire every April. Forest Park's current designee for the Land Bank Board is James Shelby. His seat is one of the ones where the term ends 4/21/22. Mr. Shelby was elected as Chairman of the Board for 2022 in the last meeting of the Land Bank Authority.

Comments/Discussion from Governing Body:

Marc-Antonie Cooper – We are asking that Mr. Shelby be reappointed to that board.

Mayor Butler – Yes, I have heard a lot of amazing things about his role on this board and it would be an honor to have him continue to serve.

5. **Council Discussion on a City-Wide Salary Increase Proposal** – Executive Office

Background/History:

The City Manager is requesting approval for a city-wide salary increase. This increase includes a 15% increase for public safety personnel, and a 7% or greater increase to nonpublic safety personnel. The approval of this increase will provide our employees with a livable wage and allow the city to offer competitive wages that are comparable to other employers in our market.

Comments/Discussion from Governing Body:

Councilmember Akins-Wells – I am in favor of giving raises, I know we talked about during the budget retreat, but I just want to make sure the city is, because I got questions regarding this from employees and residents, in the position to do this. I know we are supposed to be getting a finance director on March 2nd and so, I just want to make sure the city is in the situation this. I am 100% for it, but we keep saying we need to cut this and that, and we are giving all these raises and I do want to revisit the merit system as well.

City Manager – I will say Councilmember Akins-Wells, the city is well positioned to be able to do this. We do have the money to take us to the end of the fiscal year, which means our end of June to make these raises effective immediately to go into the end of June, we have those funds and going into next year those funds are being worked into the budget, so we will have those funds to continue the raises next fiscal year. The minimum increase of \$17.00 for everyone else so, we are well position to be able to do that. As for as the merit system, that proposal will be coming to you at the first meeting in March. Again, that is a full process that we must go through to put that all together, so the employee personnel policies will be coming to council the first meeting in March. This is really needed, when you look at the surrounding areas and municipalities and what they have been with salaries and wages and different things of this nature, we are losing our police officers, public work staff, we are losing staff due to our pay structure so one of the reasons why this come so early and we made sure that the funds are available to do this, is to kind of hopefully slow loss in those departments that are so vital to the city. So, the answer to your question is yes, we are well positioned to be able to do this.

Councilmember Akins-Wells – Just for transparency, because I know I was kind of confused as far as the budget, when we are saying that we need to cut \$13 million dollars, for transparency for the residents, I would like to make sure they know that we are not in debt and that the budget that was presented was a proposed budget and we are not \$13 million dollars in debt. Because I was getting emails and calls saying that we need to cut this and we need cut all the events that the governing body, so it contradicts itself, we

are giving these raises and we had the money to do that, but we need to cut \$13M. That \$13M comes from the directors and their wish list?

City Manager – Not necessarily a wish list. The budget that was presented to council was a preliminary budget to let council know everything that is needed. Now not saying that there were not some wish items there, which is why the department's cutting, the exercise we went through last year where the departments put together their budgets and had to cut out certain amounts from their budget to make sure that we had a balanced budget. Everything that council saw at the retreat are needed things to grow our city, maintain our city, keep our city moving right direction. Maintain our staff safety and everything else so it is not an entire wish list. Some things are wishes with some of the more futuristic things that were requested, but most of it is what is really needed.

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 6:20pm for Personnel, Litigation and Real Estate.

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

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

It was moved to reconvene back into the Work Session at 7:03pm

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 Work Session at 7:06pm

Motion made by Councilmember Antoine, Seconded by Councilmember Gutierrez.

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



CITY COUNCIL REGULAR SESSION

Monday, February 21, 2022, at 7:00 PM
Council Chambers and YouTube Livestream

MISSION STATEMENT

It is the mission of the City of Forest Park to enhance, strengthen, and grow our city by collaborating with our community to provide the highest level of service. Striving to be recognized as a diverse community that values and respects all members. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.1555

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

DRAFT MINUTES

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James The Honorable Dabouze Antoine
The Honorable Hector Gutierrez The Honorable Latresa Akins-Wells
The Honorable Allan Mears

Dr. Marc-Antonie Cooper, City Manager
S. Diane White, City Clerk
Mike Williams, City Attorney

CALL TO ORDER/WELCOME: The meeting was called to order at 7:06pm by Mayor Butler.

