



**CITY OF FOREST PARK MAYOR & COUNCIL  
CITY COUNCIL REGULAR SESSION**

Tuesday, July 06, 2021 at 7:00 PM  
Council Chambers and YouTube Livestream

**Website:** [www.forestparkga.gov](http://www.forestparkga.gov)  
**Phone Number:** (404) 366.1555

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

## **AGENDA**

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

### **VIRTUAL NOTICE:**

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

**CALL TO ORDER/WELCOME:**

**INVOCATION/PLEDGE:**

**ROLL CALL - CITY CLERK:**

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

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

**APPROVAL OF MINUTES:**

1. **Council Approval of Minutes from the following Meetings - S. Diane White, City Clerk**

Council Budget Hearing Meeting Minutes from June 16, 2021

Council Work Session Meeting from June 21, 2021

Council Special Called Meeting from June 25, 2021

**NEW BUSINESS:**

2. **Council Approval to Continue the Stipends for First Responders during COVID-19 Crisis** - City Manager
- [3.](#) **Council Approval of Resolution 2021-20 to Revise the Policy for City of Forest Park Proclamation Request** - City Manager
- [4.](#) **Council Approval to Adopt Code of Conduct Ordinance 2021-10** - City Manager
5. **Council Approval for the Development Authority Board** - Bruce Abrahams, Economic Development Director and Marc-Antonie Cooper, City Manager

**CLOSING COMMENTS BY GOVERNING BODY:**

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

**ADJOURNMENT:**

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

**File Attachments for Item:**

**1. Council Approval of Minutes from the following Meetings - S. Diane White, City Clerk**

Council Budget Hearing Meeting Minutes from June 16, 2021

Council Work Session Meeting from June 21, 2021

Council Special Called Meeting from June 25, 2021



# CITY OF FOREST PARK MAYOR & COUNCIL

## CITY COUNCIL - PUBLIC HEARING FOR BUDGET

Wednesday, June 16, 2021 at 5:00 PM  
City Hall Council Chambers, 745 Forest Parkway

Website: [www.forestparkga.gov](http://www.forestparkga.gov)  
Phone Number: (404) 366.1555

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

### DRAFT MINUTES FOR BUDGET HEARING

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, Interim City Clerk  
Mike Williams, City Attorney

**CALL TO ORDER/WELCOME:** The meeting was called to order by Mayor Butler at 5:00pm.

**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, Mayor Pro-Tem <i>Via telephone</i>		✓
Hector Gutierrez	Council Member, Ward 3 <i>Arrived at 5:05pm</i>		✓
Latresa Akins-Wells	Council Member, Ward 4	✓	
Allan Mears	Council Member, Ward 5		✓

**DIRECTORS PRESENT:** Darquita Williams, Interim Finance Director; Diane Lewis, HR Department; James Shelby, Director of Planning & Zoning, Bruce Abraham, Director Economic Development, Bobby Jinks, Director Public Works, Tarik Maxwell, Director of Parks and Recreation, Nathaniel Clark, Police Chief, and Latosha Clemons, Deputy Fire Chief

## **NEW BUSINESS:**

1. **Public Hearing for FY22 Proposed Budget - First Reading** - Darquita Williams, Interim Finance Director

### **It was motioned to open the public hearing for the FY22 Budget**

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

There were no citizens present to speak for or against the FY22 Budget.

**Councilmember James** – Asked for a point of order – Will the information regarding the budget be given for citizens to hear and know about the budget before approval or not approving the budget? Will there be any discussions about the budget or are we just hearing public comments?

**City Manager** – This meeting is not for approval it is a public hearing for the public to speak their concerns on the budget and we will have the 2<sup>nd</sup> Reading of the budget on Monday night.

**Councilmember James** – City Attorney, generally doing our public hearings or a statement of budget hearings, we do not hear what is in the budget or speak on it before we ask for public comments. We are expecting the public to read through the budget before coming to ask questions.

**City Attorney** – There is no hard and fast rule on that, but often there is a presentation or summary, like in zoning. Council has already had an overview when you had the budget retreat.

**Councilmember James** – I personally do not like that, I feel that we should at least give them a general overview of the budget and then give them an opportunity to speak.

**Councilmember Gutierrez** – I would also like to do that going forward.

**City Manager** – We will do that moving forward.

### **It was motioned to close the public hearing for the FY22 Budget.**

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

## **ADJOURNMENT:**

**It was motioned to adjourn the FY22 Budget Public Hearing at 5:16pm.**

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

DRAFT



## CITY OF FOREST PARK MAYOR & COUNCIL CITY COUNCIL WORK SESSION

Monday, June 21, 2021, at 6:00 PM  
Council Chambers

Website: [www.forestparkga.gov](http://www.forestparkga.gov)  
Phone Number: (404) 366.1555

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

### DRAFT WORK SESSION 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, Interim 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, Mayor Pro-Tem <i>Via telephone</i>		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5 <i>Via telephone</i>		✓

**DIRECTORS PRESENT:** A. Girard Geeter, Procurement Manager; Darquita Williams, Interim Finance Director; James Shelby, Director of Planning & Zoning, Bruce Abraham, Director Economic Development, Bobby Jinks, Director Public Works, Tarik Maxwell, Director of Parks and Recreation, Nathaniel Clark, Police Chief, and Latosha Clemons, Deputy Fire Chief

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

**COMMUNITY INFORMATION/REMINDERS:**

- On July 2, 2021, at 10:00 am the Recreation and Leisure Department will be having a Renaming Ceremony for the Senior Center, 5087 Park Ave, Forest Park, GA 30297.
- Second Street Park located at 377 2<sup>nd</sup> Street and Theatre Drive Park located at 4375 Old Jonesboro Rd both are underway with the installation of new grills and benches at both parks.
- Theatre Drive Park, 4375 Old Jonesboro Rd project is moving forward grills and benches are being installed.
- Waste Management processing station we are working on a possible mitigation and/or resolution to this matter. We have contacted Waste Management and will be providing an update as soon as possible.
- Wharry House aka Hollander Park Apartments – the City Council will receive a brief on this matter, and the Town Hall will be scheduled for June 30, 2021 @6:00pm in the City Council Chamber for all residents of Hollander Park.
- Forest Park Ministers Association is hosting the Ministers for Healthy Communities Project 2021 Regional Town Hall Meeting. The meeting will be held Saturday, June 26th, 2021, 4:00 pm – 9:00pm at Starr Park (in accordance with CDC Social Distancing Guidelines + Virtual via Facebook live) for more information or to register visit [Eventbrite.com/minister-for-healthy-communities](https://eventbrite.com/minister-for-healthy-communities).

**CITY OPERATIONS:**

- CodeRED Mobile Alert app (QR Code attached) Download the free CodeRED Mobile Alert app today to stay informed of community, emergency, and severe weather alerts directly on your mobile device. The app is geo-aware, meaning that you will only receive alerts that impact your specific location. or <https://public.coderedweb.com/CNE/en-US/C66C4ED0E73D>
- To improve communications within the city we are working on creating an internal "Intranet" portal. This portal will allow all city employees to view not only view, download and print city related communications and policy and procedures, but provide the option to allow them to view and make changes to their personnel information such as address, phone number etc. via a secured portal.
- During the June 8, 2021, Council Meeting it was stated that we had (5) five Forest Park Police Officers leave during the month of May 2021. I checked the record and we had (0) zero sworn officer leave in May. It was also stated that during the meeting we only had (3) officers on duty patrolling the city. I checked the records and find that we had a total of (8) eight officers on the road ready during the time council meeting was occurring.

- Employee Turnover Rate – According to the U.S. Bureau of Labor Statistics table 16 – Annual total separation rates by industry and region tracks turn-over rate. According to these statistics in 2019 State and local, excluding education turn rate was 19.6% and in 2020 it was 21.2%. By region in the South in 2019 was 45.9% and 2020 it was 58.3%. The City of Forest Park's Turn-over rate for 2020 was 18.7% and so far in 2021 turnover rate is 19.68%. While these numbers aren't ideal for the city, as we look for ways to reverse the trend and become a preferred employer, we are falling below the national average for turnover. The U.S. Bureau of Labor Statistics Information: <https://www.bls.gov/news.release/jolts.t16.htm>

## **EMPLOYEE SPOTLIGHT:**

### **Public Works**

- Thank you, Mr. Bruce Robinson, and Mr. Vincent Hicks, for assisting our residents on understanding the sidewalk replacement process. Both gentlemen are a wealth of knowledge, and we are proud to have them with us.

### **Recreation and Leisure**

- Kudos to our Recreation and Leisure team, especially to Director Tarik Maxwell and staff Ms. Maya Williams and Ms. Rashay Reeves. They are successfully hosting summer camp for about 60 youth ranging from (5 years to 12 years old) in the City of Forest Park.

### **Executive Offices**

- Councilman Hector Gutierrez recently completed his Human Resources Administration Certification Program with the Georgia Municipal Association. Councilman Gutierrez and I have had some great discussions on how we can further improve employee morale and HR operations. We have discussed and came up with some great ideas which we are working to bring to fruition. Congratulations Councilman Gutierrez on this outstanding achievement.

## **PRESENTATION(S):**

### **1. Update on Cemetery Initiative - Mike Williams, City Attorney**

City Attorney Mike Williams represented his previous presentation given in December to the combined meaning out the Development Authority, Urban Redevelopment Authority, Downtown Development Authority, and City Council. The problem is that the cemetery sites on Conley Road adjacent to the Forest Hills Cemetery are not being properly maintained on a consistent basis and the owners cannot be found. Over the years community members have expressed their concern on possible action that should be taken by the Governing Body in order to rectify the situation. Mr. Williams showed with pictures the difference between the upkept cemetery and the abandoned cemetery.

The options for action with the cemetery were presented as followed:  
**Do Nothing** – Just continue to do periodic clean-ups and allows groups to maintain on a sporadic basis (no cost or liability)

**City Maintain and Operate** – There is a provision in state code that allows local governments to take ownership of local cemeteries and operate them. (We would be able to restore the cemetery. There is some belief that there is some historic significance to the cemetery. This also would eliminate and meet the community's concerns. This also would beautify the current site. However, the costs and forever

commitment to maintaining. is a pressing concern with this option. There also is a question on who and how it be managed especially if addition interments would be allowed at the site.

**Take Control of Cemetery & Partner with Entity to Manage** – If partner with another organization there is possibility for a lower long-term cost. There still would be the upfront cost but this is a good way to eliminate any management issues. There are cities in the state of Georgia that do manage and maintain cemeteries. They operate like regular private cemeteries. If the consensus was option 3, there would not be a management issue.

State Code states that Cities can exercise their imminent domain power, condemn the property, and get a court order awarding ownership to the City. It allows Cities and County to do it on them or in conjunction with each other. Meaning this is not something that the city must take on its own. We could possibly examine working with the county.

The three parcels' ownership has been discovered. There has been some conversation, but they have not really gone anywhere is a partnership with Forest Hills. This would help clean up the title issues and it could be held by the city or even transfer ownership to them. During the conversation a prerequisite to them signing on would be that ground penetration be completed before they would assume ownership or work with the city. They would like to know where all the potential burial sites reside. If this is an option, we would negotiate the costs and provide signage, etc. to keep it in the best interest of the community. The staff recommendation was before a decision was made was to explore some option on costs and collaboration, not necessarily just with Forest Hills to find a long-term solution to the problem.

This was an overview of the presentation that was made in December, however there was never a decision made, therefore we are back awaiting a decision about how to move forward.

**Questions/Comments from Governing Body:**

**Mayor Butler:** Is the City still maintaining the other cemeteries?

**City Attorney:** There are two cemeteries in the Main St./downtown area that the city has historically maintained. I do believe that is still ongoing, but I would have to confirm.

**Councilmember James:** Thank you for the presentation. I invited some of the members that are associated with the cemetery to make sure that they have the information. I have some of the members also on Zoom listening to the conversation. I want to have a conversation with them later to discuss what their recommendations would be in how we move forward with this.

**Councilmember Gutierrez:** Mike, there are also two other cemeteries in my Ward, and I think they share the same history as the one on Conley Rd. One of the constituents reached out to me about it because she used to maintain it. The gentlemen in Public Works pointed it out to me when I did my ride along. I would like to add that to the investigation that we are currently doing with this cemetery.

**Mayor Butler:** I thought with the signage that about two to three City Managers ago they were working on signs and markers. Where are we with that?

**City Attorney:** I do not know.

**Bobby Jinks, Director of Public Works:** I was never forwarded any information regarding signs.

**Councilmember Akins-Wells:** So, isn't there already a cemetery that the city maintains?

**Bobby Jinks:** There is one on Main St. across from 1000 Main Street. The city has been maintaining for as long as I can remember. I did pull up the tax records to see what it says. It just says Forest Park Cemetery. It does not say, "The Forest Park Cemetery".

**Councilmember Akins-Wells:** Right, so I am just wondering what was done that has the City maintaining that cemetery because if that hasn't been done then the City shouldn't be maintaining it, right?