INVOCATION/PLEDGE: The invocation and pledge were led by Chaplain Joseph Durham, Clayton County Police Department

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, Mayor Pro-Tem		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

DIRECTORS PRESENT: Darquita Williams, Interim Finance Director; Shalonda Brown, Human Resources Director, Lashawn Gardiner, Management Analyst, Latosha Clemons, Fire Chief, Bruce Abraham, Director Economic Development, Tarik Maxell, Director of Recreation & Leisure, Bobby Jinks, Director of Public Works, Joshua Cox, IT Director, Arthur Geeter, Purchasing Director, James Shelby, Planning & Community Development Director, Nathaniel Clark, Chief of Police and Javon Lloyd, PIO Director

PRESENTATIONS:

1. **#ISHOWEDUP Presentation for GRASP Summit** – Forest Park High School / Executive Office

Background/History:

We would like to share our Outstanding Attendance Initiative with all stakeholders to begin a community, business and faith community conversation centered around attendance. We hope to get their support and help be a voice to promote outstanding attendance for the scholars of Forest Park High School. As stated, we will be talking with the business and faith communities as well. We want to create a buzz in Forest Park that school matters as we prepare students for post-secondary and the world of work.

Ms. Sharon Austin Edwards, GRASP Counselor, Ms. Chandra Graham and Mr. Xavier Ross for Forest Park High School gave a presentation on #ISHOWEDUP.

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

There were no Public Comments

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

It was moved to adopt the Council Agenda with adding Item #8 Condemnation Resolution to Authorize Proceedings Against 5265 Old Dixie Rd.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

APPROVAL OF MINUTES:

2. **Council Approval of Council Work Session and Regular Meeting Minutes from February 7, 2022** - S. Diane White, City Clerk

It was moved to approve the Council Meeting Minutes from Feb. 7, 2022.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

NEW BUSINESS:

3. **Council Approval of a Telecommunications and Right of Way Management agreement (TRM)** – Chief Executive Offices

It was moved to approve the Telecommunication and Right of Way Management Agreement with GMA.

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

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

4. Council Approval of the Homeland Security Grant Program SHSP FY2020 Grant from GEMA - Fire Department

It was moved to approve the Homeland Security & SHSP Grant from GEMA

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

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

5. Council Approval of the Appointments to Urban Design Review Board and Planning Commission – Department of Planning & Community Development

It was moved to appoint Rodney Givens, Ron Dobson and Yahya Hassan to the Urban Design Review Board as discussed in Executive Session.

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 appoint Mary Colvin, Michael Clinkscales, Azfar Haque, Andy Porter and Roderick Jackson to the Planning Commission Board as discussed in Executive Session.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

6. Council Approval of the Reappointment of James Shelby, Director of Planning and Community Development to the Land Bank Authority – Executive Offices

It was moved to reappoint James Shelby to the Land Bank Authority

Motion made by Councilmember Antoine, Seconded by Councilmember James.

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

7. Council Approval on a City-Wide Salary Increase Proposal – Executive Office

It was moved to approve the City-Wide Salary Increase

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

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

Akins-Wells, Councilmember Mears

ADDENDUMS:

8. Approval of Condemnation Resolution to Authorize Proceedings Against 5265 Old Dixie Road

It was moved to approve the Condemnation Resolution to Authorize Proceedings against 5265 Old Dixie Road as discussed in Executive Session.

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

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

CLOSING COMMENTS BY GOVERNING BODY:

Councilmember James – Thanks to everyone for coming out on this rainy day. I want to notify that our girls basketball team will be playing their first state playoff game tomorrow at six o'clock at Forest Park High School, if you would like to get tickets you can go online at www.gofan.co, search for Forest Park High School, they will be playing some other team, so hopefully we can continue and make it through the first round of the state playoffs. Want to remind that the Ward meeting for February is on the city's website under government, then Ward 1 and you will be able to see that information; there is powerful information that shared from our directors. Thank you again for coming out.

Councilmember Antoine – Happy President's day and Black history month. I would like to keep us in prayer because of the Russia and Ukraine issues. We all know that Russia controls the gas and the prices for gas might go up. Often, mayor, council, distinguished guests, city manager and residents, the importance of us always having a positive mind is important; an example I always share with my students, imagine an intruder coming into your house, the first thing you would do is get your gun or call the police. So, how much more do you need to have positive images in your mind, because your mind is more valuable than your house. In this community we need to continue to encourage each other, talk positively with each other; as an educator, throughout the whole school every day, I always call my students leaders, what I am doing is planting seeds and I have been doing this for 26 years, and when I do this, it is not for them to come back and fine me. We as a community, we need to plant seeds with each other, talk positive with each other. We want to be a championship team, every team must work together and as a family, the staff, mayor, and council we all must start speaking positive to each other, because we are all that we have. Thank you and God Bless.

Councilmember Gutierrez – I want to thank everyone for the positive texts and the moment of silence here for my family; I lost my aunt early this month and that is why I was not at the Feb. 7th meeting. We had a great Food Truck Friday at the fountain, celebrating Black history, which all month, be sure to celebrate your greatness and do not forget your history. I had a meeting today and they were discussing critical race theory and people now wanting to know, but histories are there and needs to taught to our youths so that know everything, the past, present and what the future holds; know the greatness and know what our nation has done as well as honoring our ancestors, grandparents anyone from another generation be sure that you cherish them, because they may not be here tomorrow. Great cleanup, the boy scouts showed up and brought some cub scouts, thank you for your help. Food Truck Friday will be March 4th at the fountain. I do not know how long we will be at the fountain but will work Mr. Maxwell on a new location. Another cleanup just must find a location. Very good meeting, I am excited, I really enjoyed the presentation for the #ISHOWEDUP; school attendance is extremely important, and teachers like yourselves and educators in the building, like Councilmember Antoine, calling people leaders, those are seeds and those are the

things that children remember. Sometimes children do not even hear anything positive throughout the day or have a positive remark, so make sure that you know we are doing that in our community, thank you.

Councilmember Akins-Wells – Thank you to everyone for coming out and taking the time on this rainy day, you could be anywhere else, but you are here finding out about the business of the city. I just want to inform the residents that do not know about the stop signs on Pine Ridge, because some residents wanted them, some did not, but we want to make sure everyone aware of them so, that we do not have any accidents and catch anyone off guard, thank you Dr. Cooper for making that happen. To piggyback off what Councilmember Antoine said, I agree with what he said tonight as far as working together and planting seeds. With regard to the planting seeds part, I am going to go back and keep going back to these events that we have in the city, because I know it is being talked about removing events and that is planting seeds in our communities, these are some of the things that bring our community together, that should be bringing us together, and it is what the people need. We are known as a dry city and yes, we have some great things going on and kudos to the new theater that just opened up and everything that is going on in the city right now, we have some great things, but our community needs these events. Council Gutierrez, I know you just mentioned Food Truck Friday, we just gave raises across the board to everybody, we take care of our employees, we need to take care of our residents, so think twice when thinking to remove the events from our budget, when this is something that brings our community together and it is something that could bring us together, if that is what you are willing to do. Congratulations to all the employees, I feel that you all deserve it so much and I know we have been discussing it for a long time, so, hope you can take this and have a better way of living and do not look at your employer as bad people, because you have had to struggle and get second jobs to take care of your families so, hopefully this will help a lot of people, so congratulations and thank you all so much and have a blessed night.

Councilmember Mears – I want to thank everyone for being here. I am excited to work with our friends with MARTA, we are moving the city forward, we got a lot of good things coming to community with the people at Forest Park High; I want to let you all know everybody graduated in the 60s is not dead and we are still here and I appreciate the effort you all are trying to make to get everyone back in school and to stay in school and do the best they can and hopefully go to college, that a smart move is helping the city move forward. I do want to amplify on Councilmember Akins-Wells about the money that we are going to be able to give to the city employees to try to bring them up and hopefully in time we can do more and do not give up on us, we are trying to do trying to do the right thing and move forward. Good to see the crowd and come back next meeting and I want you to know that I appreciate your attendance, attention and caring for your city.