**City Attorney:** There is no written agreement, document that was signed or approved by Council to maintain it.

**Councilmember Akins-Wells:** I am not against trying to find the owners of the cemetery and think it needs to be cleaned up, but I also believe that the ones that are also in Councilman Gutierrez's Ward should be cleaned up. If we're going to focus on it, I believe we should focus on all the ones that are in the city, which would be more money from the city. I just believe that we need to be consistent. This cemetery is important, the beautification of the city is important, but also, we shouldn't leave out others. But if that same thing wasn't done to maintain those (Main St. cemetery) then I think we should stop maintain it until it is done the correct way.

**Councilmember Gutierrez:** I have a suggestion. I know that ultimately the responsibility for this fall on our Public Works department. This would mean them taking more time, possibly needing more staff. Is there a way to contract the services out to maintain these cemeteries until we figure out what we are going to do with them?

**Bobby Jinks:** Legally they are not property of the City of Forest Park so I cannot go on them and clean them unless I have orders from mayor and Council to do so.

**Councilmember Akins-Wells:** That goes back to what I am saying. So, if it's not City property and nothing has been done, then we shouldn't be cleaning it. It goes back to people having events but that aren't City events but having City staff work them. I just think we need to be consistent on the things we are doing and making sure that we are going by the charter and not overworking our employees because cleaning and maintain cemeteries is not an easy task. I just read something today in the Clayton Crescent today where people are complaining about us having City sponsored events, but the streets aren't clean. So how can our streets be dirty but Public Works is cleaning property that doesn't belong to the City.

**Mayor Butler:** Are you going to give us some recommendations in order to truly hammer this down and make some decisions?

**City Attorney:** That's what the staff needs. We need some direction. The best thing is to look at working at a partner organization that is in the cemetery business who knows best. I would suggest exploring that and if there is an agreement or is a desire to partner then we would have to look to see what it would take as far as upfront costs to get there and bring that back to Council to decide.

**Mayor Butler:** We had some of the conversations with Forest Hills. We know their recommendations. I was hoping that with this presentation that we would have seen some of the numbers, so that we could move forward. Can we get those number, so that we know what those costs would look like so that we can make a decision?

**City Attorney:** I know the main thing that they wanted was the route tracking radar, so that they could get a survey of the site. So, we have that number. Those numbers are roughly what you saw. We can update those numbers. Assuming they are still okay with that. I would want you all to get confirmation from them, get a letter of intent from them, and work in earnest before you start spending money. I don't want you to spend money and they don't want to do it. My recommendation is to have the conversation and if you are willing to spend the money to move forward in that direction.

**Councilmember James:** I want to first speak with those parties that are possibly connected to the cemetery because it is not the property of the City. We can't spend the money on the device because it is not our property. So, we would need to have a conversation with those members in the community that it directly effects on our course of action, so that we can make a decision. Until then it is just considered an abandoned property.

**Councilmember Gutierrez:** How far are we from recognizing it as a historical property?

**City Attorney:** So, there is a consultant is doing the research for that. The last I spoke to her was about a month ago. I did not reach out to her prior to this presentation today. However, she is doing the groundwork and research on the cemetery to establish the historical nature of it. There is a separate process to go through to register it, but we would need the data first.

**Councilmember Akins-Wells:** If the City was taking it over, we would handle it like a regular cemetery. So, if someone wanted to be buried there. Would the City be responsible for that?

**City Attorney:** If you were to take it over and you weren't working with an organization. You are not required to operate it as an operating cemetery. You could just leave it as it is and no further interments. That would be a question. Because we don't have a survey we truly don't know if there are any addition spaces for burial.

## OLD BUSINESS:

### 2. Intact Consulting Services - Marcia Ridley

#### Background & Summary:

Ms. Ridley was approved to conduct the City's 2021 Municipal Elections and will give Council a presentation on her company. This is for discussion only.

*This item was moved to the July 6, 2021, meeting.*

## NEW BUSINESS:

### 3. Approval of Proposed Film Ordinance and Fee Schedule - Economic Development Director, Bruce Abraham

#### Background & History:

It is proposed that the City adopt an ordinance and policy with respect to granting permits for the purpose of filming by television companies, movie companies, or other media in the City. This ordinance provides guidelines for the issuance, approval, and fees associated with obtaining a film permit from the City. The

City has permitted filming for a number of years as a Special Event, however the proposed ordinance will allow for a more streamlined and efficient permitting process.

In September 2020, all filming operations for the City of Forest Park were transferred from the Finance Department to the Economic Development Department. Since then, the Economic Development Department has been focused on improving film permit process to better serve television and film companies.

**There was no discussion by the governing body**

4. **Discussion to approve surplus vehicle/equipment for auction on Public Surplus – Public Works**  
Director, Bobby Jinks

**Background and Summary:**

We have a list of vehicles and equipment that has been sent to the appropriate departments for Director's approval to surplus. The vehicles/equipment has outlasted the life of them, and the cost of repairs will be more the value of the vehicle/equipment. See attached document of the entire list to be surplus.

**There was no discussion by the governing body**

5. **Support for the Restoring Neighborhoods and Strengthening Communities Act** - Dr. Cooper, City Manager

**Background/History:**

The Office Congresswoman Nikema Williams is seeking the support of this City Council for legislation introduced by her called (H.R. 2859) the "Restoring Neighborhoods and Strengthening Communities Act". This legislation is being presented in the Transportation and Infrastructure Committee and seeks to undo the damage of "urban renewal" projects that displaced communities of color after the enactment of the Federal Aid Highway Act.

**There was no discussion by the governing body**

6. **Council Discussion on GEMA Grants** - Fire & EMA Departments

**Background/History:**

In 2018, the EMA Director 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 Forest Park Fire & Emergency Services department was awarded a total of \$54,700 for two separate projects. One project, "HazMat", was awarded \$30,500 and the other project, "GSAR", was awarded \$24,200. Prior to the State's approval and being awarded the grant, the department had to specify the exact item(s), quantity needed, and cost of items requested. The items requested are necessary to the safe functioning of our Hazardous Materials Team and Special Operations Response Team (SORT), as most, if not all, the equipment is expired. The grant period for using the funds was previously missed because prior to applying for the Emergency Management Performance Grant (EMPG) for fiscal year 2020 in March 2021, our department was unaware of its existence. Since its discovery, the EMA office has worked with GEMA to obtain an extension on the awarded projects, with a deadline of July 31st, 2021. Along with the project extension, we have amended the GSAR budget by changing the items previously requested, to items the

department's technical rescue team requires for safe operations. As of now, GEMA still considers the City of Forest Park as a Regional HazMat Team, however until this equipment is obtained, we do not have the proper personal protective equipment or detection tools to safely respond to such an incident. Attached, you will find the original grant applications, signed award letters, cost item details, and GEMA approved project extensions and budget amendment. 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.