Mayor Butler – So let me piggyback on the sentiments of my colleagues here as it pertains to the pay increases for the employees. I have done countless interviews and I brag on the city a lot, on all of our hard work, all the investments that are pouring into the city and when I learned that there is just one employee that was struggling, all of that conversation was just mute, it was truly pointless to know that we are bringing in all these investments and we still have employees who really carry out our desires and that was struggling, it really hurt my soul so, I am really that the council did pass this resolution. Of course, I wish we could give more, but like Councilmember Mears said it is going to be baby steps here, but just know that is just a small token of our appreciation for everything that you do for our city. I also want to say that we have had three amazing, phenomenal ribbon cuttings just this month, and that may be a record three in one month, the Kroger Fulfillment center is fully operational so, if you have not signed up for their deliveries, please go to Kroger.com and do so. Councilmember Akins-Wells mentioned the Trey Floyd Production Theater on West Street, have started, they sold out their first weekend, which was last weekend so, they have a second showing coming up this weekend, and I am so excited the play, but also in the summer they are going to have a dinner murder mystery theatre, so I am just so excited for that. Then we had JenCare, and I have heard a lot of amazing things about JenCare and just seeing their facility and really from the patients about all the great things that they bring. I am excited, and I have said there are often people have challenges to quality health care but, that will no longer be the case in Forest Park, and I think a lot of other municipalities will come to Forest Park to take advantage of the quality health care that is now in our city. I do want to give a shout out to our public information officer, Mr.

Javon Lloyd for all the amazing publicity that you are putting out and giving us, and you know how excited I am to have you on board, so thank you for what you are doing. Ms. Diane White, our city clerk, you might know we had an election a few months ago and Ms. White received a lot of praise from candidates as well as other municipalities who were kind of watching what was going on here, and the way she conducted the election received so much praise that other municipalities have reached out to her for her guidance on how they can run a successful election and so I want to make sure we give her, her flowers right now and thank you. As you can tell we have a lot of amazing things going on in Forest Park and we are going to continue the momentum that was generated over these last four years. So, if you have not noticed on our agendas is our mission statement and again our mission statement is going to make sure that we have true organization alignment with all the departments, and it sets the expectation and tone and will not leave any questions on the expectations that we all have amongst each other. Mayor Butler stated that she will continue to read it until we all have it embedded in us and Dr. Cooper is all of his meetings he is enforcing it with the directors and he has given the charge to the directors that when they meet with their individual staff that they are also sharing the mission statement and it is our desire to have every employee be able to recite our mission and vision statements and be able to articulate our values, because again it speaks to us as a larger community with a shared goal. Mayor Butler read the mission statement.

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 7:39pm for Personnel, Litigation and Real Estate

Motion made by Councilmember Mears, 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 Regular Meeting at 7:56pm

Motion made by Councilmember Mears, Seconded by Councilmember James.

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

ADJOURNMENT:

It was moved to adjourn the Feb. 21, 2022, Regular Council Meeting at 7:58pm

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

File Attachments for Item:

**5. Council to Approve Resolution 22-09 Authorizing Approval to Award a Contract to Hogan Construction Group LLC to Construct a New Public Safety Building at the Gillem Logistics Center–
Department of Planning & Community Development**

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF A PUBLIC SAFETY BUILDING AT THE GILLEM LOGISTICS CENTER

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 City proposes to authorize the award of a contract for the construction of a public safety building at the Gillem Logistics Center; and

WHEREAS, Hogan Construction Group LLC is the recommended winning bidder;

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

SECTION 1. Approval of Bidder. The award of a contract for the construction of a public safety building at the Gillem Logistics Center as presented to the City Council on March 7, 2022 to Hogan Construction Group LLC is hereby approved by the City Council.

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

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents, including the contract with such changes and modifications as recommended by the City Attorney, 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 Resolution, 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.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO RESOLVED this 7th day of March, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

6. Council Approval of a Proposed Entertainment District Ordinance 22-01– Department of Planning & Community Development

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. 22-01

AN ORDINANCE TO PROVIDE FOR A FOREST PARK ENTERTAINMENT DISTRICT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Forest Park is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Forest Park, Georgia desires to an entertainment district for the downtown area; and,

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

NOW THEREFORE, THE COUNCIL OF THE CITY OF FOREST PARK HEREBY ORDAINS:

Section 1. That Code of Ordinances, City of Forest Park, Georgia is hereby amended by creating a new Article I to Chapter 2 of Title 9 as attached hereto as Exhibit A.