Cost \$54,689 and it was not budget.

Financial Impact: The City will provide initial cost until reimbursement from the State. These Grants are 100% reimbursed by the State. No long-term financial impact to the City.

**There was no discussion by the governing body**

## **7. Bulletproof Vests Partnership Program - Police Department and Grants Management**

### **Background/History:**

The Bureau of Justice Assistance solicits participation in its bulletproof vests program periodically as funding is available. This BJA program has a 2-year performance period of which police departments purchase vests as needed over this time period and is reimbursed 50% of the cost of each vest, based on the data submitted to the awarding agency. The Forest Park Police Department has been a participant of this program for several years, most recently in 2019.

Cost \$18,625.00 and it was budgeted for.

Financial Impact: If selected to participate in the program, the city would be reimbursed \$9,312.50 or 50% of the cost for 25 vests.

**There was no discussion by the governing body**

It was motioned by Councilmember James and seconded by Councilmember Mears to amend the Work Session Agenda to add a Discussion about Ordinance Section 8-3-6 General Requirements for All Signs, 8-3-9 Regulations and Restriction to Temp Sign, 8-3-10 Non-Conforming Signs.

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

**Councilmember James** - I wanted to make sure that I highlight these items as according to our ordinance. These are already items that we have place, so we don't have to vote on it is something that just applies. I just want to make it clear that I have been getting complaints on some of the signs that are around the city. The temporary signs that are promoting events that are around the city as well as some of the signs that are in the right of way. According to our charter we do have restrictions and regulations to these signs. According to section 8-3-10, these signs can be removed immediately. So, I am asking our City Manager to have these signs that are in direct violation and non-conforming to be removed immediately.

**Councilmember Akins- Wells** - You must have three people to direct the City Manager. However, Mike, I want to ask you what that ordinance says. I would also like to explain why all of this is happening. What she is referring to are the Fun Friday event signs that have Councilwoman Wells and City of Forest Park's

name on them. She hates the fact that Councilwoman Wells is doing anything, so whatever I am doing she comes back with some negativity. When in actuality these events are that myself and the City of Forest Park are having benefits our community. Out of all the negative things going on, I believe that is a breath of fresh air for the people. I haven't heard any complains and it is my signs that are out there that belong to the City of Forest Park. So, can you help me understand why it is an issue for Kimberly James, an elected official where elected officials all over the state of Georgia and the country have events and put their names on it. There is nothing unethical or illegal about a city councilperson having an event. You should try to have one. You would see. Can you please explain these ordinances and why these signs need to be removed?

**City Attorney** - Councilwoman James referenced several pieces of the ordinance. The primary issue is regarding temporary signs, advertisement signs. The main provisions in the ordinance as related to those are in terms in size, duration they can be up, and location. Primarily that they cannot be in the right of way. As it related to temporary signs, we do have provisions that say they can't be more than a certain size.

**Councilmember Akins- Wells** - What's the size?

**City Attorney** - Well, I would have to look at the actual provision.

**Councilmember Akins- Wells** - The City right of way is City property, right? These signs are property, so the City can't put anything on their own right of way.

**City Attorney** - I had this conversation with Councilwoman James. There are so people that believe that cities can be immune from their own sign ordinances. The opposite side of that is you shouldn't have rules for everyone else and not follow those rules. I am trying to find the exact sign requirement

**Councilmember Akins- Wells** - Are you saying the signs need to be removed?

**City Attorney** - I don't know. You must take each sign individually. If there is a specific sign that violated the ordinance, the ordinance does state that the city has the option to remove it.

**Councilmember Akins- Wells** - Do we have to vote on it?

**City Attorney:** Code Enforcement can do that on its own. This is not just about City signs. This could be real estate signs, etc. It is neutral to content and owner of the sign. It speaks to size, location, and duration.

**Mayor Butler:** So, Public Works wouldn't be able to do it because it would essentially be a violation of our own ordinance?

**Councilmember Akins- Wells:** How is it a violation? I would like to know the duration that the sign can stay.

**Councilmember James:** 30 days.

**Councilmember Akins- Wells:** I would also like to know when conversations like this are being had with Councilmembers then maybe you should let me know because it is involving me. If it is an ordinance that I am breaking, let me know. The event is still happening, the people are still going to come and that is the part that you don't like. Can you please tell me what the ordinance says? And if there are any other signs that are in violation they need to come up at the same time. This is petty and childish, not the ordinances because I don't mind abiding by those. But of all of things that we could focus on in this City which is a lot.

You choose to focus on a sign because a Councilperson's name is on it that does work in the community and gives to the community. That is a problem for you. Focus on your ward. Focus on the citizens, that is what matters.

**Councilmember Antoine** - Can I ask a question?

**Mayor Butler:** Yes. Mike are you are you still looking for the ordinance?

**City Attorney:** The time period is 21 days. The right of way.

**Councilmember Antoine:** According to the signs that I've seen. It mentions the city too. It doesn't just mention one person's name. Latresa's signs say, "Latresa and the City of Forest Park". But what does the charter say?

**Councilmember James:** Let me make a clarification Councilman Antoine. The clarification is that it is not about whose name is on the sign. It is about the fact that we are violating our own charter. I have gotten complaints several times and I say it is a city event and to please come out to the event. I always promote City events. It's not about whose name is on it. I have gotten complaints in the past and now I am looking into it, and it violated the charter, simply put. It is a violation because these signs have been up for months, so end of story

**Councilmember Akins- Wells:** If it is violation, I am not violating the charter so take them up. Mike I also want to ask

**City Attorney:** There is not a size for temporary signs.

**Councilmember Akins- Wells:** There is nothing wrong with the name of an elected official being on a sign. Commissioners do it, State reps do it. A lot of elected officials do it. It is not unethical. There is nothing wrong with it. Is there anything in the charter that says that is illegal or unethical?

**Councilmember Akins- Wells:** It is not illegal. There is nothing in the charter or ordinances that prevents elected official's names from being on signs.

**Councilmember Gutierrez:** I am guilty of this as well I have my signs up. It wasn't knowingly. I do not want to break our charter. I think the problem here lies with the ordinance itself. My food truck Friday event is an ongoing event. So, I would like to know a place I can put the sign, to give more attention to the event. I think we change the ordinance

**Councilmember Akins- Wells:** Can you draft an ordinance that states that if we are having City events? That is okay for us to promote our events.

**City Attorney:** That is provision that can be added. It is my understanding that an update to the sign ordinance is already underway.