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

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,

upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed; provided however, that the provisions of Section 9.16.200 pertaining to pawnshops shall remain in full force and effect.

Section 5. Penalties in effect for violations of the City of Forest Park at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. The effective date of this Ordinance shall be the date of its enactment.

SO ORDAINED this 7th day of March 2022.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

ARTICLE I. FOREST PARK ENTERTAINMENT DISTRICT

Chapter 2 - ALCOHOLIC BEVERAGES
ARTICLE I. FOREST PARK ENTERTAINMENT DISTRICT

ARTICLE I. FOREST PARK ENTERTAINMENT DISTRICT

Sec. 9-2-147. General provisions.

The provisions of this article are intended to set forth exceptions and provisions applicable only to licensees whose establishments are located within the areas identified in the Forest Park Main Street Overlay District, (as hereinafter defined) holding licenses to sell alcoholic beverages for consumption on-premises. Except as specifically set forth in this article, all such licenses remain subject to all other provisions of this chapter.

Sec. 9-2-148. Definition of entertainment district.

For the purposes of this article only, the city's entertainment district is designated as the Forest Park Entertainment District (as shown in the attached map) and are defined as follows: The area of the city identified and zoned as DM Downtown Mainstreet in the zoning ordinance, including any public space, streets, sidewalks, open areas, and all licensed establishments of which parcels shown on Exhibit A with frontages on Main Street beginning at West Street on the west to Jonesboro Road on the east shall be located within the district.

In the case of a licensed establishment whose main entrance is inside the district, the entire licensed establishment shall be considered part of the district, regardless of whether any portion of the licensed establishment is in a zoning district not included in the district.

This provision shall not apply to city-sanctioned events. A city-sanctioned event is one which is conducted by any department agency, the Downtown Development Authority, the Development Authority, the Urban Redevelopment Authority, the branding project, or as specifically approved by city council.

Sec. 9-2-149. Open container areas allowing outside consumption of alcoholic beverages.

Notwithstanding any other provisions in this chapter, the following activities are specifically allowed within the "Forest Park Entertainment District."

- (a) **One drink on-street limit.** Any establishment licensed to sell alcoholic beverages by the drink for consumption on-premises whose entrance is located in the district is authorized to dispense an alcoholic beverage in a paper or plastic cup, or other container other than a can, bottle, or glass, for removal from the premises; provided, however, that no establishment shall dispense to any person more than one such alcoholic beverage at a time for removal from the premises, and no person shall remove at one time more than one such alcoholic beverage from the licensed premises.
- (b) **Size limited to a maximum of 16 ounces.** No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size. No person shall hold in possession on the streets and sidewalks, in parks, or in other public places within the defined area any open alcoholic beverage container which exceeds 16 fluid ounces in size.

- (c) **Drinking from can, bottle, or glass prohibited.** It shall be prohibited for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass, or to possess in an open can, bottle, or glass any alcoholic beverage on the streets, sidewalks, rights-of-way, and parking lots, whether public or private.
- (d) **Purchase from licensed premises within defined districts.** Alcoholic beverages consumed pursuant to this provision must be purchased from a licensed premises within the defined district. A licensed premises will be deemed to be within the defined district if the entrance to the licensed premises is located within the district.
- (e) Licensed establishments shall only be permitted to serve from their approved premises as approved on their alcohol license and shall not serve from temporary locations upon the premises unless specifically allowed during a City sanctioned event in accordance with section 9-2-148.
- (f) **Consumption limited to certain areas in the entertainment district.** No alcoholic beverage purchased pursuant to this provision may be consumed outside the boundary of the approved entertainment district or within the approved entertainment district on any parcel used as a trail, public park, church, day care center or school or the adjoining sidewalk, unless during a City sanctioned event in accordance with section 8-8-2-160 C.

Sec. 9-2-150. Signage.

Any licensed establishment that allows patrons to leave an establishment with an alcoholic beverage as regulated herein shall have an 11-inch by eight and one-half inch sign posted at the door for public view whereas a patron exiting the establishment can read the following:

"All patrons leaving this establishment with an alcoholic beverage do hereby take full responsibility to only consume an alcoholic beverage served in a clear plastic cup not to exceed 16 ounces in size and obtained by an establishment licensed to sell alcoholic beverages in the entertainment district boundary outlined on the map below. Any individual that leaves the permitted area with an alcoholic beverage in an open container is in violation of city code and may be subject to a citation and/or fine."

Sec. 9-2-151. No abrogation of other laws.

The provisions of this article shall not be deemed to abrogate or otherwise impact any state law or local ordinance pertaining to public drunkenness, disorderly conduct, driving with an open container or under the influence of alcohol, or similar laws.

Secs. 9-2-151—9-2-155. Reserved.

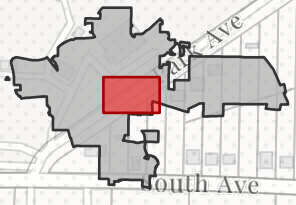
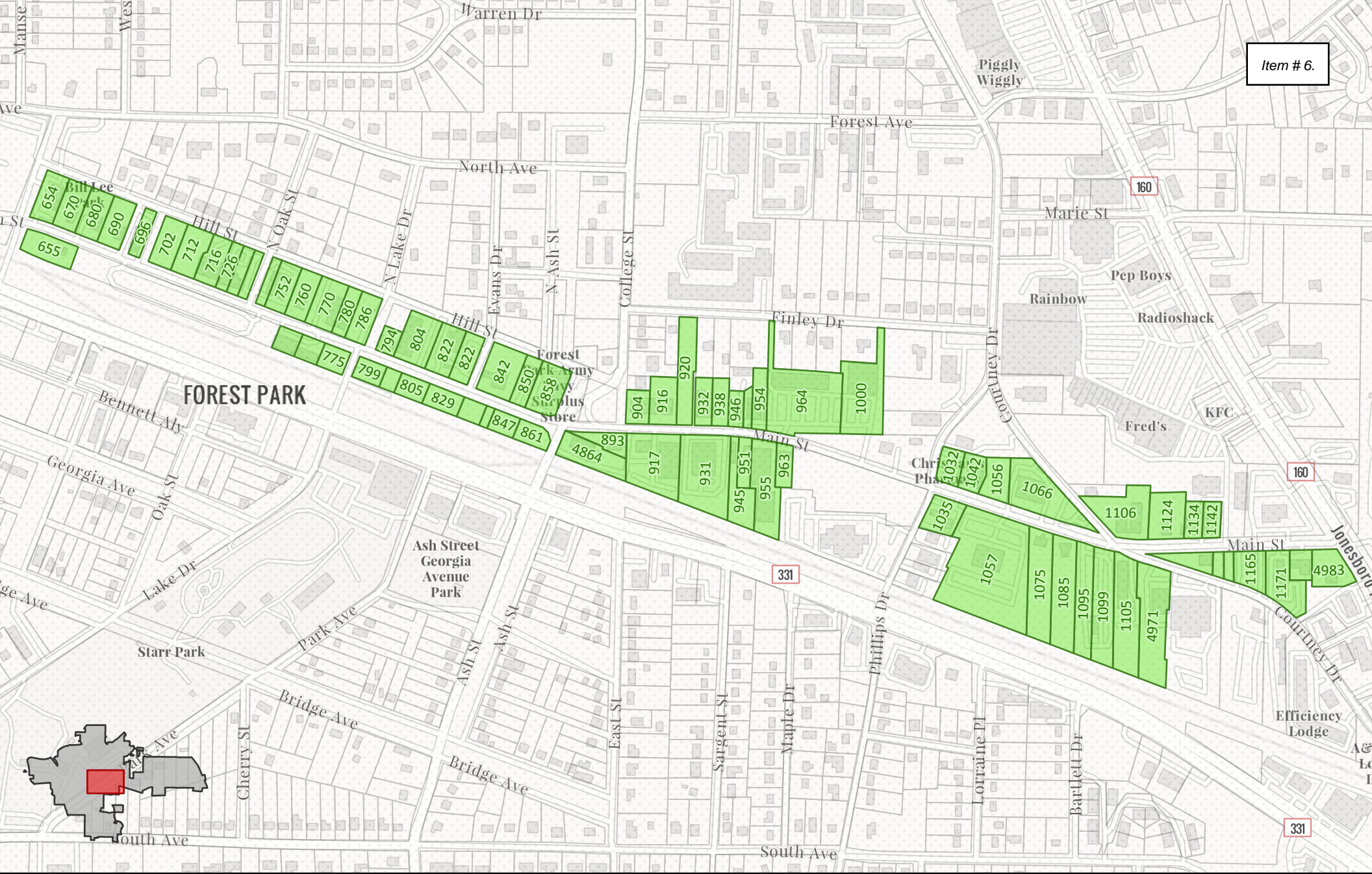