**Councilmember Akins- Wells:** Can we have that at the next meeting? The signs can come up because I don't want to break an ordinance, but can we examine having that at the next meeting?

**City Attorney:** I cannot commit him to having something done by next meeting.

**Councilmember Akins- Wells:** You can draft something up to temporarily override that.

**Councilmember James:** The provision does speak to special events. For example, when the city did the 5k race. The sign they would normally put up was at Conley Rd./Jonesboro Rd. They would advertise that it was coming up and then the sign would come down. It's not saying we don't advertise. People just complain about the signs being up all the time, all over the place and being in the right of ways. It is a valid complaint. It is in our ordinance. We don't want people putting temporary signs all over the city and leaving them up all the time. Even if the event is ongoing, there are other ways of advertising. I will speak to that it was said I was personally against people having events that is not true. I am very supportive of whatever happens in our city but there are some things that arise that I will speak to when people speak to me about it or if I do not agree with it. But it doesn't have anything to do with who having events. It's not a competition. It's about moving the city forward.

**Mayor Butler:** The signs will come up until something else is passed or revised?

**City Attorney:** Yes. If we are going to abide strictly by the signs.

**Councilmember Antoine:** Can you use your Ward money to promote events?

**Mayor Butler** The dilemma is that the signs are placed in the right of way. Who is placing the signs? Why are they placing them in the right of way?

**City Attorney:** If staff is placing signs for the events they need to be instructed on where to place the signs so that it doesn't violate the ordinance. Every sign is not in violation. You must look at each specific sign, one by one.

**Councilmember Akins- Wells:** These signs have been going up for three years and it has never been an issue. Now all of sudden it is in an issue but please take up the signs in violation. If you agree that it is okay to promote our events. Can we please direct them to write up an amendment to the ordinance?

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

## **ADJOURNMENT:**

It was motion to adjourn the Work Session Meeting at 7:13pm

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

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



## CITY OF FOREST PARK MAYOR & COUNCIL CITY COUNCIL SPECIAL CALLED

Friday, June 25, 2021 at 5:00 PM  
Council Chambers

Website: [www.forestparkga.gov](http://www.forestparkga.gov)  
Phone Number: (404) 366.1555

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

### 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, Interim City Clerk  
Mike Williams, City Attorney

**CALL TO ORDER/WELCOME:** Mayor Butler to call the meeting to order at 5:00pm. Mayor Butler stated for the record that Councilmember Adkins Wells left the meeting at 5:02pm.

**Councilmember James** – Asked the City Attorney, we have had meetings in the past when we all were on conference call. so why is there a problem today?

**City Attorney** – During COVID state of emergency that the Governor declared as well was done locally, we were given guidance that allow us to be more flexible with the Open Meetings Act Rules and during that entire time, you could have had totally virtual meetings or having call-ins. Since the lifting of the emergency, locally, the decision was made to go back to regular order when it comes Open Meetings Act requirements, which means you can have a councilmember call in, but you will have to have a physical quorum in the room.

**ROLL CALL - CITY CLERK:** A quorum was not established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Councilmember, Ward 1		✓
Dabouze Antoine	Councilmember, Ward 2 – Mayor Pro-Tem <b>Via telephone</b>		✓

Hector Gutierrez	Councilmember Ward 3 <b>Arrived at 5:02pm</b>		✓
Latresa Akins-Wells	Councilmember Ward 4 <b>Left meeting at 5:02pm</b>		✓
Allan Mears	Councilmember Ward 5	✓	

**DIRECTOR'S PRESENT:** Darquita Williams, Interim Finance Director; Shalonda Brown, HR Director; James Shelby, Director of Planning, Building & Zoning, Bruce Abraham, Director of Economic Development; Bobby Jinks, Director of Public Works; Nathaniel Clark, Police Chief, and Latosha Clemons, Deputy Fire Chief.

**Due to a lack of quorum the meeting was closed at 5:04pm.**

**CALL TO ORDER/WELCOME:** The meeting was called back to order by Mayor Butler at 5:36pm.

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

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Councilmember, Ward 1		✓
Dabouze Antoine	Councilmember, Ward 2 – Mayor Pro-Tem		✓
Hector Gutierrez	Councilmember Ward 3		✓
Latresa Akins-Wells	Councilmember Ward 4	✓	
Allan Mears	Councilmember Ward 5 <b>Via telephone</b>		✓

**DIRECTOR'S PRESENT:** Darquita Williams, Interim Finance Director; Shalonda Brown, HR Director; James Shelby, Director of Planning, Building & Zoning, Bruce Abraham, Director of Economic Development; Bobby Jinks, Director of Public Works; Nathaniel Clark, Police Chief, and Latosha Clemons, Deputy Fire Chief

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

**Felicia Davis** - on behalf of other residents that might not have had a chance to go over it, I want to commend the departments because you can tell in the budget that there was some give and take to arrive there. And so, I just wanted to step forward since I put the brakes on, in the last meeting to say job well done. The city manager and the department heads and all that had a part in making it all balance out. So, it looks good to me.

**Lawanda Folami** – I am here for the budget discussion and to rebuttal and agree. My problem is today there is no zoom link or anything for those constituents who could hear this and agree or rebuttal against it. You are doing the job that you must do. The moral to my story is it is about us being in unity, respecting those who are taxpayers as citizen, depending on you all to carry us through a journey because we elected you. We trust you even. They are apologetic for this Friday, and the meeting started late, but nevertheless, I want you to really look at what we are

doing. Meaning what about the citizen, the taxpayers, who paid each and every one of you. I know what Forest Park stand for, regardless of the past the yesterday, but most of all, today there is a followship. If you pass this budget without the taxpayers, you really deceiving and faulting yourself. The city looks upside down to us because when we traveled through our city, we do not see any new faces, no unity, the legislation that you do. People come in here and as councilmembers speak combatively and rebuttal against citizens, who are taxpayers. It is said do not talk to that person. A taxpayer has the right to comment to say whatever he or she feels.

## OLD BUSINESS:

1. Council Discussion and Adoption of FY22 Budget Ordinance 2021-09 - Interim Finance Director Darquita and City Manager Dr. Cooper.

There were comments made by the governing body:

**Councilwomen James** - I agree 100% with the budget. The only thing that I would ask is to change the "Wellness with Wells", no event should be named after a councilmember and because it is a fitness, I would ask that it be changed to 'Forest Park Fitness.'

**Councilmember Gutierrez** - I wanted to add three things; make an adjustment to the Day of the Dead event to \$8,000; add the event for the Asian community in May for \$8,000, Senior Committee and Teen Committee both at \$2,500. I want to work with the city manager to come up with maybe some bylaws or rules of what I imagined this to be, have a senior committee where they can meet every two months or whatever we come up with as a council where we would each appoint someone in. My intent with this is to bridge the gap between them and us and for them at the end of the year or sometime during the year where they can have an event. I would like to go over any new positions that we are talking about implementing just so the public can know.

**City Manager** - There are several new positions being proposed. In the executive office we are asking for two positions, one would be a deputy city manager and the other a public information officer. The only position at this time that I am looking to fill immediately would be the public information officer position. The deputy city manager position would be basically funded because that is a position that was approved by the council, and that position basically would be on hold until needed. We do have several other positions within certain areas of the city. I know that planning and zoning is looking for a project manager to manage all the major projects that coming up with the new bond referendum. We have an accountant that is needed for finance to help with general ledger entries. We would have a reclassification for a name of a position would be to deputy director of human resources. I will let Chief Clark give a brief update on the positions he will need.

**Councilmember Gutierrez** - What are their salaries for the proposed deputy city manager and the public information officer?

**Dr. Cooper** - Well, both positions are budgeted at the mid-point, does not mean that they are going to start at the mid-point, that is what we budgeted for budgeting purposes. So, salaries have not been set yet, and we have not done all the research, and this is based on the research that we have currently in our budget, based on the compensation study that was done the City of Forest Park.

**Chief Clark** - The police department is asking for two new positions. One will be an office coordinator / accreditation manager. This position would maintain state and CALEA accreditations and assist with other

administrative task. And we also asked for a management analyst, this position will be responsible for research, application, and the monitoring of grants for the department of public safety.

**Councilmember Gutierrez** - Will these be on website to view?

**Chief Clark** - Yes, sir.

**Councilmember Gutierrez** – what was the process before having a person?

**Chief Clark** - Prior to the request of this position, we were using sworn personnel. I want to take those sworn personnel and put them back in the field operations or other administrative tasks in which they are trained to do, bring in civilian personnel and allow the civilian personnel to look at being a CALEA manager and the office coordinator.

**Mayor Butler** - Chief correct me if I am wrong, but, CALEA is not something that we want to wait until the last minute to do there is data that should be gathered and collected and kept up with all throughout the course of a significant period, correct?

**Chief Clark** – That is true, when I took over, as I have said in the past, we found ourselves way behind because we have sworn personnel that was doing during this job, who left. We found ourselves in a seven-month time span and working around the clock, which normally will take three years. So, this is an on-going process, if we want to maintain our CALEA accreditation for state and for national. We must ensure that we have all supporting documents, download them, and know this is about a year out in advance when they come and start doing mock assessments. So, we must be on top of this.

Mayor Butler - when I look at our business license the pouring fees for hard liquors, they seem relatively low. So, I do not know, they are accurate. This is a question for you and Ms. Williams, how are we collecting or keeping track of those fees and is there a way to improve that process? Because it does seem like these are exceptionally low.

**Ms. Williams** - We have, if you look, we have the business, I forgot exactly how it is labeled, what it is the business license, what we get for the license. And the pouring is something that we have been discussing because those are fees that we get from businesses who have pouring license. So, we do have initiatives set up so that we can see which businesses, if they are businesses that are pouring, that are not paying that we do not have our radar on our radar. So, we do have an initiative going so that we can find those businesses and make sure that we are collecting all our revenues.

**Councilmember Gutierrez** - I had a training yesterday, a DDA training and the state, they talked to us, Mike, and I do not know, you might be unfamiliar with these, about all these new legislations that passed recently. And now basically they told us that their state laws now, unless we add ordinances to limit them, and some businesses can sell the drink in a cup, too. So do any of these, were any of these new laws, I guess maybe we can get on or tax.

**City Attorney** - That will be something we will have to look at on the staff level. We have talked about some of the changes you would like to make for downtown central LCI district, to make certain types of potential businesses, more interested in, in locating here, as it pertains to particularly alcohol and the sort. And so, we will be bringing some proposals back to the council in the coming months.

**Mayor Butler** - And my other question was there was a statement at the last meeting about meetings and convention line items, that people may not have attended any meetings and conventions, but their line items seem to have been depleted some. So, Dr. Cooper, can you please speak to why that would have been?

**City Manager** – There were amendments made, so it did not originally start off at, I think it was \$6,000, but we did recently do an amendment to that line. So, when you do an amendment that makes an adjustment on what the current ledger is.

**Ms. Williams** - And we do those amendments based on the fact that there may be other line items within the budget that needed that money. So those are the things that we bring back to council as for to reappropriate funds from one line item into another.

**Mayor Butler** - Thank you. My last is just a statement on the department of planning, building, and zoning in the first line item, the account number is not complete. The last four digits were left off for personnel services and EE benefits.

Motioned to approve the FY22 Budget Ordinance with changes.

Motion made by Councilmember Antoine, Seconded by Councilmember James.

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

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

Motion to recess into Executive Session at 5:54pm

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

Motion to reconvene from Executive Session back into Special Called Meeting at 5:57pm

Motion made by Councilmember Antoine, Seconded by Councilmember Gutierrez.

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

Motion to appoint S. Diane White as the City Clerk.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

## **ADJOURNMENT:**

It was motioned to adjourn the June 25, 2021 Special Called Meeting at 5:58pm

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

**File Attachments for Item:**

**3. Council Approval of Resolution 2021-20 to Revise the Policy for City of Forest Park Proclamation Request - City Manager**

STATE OF GEORGIA  
COUNTY OF CLAYTON

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

A RESOLUTION TO REVISE THE PROCLAMATIONS  
POLICY FOR THE CITY OF FOREST PARK

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

WHEREAS, the City Council desires to establish a fair and equitable proclamations policy for the City of Forest Park;

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

**SECTION 1. Approval.** The proclamations policy attached hereto as Exhibit A is hereby approved.

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

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

**SECTION 4. Attestation.** The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

**SECTION 5. Effective Date.** This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[Remainder of Page Left Intentionally Blank]

SO RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

\_\_\_\_\_  
Council Member Dabouze Antoine, Ward 2

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

\_\_\_\_\_  
Council Member Latresa Wells, Ward 4

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

ATTEST:

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

APPROVED AS TO FORM:

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

**EXHIBIT A**

**CITY OF FOREST PARK**  
**POLICY ON PROCLAMATIONS**

Among the many ceremonial functions of the office of Mayor is recognizing and honoring people, events, activities, organizations, issues, etc. through the issuance of formal proclamations. Proclamations may or may not be issued publicly, depending on timing, the wishes of the recipient(s), and available time and space on City Council agendas. The goal of a proclamation is to recognize and celebrate the extraordinary achievements of local citizens and non-profit organizations, honor occasions of importance and significance, and to increase public awareness of issues to improve the well-being of the citizens of Forest Park.

**GUIDELINES**

The issuance of a proclamation should comply with the guidelines below.

Proclamations may generally be issued for the following purposes:

1. Memorializing special or exemplary events or days, both within and outside of Forest Park, including certain national days of celebration, recognition, or mourning.
2. Recognizing Forest Park business anniversaries of fifty years or more.
3. Recognizing retirements from the City of Forest Park following thirty-five or more years of continuous service.
4. Supporting local arts and cultural celebrations.
5. Recognizing achievement of high rank or success within a local non-profit organization.
6. Recognizing unique or especially successful local school-related activities, such as in academics, athletics, music, etc.
7. Honoring local nonprofit service groups for their work in the community.
8. Recognizing individuals for outstanding achievements in or for contributions to the community.
9. Supporting public awareness campaigns that have the potential to enhance public health, safety, or wellness.
10. Recognizing special or unique honors.
11. Recognizing other exceptional events, activities, and/or people.

Unless agreed to by the City Council, proclamations may generally not be issued for the following purposes:

1. Groups or individuals from outside Forest Park.
2. Matters of a political nature.
3. Controversial issues or organizations.
4. Events or activities that do not benefit Forest Park.
5. National or international groups requesting a proclamation without an in-city sponsor.
6. Events, campaigns, or activities that are contrary to or in opposition to adopted City policies, plans, or ordinances.
7. Personal activities not of a general public interest, such as deaths, family reunions, birthdays, anniversaries, groundbreakings, business endorsements, etc.

### **PROCEDURE**

All proclamation requests must be submitted in writing to the City Clerk at least fifteen (15) business days prior to a regular council meeting date or of the event to be recognized. Copies of such request shall be distributed to each member of the Council at the same time. Submission of a proclamation request does not guarantee its issuance. The mayor and/or a veto proof majority of City Council shall have the right to modify or deny any proclamation request, consistent with this policy.

Individual(s) or organization(s) seeking a proclamation must accompany the request with:

1. Contact person's first and last name, address, telephone number, and e-mail address.
2. A brief summary or background of the event or organization.
3. Proposed text to enable writing of the proclamation, including a minimum of four points.
4. The name and date(s) of the day, week, month, or event to be proclaimed.
5. Date of event for proclamation and date proclamation is to be ready for pick up.

### **DISTRIBUTION**

Proclamations may be distributed in one of the following ways:

- Presented at the first regular City Council meeting of each month;

- Photo opportunity with the Mayor and City Council, or Mayor Pro-Tem in the absence of the mayor; or
- Picked up in the City Clerk's office.

All proclamations shall be presented at the first City Council meeting of each month but will be scheduled in the City's sole discretion. Proclamations presented on such occasions must be sponsored by the Mayor, a Council Member, or City Staff. Proclamations must be approved by the majority of the City Council to be created and issued. During such presentations and during any City Council meeting only the Mayor or Mayor Pro Tem or a designee shall read or perform any ceremonial acts with respect to any proclamation. It shall not be in order to issue any proclamation, letter of congratulations or similar matter at a Council meeting, if not done in compliance with the procedures set forth herein.

A congratulatory letter is an alternative where proclamation criteria are not met. The City staff shall endeavor to have any requested pictures taken prior to any City Council meeting, to not delay official business.

For proclamations honoring an individual or organization for city-wide contributions, attempts are made to obtain signatures of all City Council Members.

**File Attachments for Item:**

**4. Council Approval to Adopt Code of Conduct Ordinance 2021-10 - City Manager**

**STATE OF GEORGIA  
COUNTY OF CLAYTON**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF FOREST PARK, GEORGIA TO  
INCLUDE A CODE OF CONDUCT WITHIN THE CODE OF ETHICS  
FOR OFFICIALS**

**IT IS HEREBY ORDAINED** by the Governing Authority of the City of Forest Park:

**Section 1.** The Code of Ordinances, City of Forest Park, Georgia is hereby amended by the addition of a new Section 2-6-13 as shown on Exhibit A. A violation of the attached Code of Conduct is actionable under Section 2-6-5(w) of the Code of Ordinances, City of Forest Park, Georgia.

**Section 2.** In the event any word, phrase, sentence, or paragraph is determined by a court of competent jurisdiction to be unconstitutional, the offending provisions shall be severed from the ordinance and the remaining words, phrases, sentences, and paragraphs shall continue in effect as fully as though no challenge had been brought, it being the intent of the Council that severability be applied to the maximum extent allowed by law.

**Section 3.** All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 4.** This ordinance shall be effective immediately upon its adoption.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

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

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
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:

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

APPROVED AS TO FORM:

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

## EXHIBIT A

**Section 2-6-13 CODE OF CONDUCT****Mayor and Council Member Conduct with One Another**

This mayor and council hereto referred as governing body is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, each governing body member has chosen to serve in public office to preserve and protect the present and the future of the city of Forest Park. This common goal should be acknowledged even as governing body members may "agree to disagree" on contentious issues.

**In Public Meetings**

**1. Practice Civility and Decorum in Discussions and Debate.** Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, governing body members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Governing body members shall preserve order and decorum during council meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or this Code of Conduct. Governing body members shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall always, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

*(Examples of misconduct include but are not limited to the following: yelling, shouting, fighting, making unwelcome physical contact, aggressive or bullying behavior, use of foul language, ignoring and/or interrupting the Presiding Officer.)*

**2. Honor the Role of the Mayor in Maintaining Order.** It is the responsibility of the mayor to keep the comments of the council members on track during all meetings. Council members should honor efforts by the Presiding Officer to focus discussion on current agenda items. If there is a disagreement about the agenda or the Presiding Officer's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedures.

**3. Avoid Personal Comments that Could Offend other Governing body Members.** If a governing body member is personally offended by remarks of another governing body member, the offended governing body member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other governing body member to justify or apologize for the language used. The right of a governing body member to address the governing body on a question of personal privilege shall be limited to cases in which his or her integrity, character or motives are assailed, questioned, or impugned. The mayor will maintain control of this discussion.

*(Examples of misconduct include but are not limited to the following: making personal criticisms, singling out members for ridicule and/or mentioning the names of other council members in a negative light.)*

**4. Demonstrate Effective Problem-Solving Approaches.** Governing body members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

**5. Code of Ethics.** Governing body members shall conduct themselves to bring credit upon the city, and to set an example of good ethical conduct for all citizens of the community. Governing body members should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefiting any individual or special interest group at the expense of the city. Governing body members should likewise do everything in their power to insure impartial application of the law to all citizens, and equal treatment of each citizen without regard to race, national origin, sex, social station, or economic position.

### **In Private Encounters**

**1. Continue Respectful Behavior in Private.** The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

**2. Be Aware of the Insecurity (Non-Confidentiality) of Written Notes, Voicemail, and Email.** Technology should be such to avoid personal attacks and offense to governing bodies. Written notes, text messages, voicemail messages and Email should be treated as potentially "public" communication!

**3. Even Private Conversations can have Public Presence.** Elected officials are always on display — their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noticed.

### **4. Quick Tips:**

- a. Preserve dignity and self-respect.
- b. Listen for the message even if you do not agree with it.
- c. Respect others as they are.
- d. Express your independent perspective and be clear in stating that you are not speaking for the entire Governing body if you have not been authorized by the entire Governing body to do so.
- e. Participate intelligently.
- f. Be willing to delegate and let others make decisions.
- g. Lead from the front of the parade.
- h. Control all you should not all you can.
- i. Use few words after much thought rather than many words after little thought.

- j. Seek to create change and overcome the influence of conventional wisdom.
- k. Recognize when you need outside experts.
- l. Recognize the efforts of others.
- m. Continuously pursue excellence.

### **Governing Body Member Conduct with City Staff**

Governance of the city of Forest Park relies on the cooperative efforts of all governing body members, who set policy, and city staff who implement and administer the governing body's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

**1. Treat all Staff as Professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

*(Examples of misconduct include but are not limited to the following: yelling, shouting, fighting, making unwelcome physical contact, aggressive/bullying behavior and/or use of foul language against a staff member.)*

**2. Direct Administrative and Operational Questions to City Management.** Questions of city staff and/or requests for additional information that would be of interest to all governing body should be directed to the City Manager or designee. The City Manager should be copied on any request. Materials supplied to a governing body member in response to a request will be made available to all members of the governing body so that all have equal access to information.

**3. When Possible, Keep Communication with City Staff Short, to the Point and at the Best Possible Time.** Every effort should be made to limit disruption to the work of city staff. Governing body members should avoid making requests to staff who are in meetings, on the phone, or engrossed in performing their job functions.

**4. Never Publicly Criticize an Individual Employee.** Governing body members should refrain from expressing concerns about the performance of a city employee in public or to the employee directly. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

**5. Do Not Get Involved in Administrative Functions.** Governing body members shall not attempt to unethically influence or coerce the City Manager or department heads concerning either their actions or recommendations to governing body about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, or the granting of city licenses and permits.

**6. Check with City Staff on Correspondence Before Taking Action.** Before sending correspondence, governing body members should check with the City Manager to see if an official city response has already been sent or is in progress.

**7. Do not Attend City Staff Meetings Unless Requested by Staff.** Even if the governing body member does not say anything, the governing body member's presence implies support, or may show partiality, intimidate staff, and hamper staff's ability to do their job objectively.

**8. Legal Advice.** Before requesting research or other action by the City Attorney, Governing body members are encouraged to consider consulting with the City Manager or obtain the concurrence of Governing body to ascertain whether the request or action can be accomplished more cost-effectively by alternative means.

### **Governing Body Member Conduct with the Public**

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual governing body members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

#### **In Public Meetings**

**1. Be Welcoming to Speakers and Treat Them with Care and Gentleness.** Because personal concerns are often the issue of those who come to present to the governing body, governing body members should remember that how they treat the speaker will either help them relax or push their emotions to a higher level of intensity.

*(Examples of misconduct include but are not limited to the following: yelling, shouting, arguing and/or otherwise exhibiting rude behavior towards speakers.)*

**2. Give the Appearance of Active Listening.** It is disconcerting to speakers to have governing body members not to look at them when they are speaking. It is fine to look down at documents or to make notes but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger, or boredom.

**3. Ask for Clarification but Avoid Debate and Argument with the Public.** Only the Chair (and not individual council members) may interrupt a speaker during a presentation. However, a council member may ask the mayor for a "point of order" if the speaker is off the topic or exhibiting behavior or language the council member finds disturbing. If speakers become flustered or defensive by council questions, it is the responsibility of the mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by council members to members of the public should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council member's personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing.

**4. No Personal Attacks of any Kind, Under any Circumstances.** Governing body members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

## **In Unofficial Meetings**

**1. Make no Promises on Behalf of the Governing body or Staff.** It is inappropriate to promise governing body action overtly or implicitly, or to promise city staff will do something specific (i.e., fix a pothole, replace flowers, fix a leak, etc.) When approached by the public to correct a situation, governing body members should refer them to the City Manager.

**2. Speak with One Voice.** Governing body members will frequently be asked to explain a governing body action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of the facts or city policies as they relate to governing body action. Objectively present the governing body's collective decision or direction, even when you may not agree. If you feel the need to express your own opinion, state it in terms such as: "I would have preferred "x", but the governing body wanted "y" so that's what we will be doing." Explaining governing body decisions, without giving your personal criticism of the governing body's actions, will serve to strengthen the community's image of the city council. In addition, when speaking on matters of public concern that do not involve actions of the governing body, if you offer your own opinion be clear in stating that you are not speaking for the entire Governing body if you have not been authorized to do so.

*(Examples of misconduct include but are not limited to the following: acting in a manner contrary to the official expressed will of the council; actively working against the stated objectives of the Council; and/or representing other interests against the interests of the city.)*

**3. Make no Personal Comments About Other Governing Body Members.** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other governing body members, their opinions, and their actions. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by governing body members. It is a serious and continuous responsibility.

*(Examples of misconduct include but are not limited to the following: While in public or on social media, making personal criticisms, singling out members for ridicule and/or mentioning the names of other governing body members in a negative light.)*

## **In Public**

**1. Be Welcoming to Speakers and Treat Them with Care and Gentleness.**

*(Examples of misconduct include but are not limited to the following: yelling, shouting, arguing and/or otherwise exhibiting rude behavior towards speakers.)*

**2. Give the Appearance of Active Listening.**

**3. Ask for Clarification but Avoid Debate and Argument with the Public.**

**4. No Personal Attacks of any Kind, Under any Circumstances.**

The Forest Park Governing Body Principles of Proper Conduct:

- Keep promises
- Be dependable
- Build a solid reputation
- Participate and be available
- Demonstrate patience
- Show empathy
- Hold onto ethical principles under stress
- Listen attentively
- Study thoroughly
- Keep integrity intact
- Overcome discouragement
- Go above and beyond, time and time again
- Model a professional manner
- Respect one another as individuals
- Respect validity of different opinions
- Respect the democratic process
- Respect the community we serve.