EXHIBIT A

Proposed Entertainment District

City of Forest Park, Georgia



File Attachments for Item:

7. Council Approval of Resolution 22-10 in Support for the People of the Ukraine and Condemn the Russian Invasion – Legislative Office/Chief Executive Office



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Resolution to support the people of the Ukraine and condemn the Russian Invasion
– Legislative Office/Chief Executive Office

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: March 02, 2022

Work Session Date: N.A

Council Meeting Date: March 07, 2022

Background/History:

The City of Forest Park, Georgia has had the high honor of hosting two Ukrainian delegation to the United States in the last two years. The hosting of the delegation has established a new and growing friendship between the Ukraine and the City of Forest Park, Georgia. It is requested that this council considers this resolution condemning the Russian invasion of the Ukraine and urge the work community to come together in finding a peaceful resolution to this crisis.

Cost: \$ 0

Budgeted for: _____ Yes _____ No

Financial Impact:

N/A

Action Requested from Council:

The City Manager request unanimous approval of this resolution.

RESOLUTION NO. 22-10**A RESOLUTION TO CONDEMN THE RUSSIAN INVASION OF UKRAINE AND URGE THE WORLD COMMUNITY TO JOIN TOGETHER IN FINDING A PEACEFUL RESOLUTION OF THIS CRISIS.**

WHEREAS, the City of Forest Park, Georgia has had the high honor of hosting two Ukrainian delegations to the United States in the last two years;

WHEREAS, the hosting of the Ukrainian delegations has established a new and growing friendship between Ukraine and the City of Forest Park;

WHEREAS, on February 24, 2022, Russian President Vladimir Putin announced a "special military operation" in Ukraine;

WHEREAS, soon after, the Russian military launched a full-scale invasion of its neighbor, including sending troops into the country and bombing major cities;

WHEREAS, this invasion has already caused needless anguish and loss of life;

WHEREAS, Ukrainian soldiers have been killed or wounded, and thousands of refugees have fled to neighboring countries to escape the bloodshed;

WHEREAS, the current war in Ukraine is especially distressing to the City of Forest Park in light of its friendship with the Ukrainian government;

WHEREAS, the extraordinary leadership of President Volodymyr Zelenskyy and the bravery and heroism of the people of Ukraine serve as an inspiration to the entire world;

WHEREAS, the attack on Ukraine is unprovoked and demonstrates a blatant violation of the international law;

WHEREAS, Russia has previously committed to respect the independence and sovereignty and the existing borders of Ukraine and to refrain from the threat or use of force against Ukraine;

WHEREAS, President Putin has continued to demonstrate a dangerous disregard for international law and a chilling indifference to the unnecessary loss of human life including the lives of his own fellow Russian citizens;

WHEREAS, President Putin has threatened grave consequences for countries that interfere with Russia's goal and has ordered Russian nuclear forces on high alert; and

WHEREAS, it is vital that the world community remain united in our condemnation of such statements and actions that portend a global nuclear threat;

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

SECTION 1. Condemnation of War in Ukraine. The City of Forest Park hereby condemns the invasion of Ukraine by Russian in its highest possible terms and calls upon the Russian government to end this needless war. The City of Forest Park further calls upon the world community to stand with the people of Ukraine and their democratically elected government.

SECTION 2. Transmission of Resolution. Copies of this Resolution shall be transmitted to the President of Ukraine and the President of the Russian Federation through their respective embassies in Washington, D.C. and the Secretary-General of the United Nations.

SECTION 3. 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 4. Authorization of Execution. The Mayor is hereby authorized to sign all documents, including the contract with such changes and modifications as recommended by the City Attorney, necessary to effectuate this Resolution.

SECTION 5. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

SECTION 6. 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.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO RESOLVED this 7th day of March 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney