



CITY COUNCIL REGULAR SESSION

Tuesday, September 05, 2023 at 7:00 PM
Council Chambers and YouTube Livestream

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

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

The Honorable Mayor Angelyne Butler, MPA

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

The Honorable Dabouze Antoine
The Honorable Latresa Akins-Wells

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

AGENDA

VIRTUAL MEETING NOTICE

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

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

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

CALL TO ORDER/WELCOME:

INVOCATION/PLEDGE:

ROLL CALL - CITY CLERK:

CITY MANAGER'S REPORT

PRESENTATIONS:

1. Forest Park Fire & EMS Announces its Newest Paramedic – DEONDRE ROBBINS

Background/History:

Forest Park Fire & EMS is pleased to announce its newest Paramedic. Congratulations to **DEONDRE ROBBINS** for obtaining his Georgia Paramedic license. Paramedic Robbins satisfied the national standards for certification on August 7, 2023, with the National Registry of Emergency Medical Technicians.

2. Clayton County MathTalk Math Trails – Recreation and Leisure Department

Background/History:

The goal of this project is to use MathTalk and Sidewalk Math overlays along with student-designed overlays to enhance mathematical literacy in Clayton County by creating opportunities for community members, including parents and students, to engage in mathematical discussions, games, and applications while at play in the community.

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

APPROVAL OF MINUTES:

- [3.](#) **Council Approval of Council Work Session and Regular Meeting Minutes from August 21, 2023 -**
City Clerk

OLD BUSINESS:

- [4.](#) **Council Approval of Conditional Use Permit (CUP-2023-04)- 5370 Ash Street – Planning &**
Community Development

NEW BUSINESS:

- [5.](#) **Council Approval of Use of Summary Minutes in Lieu of Verbatim Minutes – Executive Offices**
- [6.](#) **Council Approval of Animal Control Agreements with Lake City and Riverdale – Police Department**
and Legal
- [7.](#) **Council Approval of Truck Operating Hours Ordinance – Police Department and Legal**
- [8.](#) **Council Approval of Resolution to Request Local Legislation to Increase Hotel-Motel Tax –**
Executive Offices and Legal
- [9.](#) **Council Approval of Resolution Recognizing Cancellation of 2023 Municipal Elections – Executive**
Offices and Legal
- [10.](#) **Council Approval of City-Wide Janitorial Contract – Public Works Department**

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. Forest Park Fire & EMS Announces its Newest Paramedic – DEONDRE ROBBINS

Background/History:

Forest Park Fire & EMS is pleased to announce its newest Paramedic. Congratulations to **DEONDRE ROBBINS** for obtaining his Georgia Paramedic license. Paramedic Robbins satisfied the national standards for certification on August 7, 2023, with the National Registry of Emergency Medical Technicians.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Forest Park Fire & EMS Announces it newest Paramedic – DEONDRE ROBBINS

Submitted By: SANDRA DAVIS – FIRE DEPT. OFFICE COORDINATOR

Date Submitted: AUGUST 25, 2023

Work Session Date: SEPTEMBER 5, 2023

Council Meeting Date: SEPTEMBER 5, 2023

Background/History:

Forest Park Fire & EMS is pleased to announce its newest Paramedic. Congratulations to **DEONDRE ROBBINS** for obtaining his Georgia Paramedic license. Paramedic Robbins satisfied the national standards for certification on August 7, 2023 with the National Registry of Emergency Medical Technicians.

Congratulations to Deondre Robbins, Paramedic !!!

Cost: \$ N/A **Budgeted for:** _____ **Yes** **No**

Financial Impact: NONE

Action Requested from Council: Presentation/Announcement will be given by EMS Coordinator Andrew Gelmini.

GEORGIA EMS LICENSE



GEORGIA DEPARTMENT OF PUBLIC HEALTH



Date Issued:
08/07/2023

**License
Verification**



Michael Johnson
State EMS Director

Expires:
03/31/2026

Paramedic #P033078

File Attachments for Item:

2. Clayton County MathTalk Math Trails – Recreation and Leisure Department

Background/History:

The goal of this project is to use MathTalk and Sidewalk Math overlays along with student-designed overlays to enhance mathematical literacy in Clayton County by creating opportunities for community members, including parents and students, to engage in mathematical discussions, games, and applications while at play in the community.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Clayton County MathTalk Math Trails – Recreation and Leisure Department

Submitted By: Tarik Maxwell

Date Submitted: August 31, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

The goal of this project is to use MathTalk and Sidewalk Math overlays along with student-designed overlays to enhance mathematical literacy in Clayton County by creating opportunities for community members, including parents and students, to engage in mathematical discussions, games, and applications while at play in the community.

Cost: \$

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

Financial Impact:

Action Requested from Council:



Clayton County MathTalk Math Trails

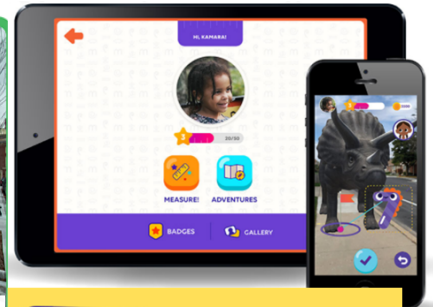
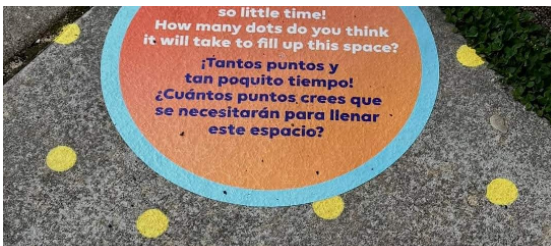
August 23, 2023

Making Math Matter in the Community

The goal of this project is to use MathTalk and Sidewalk Math overlays along with student designed overlays to enhance mathematical literacy in Clayton County by creating opportunities for community members, including parents and students, to engage in mathematical discussions, games, and applications while at play in the community.

The Math Talk Math Trails are a collaboration between Clayton County Public Schools, the Gates Foundation, and the various Clayton County municipalities. The various Math Trails will use community spaces to maximize opportunities for students and community members to engagement in mathematics activities while at play in our local parks. Students will be engaged in designing and developing each trail. Student committees will support the implementation of the trails. Clayton County High School Math Literacy Workers will be tasked, and paid, to support the trail projects by developing activities that increase the use of the trails. Preschools, elementary students, and secondary students will be encouraged to interact with the trails while playing in the park, walking on trails, or visiting local businesses. Educators will leverage trail interactions to make content connections that bring relevance and close gaps in mathematics achievement. Research shows that when parents and young children take time to explore, enjoy, and talk about math together, it sets the stage for positive early math experiences and helps young children view themselves as capable math learners (Casey et al, 2018). Additionally, interacting with logic puzzles, problem solving games, and math riddles encourages problem-solving and logical thinking. They inspire students to tackle problems they might have previously seen as too difficult (Kampen, 2019). The math trail designs will engage young children in exploring and discussing mathematical games, riddles, puzzles, patterns, terminology, expressions, and symbols. Combining the trail with the use of the Measure Everything App, an electronic application that overlays augmented reality images onto the trail designs and engages students in digital games related to the trail, will extend the student's interactions while providing a method for extending and measuring trail usage. The goal is to establish mental schemas that can be leveraged during high quality instruction to improve mathematics understanding and better position our students for tomorrow's job expectations. Clayton County's MathTalk Math Trails will catalyze mathematical literacy in our community by promoting awareness of the importance of early and continuous numeracy development.

Respectfully submitted by,
Dr. Tonya Clarke, Coordinator of Secondary Mathematics
Tiffanie Nealy, Coordinator of Elementary Mathematics



Gigantic Number Line

The MathTalk Gigantic Number Line is a playful outdoor or indoor installation that engages participants visually and kinesthetically with many foundational and important mathematical concepts, including patterns, measurement, and number sequence, magnitude, and relationships.

[See it in Action](#)



File Attachments for Item:

**3. Council Approval of Council Work Session and Regular Meeting Minutes from August 21, 2023 -
City Clerk**



CITY COUNCIL WORK SESSION

Monday, August 21, 2023 at 6:00 PM
 Council Chambers and YouTube Livestream

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

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

The Honorable Mayor Angelyne Butler, MPA

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

The Honorable Dabouze Antoine
 The Honorable Latresa Akins-Wells

Ricky L. Clark Jr, City Manager
 S. Diane White, City Clerk
 Mike Williams, City Attorney

DRAFT MINUTES

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

OLD BUSINESS:

- Council Discussion and Approval of Charter Amendment to Establish New Ward Lines – Legal**

Background/History:

At the last Council meeting, the City Council approved the first reading of this charter amendment revising the Ward lines in the City.

Municipal charters may be amended by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than 60 days apart. This is the second and final formal adoption.

Legal notices advertising this amendment were run in the Clayton News Daily as required by law.

Mike Williams, City Attorney – Not in respect to the charter amendment, but we did place in front of you a document requested by the county. It is for an amendment to our agreement with the county for running elections. There are two changes, the first is they have asked that the city be responsible for notifying residents anytime there is a change in the district, which we put in there. It remains the county's responsibility to send out new precinct cards once a change is made. We have already taken steps to notify the residents, and that will continue to be ongoing. As soon as this is done tonight the county has all the data so they should be able to prepare new precinct cards very quickly.

Comments/Discussions from Governing Body:

Mayor Butler – I did speak with the Director, Shauna Dozier over in the Clayton County elections. She did ask while we are within our legal right, within the 60 days; that we do whatever we can to aid them in this process to make it as smooth as possible because they are under a time restraint.

2. Council Discussion and Approval of Conditional Use Permit for Self-Storage at 4140 Jonesboro Rd- Planning & Community Development

Background/History:

This is a request for a conditional use permit to allow a 6,152 sq.ft. renovation in the rear of the International Discount Mall to build self-storage units in the rear of the facility.

This item was approved by the Council but vetoed by the Mayor. At the August 7, 2023, Council meeting, it was brought forward for Council to consider overriding the veto. City Council decided to table the item until the next meeting, August 21, 2023, for the following items to be addressed (1) Applicant comply with conditions stated and submit outstanding documents and (2) Staff provides an update on the number of businesses in the International Mall that made an effort to obtain current business licenses based on the list provided at the August 7, 2023 Council meeting.

Lashawn Gardiner, Director Planning & Community Development – Real properties were proposed storage facility entrance and exit must be well lit and cannot be dark for any time at any reason for safety reasons. No lighting plan was submitted and the last condition if the applicant is the business owner, we have a right to refuse. Every booth has to have an active business license with the City of Forest Park and based on the information received all businesses do not currently have an active business license.

Comments/Discussions from Governing Body:

Councilmember Antione – What is your recommendation?

Lashawn Gardiner – Based on the last statement received it would be my recommendation that the veto stands.

Councilmember Antione – Are you sure about that?

Lashawn Gardiner – Yes, I am sure. Ultimately it is your decision as a governing body, based on the evidence presented.

Councilmember Mears – Did the Fire Department go over and look at it and was everything in compliance?

Lashawn Gardiner – Yes, the Fire Department did go over, and I don't have the information right now, but that was not one of the conditions, as far as staff review.

City Manager – Let me clarify that, Mayor Butler. Based upon this being an addition to the structure the Fire Department would have to give the final okay for the revisions of those plans once they are submitted. Even if it is not a condition that is standard.

Lashawn Gardiner- That is something that will take place during the building review process when plans are submitted if this goes forward.

Councilmember Akins-Wells – I am confused. Is this inside or outside?

Lashawn Gardiner – It is inside.

NEW BUSINESS:

3. Council Discussion and Approval of a Change Order for the Main Street Streetscape Project - Planning & Community Development

Background/History:

The City awarded a contract to BRTU Construction, Inc. to construct Phase IIA Main Street Streetscape Project. The contractor is asking for a contract modification with the execution of this change order. The change order is for additional items required by the project due to the unforeseen existing conditions; time delays caused by the utility relocations and additional work requested by the City. This amount includes \$61,122.50 that the City approved on May 1, 2023.

The change order is outside the scope of the original contract and exceeds the City Manager's authority and requires City Council approval.

James Shelby, Project Manager- This contract change is due to unforeseen existing conditions and the major change in the change order is time delayed by the utility companies. I have never seen anything like this before, but in order for BTRU to finish this project, they have to come once Georgia Power has removed their poles. They will come in and place the bricks where they are missing around the poles. We also have some re-modifications of drawings, because of the previous engineer Robertson Company. Those drawings were way off, and we had to modify people's driveways in order to make it work for them. The change order is \$142,673.00, but \$61,000 was approved on May 1st. I have put all the change orders together 1 through 8 and this change order is \$86,551.38. Most of the project is completed, and I hope you all have had the chance to go and look at it. I spoke with the utility company today to get the lights turned on and it is looking nice.

Comments/Discussions from Governing Body:

Councilmember James – Thank you for the work they are doing on Main Street. The left-over pipe on Reverend Beeler's property, it is a round and metal and he is complaining about that. He also complained about the parking lot getting backed up. So, I guess the work they were doing has created some blockage.

James Shelby – I know the item that you are talking about, I will find out what it is. I do not understand the blockage.

Councilmember James – I will get the City Manager to talk to Dr. Beeler about it. Apparently, the stormwater with their drainage that used to drain in the parking lot, now it is just standing around the parking lot.

Mr. Shelby – We can address that.

City Manager -This is the matter that I forwarded last week.

Mr. Shelby – I went out there and could not figure it out.

Councilmember Akins-Wells – The sixty-one thousand is we approved before?

Mr. Shelby – Altogether it is \$147,673.88. What I have done Councilwoman Wells is take all the change orders and put them into one packet so you could see it at once, but you have already approved sixty-one thousand dollars of that.

Councilmember Akins-Wells – That's on top of the sixty-one thousand. Is it that many poles, do they have to lay that many bricks?

James Shelby – It is the wooden poles that have to be removed. Once they remove those poles they have to come back in there and remove those bricks. It is more so time delayed we are holding up the contractor and they charge for that. This could have been done about three months ago, now it will be completed on September 15th, and the final payment on September 30th.

Councilmember Akins-Wells – So, we are paying them eighty-something thousand for giving them a break.

Mr. Shelby – They have to remobilize, and they have to bring all their equipment back out to the site, it is a lot.

4. **Council Discussion and Approval of LMIG Street Paving** – Public Works Department

Background/History:

LMIG Street paving contract has been approved by GDOT and the funds given to COFP are in the amount of \$213,458.13 Fiscal Year 2020 30% = \$64,037.44

\$201,376.26 Fiscal Year 2022 30% = \$60,412.88

\$205,949.13 Fiscal Year 2023

Total Funds Received \$620,783.52 Total Matched \$124,450.32

The COFP would be responsible for the 30% match totaling \$124,450.32. This will be a budget adjustment request to be allocated from the unrestricted fund balance.

The COFP is required to match 30%. Each local government is required to match this formula amount in accordance with Code Section 48-8-244(d).

Bobby Jinks, Director Public Works – I apologize I stand to be corrected.

Jeremy Patterson, Interim Finance Director – The reason there is no match next to FY 2023, is because that was already budgeted for. The grant money and the deposit, that was 30 percent match. In 22 and 20 the 30 percent was not budgeted; therefore, we are requesting the budget adjustment from the unrestricted fund balance to cover the cost of the 30 percent per those respective dollar amounts for a total of \$124,450.32. The total funds received and budgeted for and or accounted for are \$620,783.52 and the budget adjustment is \$124,450.32 only.

Comments/Discussions from Governing Body:

Mayor Butler – How was it not budgeted in 2020, the 2021 budget cycle, and how did we miss a couple of years reallocating these funds?

Jeremy Patterson – That is a great question, Mayor.

City Manager – That is the reason this item has been delayed. I cannot figure it out, but the other thing to note Mayor Butler, is that even when we approve these funds some of the roads on this list councilmembers are really trying to get paved. We are not on the schedule until 2024 for these road paving. The 124,000 dollars, I have conflicting information relative to an email from Clayton County, that I sent to Mr. Jinks. It appears that just because they have had staff turnover in both the Clayton County office as well as this office their records do not show requests for some years according to their email. Does Pineridge connect to Lake City?

Bobby Jinks – Yes, and we had made a request each year and we had contracts signed for all of them years and it got stuck on the back burner on the county end. Last year when they were able to do it the funds were not available, so I had to cut those streets.

City Manager – We had a meeting with the county last week to share our sentiments that these roads get fixed quickly or if not Mayor Butler, what we also plan to do is bid out the roads ourselves and get a quote on doing it with our own contractors. With the Service Delivery strategy, we are only paying for the county's cost, and we are getting it at a cost based upon us being one of seven municipalities. The reason why this city is waiting is because the county is backed up with streets, however I do not know if we should continue to wait.

Bobby Jinks – I will say that I did make a phone call to Lake City, and they did commit.

City Manager – Lake City has committed, and I believe that is Pineridge. They will do their portion if we do our portion, and Clayton County is already mobilized in the City of Lake City. I do not think this magnitude of paving has happened in Forest Park in the last 3 to 4 years.

Bobby Jinks – In 2018 we did 12 streets and during that, we did College and Phillips Drive.

Councilmember Gutierrez – In the future, it is possible to get, when the options of you opting out of the roads or not because the money might not be there, is very important to be in the know of at least to me and the council. That way we can try to find the money.

City Manager – Yes. I believe in the past these contracts went to the City Manager and the selection of streets went to the City Manager, so the governing body never knew what streets it was. In an attempt to be transparent because of how political this process can be, we want to make sure that we are focusing on

the roads being repaired based on a matrix of the conditions of roads. The reason why this was delayed is because I had staff put it on the agenda, so collectively the governing body knows what this process is. Once annually we apply for the LMIG Grant dollars, and it covers a small portion of it, and we subsidize it with SPLOST dollars or any other funds. If you have Capital Ward funds and some of these streets are in your ward, we can subsidize the cost and bid it out right away for a quote on it.

Councilmember Gutierrez – So, if this happens again, we will know?

City Manager – We would and one of the things we are probably looking to do over the course of the next 360 days is a prioritizing schedule for the roads. We will go out and evaluate the roads, whether they need to be milled, or resurfaced or how many potholes we have on the road. Can we do a heavy patch or cold patch on these potholes depending on the season? Then we can come back and share this list to begin the repairs because some are in very bad condition and the center lines on some of them are missing.

Councilmember James – The grants we are applying for are not contingent on us working with the county.

City Manager – The grant dollars we are receiving are from the Georgia Department of Transportation. It is called LMIG dollars, and you receive your share based on the amount of square miles that you have. Each year public works goes in, and they input the miles and of course, it never changes unless you annex property. The state gives the funds once a year. The caveat is that we are only able to carry over the funds for 3 years. Forest Park has funds that are three years old. With the county not being able to do the work until next year, we will have to go back to GDOT to see if they will give us some grace or my recommendation depending on the roads the county is able to get done, like Pineridge, they probably can do it while they are over here. Once they leave Lake City, they are going to Riverdale to do the projects on their list.

Councilmember James - So we do not have to use the county is what I'm asking?

City Manager – It is much cheaper to use the county, but you do not have to.

Councilmember Gutierrez – Looking back three years we have not seen any paving in a minute. Are we going to be able to do that in time, is that what you are working on, so we do not lose the money? Is the money like a credit we have with the county and why are we going through the county if the money comes to us? Do they get the money, and do we have credit with them?

City Manager – Through Service Delivery and this is with all seven municipalities in Clayton County. We receive a percentage of money through GDOT that has nothing to do with the county. For paving projects across the county, within these municipalities, they do a master contract for a concrete company to do this work and you only pay them for the work that they do through their contractors.

Bobby Jinks – We get the check, and we pay the subcontractors, and for the material.

City Manager – It is cheaper to procure it and do the work ourselves.

Councilmember Akins-Wells- Technically, it is not cheaper because we are not getting anything done.

City Manager – It is not quicker, but it is cheaper.

Councilmember Akins-Wells- You get what you pay for, and the residents are suffering because of this. I would like to do away with the county and do what we need to do to get this taken care of. I have been talking about this for about 4 years now.

City Manager -That is why I wanted to bring this before you so that you can see how the process works. We can look at the roads after we have another conversation with Clayton County, look at some of the arterial streets and bid them out collectively in a bulk a see what type of pricing we get and bring it back before the mayor and council.

5. Council Discussion and Approval of Reaffirming Commitment to Civil Rights Policy (Title 6) – Legal

Background/History:

The City of Forest Park is required by law to ensure that it does not discriminate when it comes to employment matters, contracting matters and any other matters pertaining to benefits to the public. It is proposed that the City reaffirm its commitment to non-discrimination, publish a statement on its website and authorize staff to make such policy available to those who request it.

In addition to providing a clear, unmistakable expression of the City's policy, it will also help the City when it comes to obtaining grants or other resources from the Federal government or from the State.

Shalonda Brown, HR Director – Currently, we do not have anything on our website to state that we are in compliance with Title VI requirements, if a vendor has a complaint. We are bringing this forward to ask that you approve this to put on the website and I'll be listed as the Title VI coordinator.

6. Council Discussion and Approval of Intergovernmental Agreement with DDA – Legal

Background/History:

The Downtown Development Authority proposes to issue \$4,245,000 in bonds to finance the acquisition of property and certain infrastructure in the downtown area as part of the City Center project. A portion of the bond proceeds will be used to reimburse the City for a portion the cost of acquiring the old Rite Aid building and renovating the building to be used as a business incubator as previously presented to the City Council. The remaining proceeds will be used to acquire the adjacent business plaza for use as part of the City Center project.

The bonds be secured in part by a pledge of the City to make debt service on the bonds if necessary. The bonds will first be paid through funds of the DDA and rent revenues from the project.

City Attorney – This was previously discussed with the council regarding the acquisition of real estate, and this is the final step for the city to take. The DDA is set to adopt its portion at a special - called meeting tomorrow and we are recommending approval and proceeding with this.

Councilmember James- Is this in addition to other bond monies that we just approved?

City Attorney – Yes, but it is for separate projects.

Councilmember James – How did we acquire the Rite-Aid property if we are trying to get the bonds now to acquire the property?

City Attorney – The city paid for it with the fund balance. A portion of this will be paid back to the city to replenish the fund balance that was already spent.

Councilmember James - So are you saying instead of it being the property of the city it will now be the property of the DDA?

City Attorney – Yes, for the period in which it is operating as a business incubator. Per state law, the city cannot operate that type of function, but the DDA can. It will transfer for however long it operates as a business incubator and the city will be paid for that amount.

City Manager – Inflow and outflow from the DDA to the city to pay the bond. The only difference is the city cannot do that type of deal.

Councilmember James- As mayor Pro-Tem, the mayor asked me to step in.

7. **Council Discussion and Approval of Fire Department Contracts relative to training expenses – Legal**

Background/History:

The Fire Department wishes to adopt two new contract forms to utilize in connection with seeking reimbursement from employees who receive training at the expense of the City. Attached to the resolution are two agreements, one for new recruits and one for existing firefighters. Both require that employees reimburse the city for the cost of their training if they leave the service of the city before they have served three years after receiving the training.

City Attorney – We have a policy for new recruits and existing firefighters to sign an agreement to reimburse the city should they leave before a certain time period. It will be for the cost of training and expenses incurred. You have before you two agreements updating what we previously used. This agreement will require them to serve at least three years. After three years their obligation to reimburse the city will go away.

Chief Clemmons – We have an existing 2-year contract and spend about 80,000 on each recruit, including uniform and training, overtime, and a chance to become professional firefighters of Forest Park. If they leave prior to the contract, they will have to reimburse the city. It was two years it has now increased to three years.

City Manager – The police department contract that was executed is state law is it the same for fire or will this go through small claims court?

City Attorney – It would be a litigation matter, should we ever have to enforce it. It is different from the peace officer set forth in the state law.

8. **Council Discussion and Approval of Revision to Personnel Manual with Respect to Employee Suspensions – Executive Offices**

Background/History:

It is proposed that the City's Personnel Manual be revised to provide that suspensions without pay are permitted as part of the City's disciplinary process. The City's current "Positive Discipline" policy inadvertently appears to preclude the City from suspending employees without pay in severe circumstances where it may be warranted. This amendment clarifies that suspension without pay is a permitted part of the disciplinary policy.

Shalonda Brown – I bring forth this item for approval to amend the current policy in our existing policy. It indicates suspension with pay. The revision will only allow the department head to use suspension as a form of discipline without pay and that will be permitted. This will also be in line with our progressive disciplinary policy and will also ensure that we are consistent with our actions.

Comments/Discussions from Governing Body:

Councilmember James – This is not to eliminate; this is just to add to.

Shalonda Brown – Yes, to add to.

9. Council Discussion and Approval of the One Light Initiative- Executive Offices

Background/History:

In reviewing lighting conditions throughout our community, we have noticed many areas that are either underlit or not lit at all regarding power. In an effort to mitigate this for both safety and pedestrian purposes, we are launching an initiative in partnership with Georgia Power entitled “One Light!” This initiative will repair and upgrade nearly 1900 light fixtures throughout the City to increase the City’s street lighting footprint over time.

City Manager – This is another Initiative that we are in partnership with Georgia Power who is here to give a short presentation. We rode the city at night with members of various departments, and we found that there were various lights that were inoperable or using older technology. This One Light initiative follows the blueprint of our One Forest Park initiative that was launched. We are excited to partner with Georgia Power relative to this One Initiative. The first light of the Senior Center will be free taking them from the older lighting technology to the newer LED lighting.

Jeremy York, Key Account Manager, Georgia Power– Gave an overview of the new proposed lighting that was needed to correct the inefficient lighting, and maintenance issues in the City of Forest Park. The maintenance will be shifted from Forest Park to Georgia Power because they own the lighting fixtures.

Joe Cobb, Lighting Executive, Georgia Power – Presented a line-item breakdown of locations and accounts of the old HID technology. There can be an upgrade to the new LEDs with zero out-of-pocket and the cost per month will go down. There are 101 fixtures that can be upgraded at no cost to the city. As we look at future opportunities to increase lighting levels along Forest Parkway and in the high pedestrian areas with people and traffic. The police non-emergency facility, Second Street Park is where we visited on the night ride. We can come in and do lighting upgrades of the larger 118 lights owned by the city that are in despair up and down Forest Parkway and Old Dixie. We can install new fixtures and maintain them going forward.

City Manager – For clarity, the majority of the lights are owned by the city, so Georgia Power is not servicing those lights.

Joe Cobb – Those 118 lights, yes that is correct. We do provide electricity and you would pick up a service fee if we did all 118 of those, you would see a slight increase in the energy cost as well as getting new lighting. There are opportunities to update the high-traffic areas. If there are other areas that need brighter lights or lighting where there is currently none it can be done. It is what you feel are the priorities of your community.

Comments/Discussions from Governing Body:

Councilmember James – Thank you for the One Light Initiative along with your One Forest Park Initiative. Can we get to a point where we can expand this to our business owners? We have a lot of business owners who own a plaza, and it is dark, I would like to consider that.

Joe Cobb – Absolutely, the no out-of-pocket fee is available to our residential and commercial customers. We are on a big push to get everyone to upgrade to be consistent.

Councilmember James – Do you have documentation of that so we can get it to our businesses? The no out-of-pocket cost to upgrade.

Joe Cobb – We talked about coming to one chamber meeting to spread some awareness with the business community.

City Manager – We are planning a city-wide business meeting, and we can perhaps identify what the businesses are; or if there are some in your ward, we can share the information in advance of the coming. They will know it is related to this program and this is what you can do to upgrade your existing lights on your property with no upfront cost. Plus, this helps our police department that they are having especially on Jonesboro Rd.

Councilmember James – Does Georgia Power do anything with solar lights and lights that use the sun?

Joe Cobb – We are working on some pilot programs with some solar fixtures. The technology is wonderful, and you can invest in the upfront cost, but it is very expensive. We will be happy to try some test locations if you have some sites of interest.

Jeremy York- Under our energy efficiency program we have the SCDI program, which is a Small Commercial Direct Install Program. We will take care of 70 percent of the material and cost for upgrading interior lighting fixtures. It is separate from the exterior program but keep that in mind and reach out to me, your key account manager if needed.

Councilmember Antione – Do you all have business cards; I have a few streets I would like to talk to you about.

Joe Cobb – Yes.

Councilmember Akins-Wells- I sometimes get complaints from business owners themselves about the lighting, and then I have to explain to them it is the property owner's responsibility to get the lighting. I think that would be great information that we can give to the businesses that are here, because sometimes the landlords are not here, they are just collecting rent here. When you spoke about the lights, I only heard Forest Parkway and Old Dixie are some of those 118 lights on Jonesboro Road also?

Joe Cobb – 102 of those are decorative lights that are on Jonesboro Road and 16 that run across Old Dixie and Forest Parkway.

Councilmember Gutierrez – I did this initially with public works when I first became a young council member, and there were a lot of lights that we had to tag and we would put them in for you all to come and address. I am glad we are going to have more effective energy and light up our roads.

Jeremy York - We love the partnership and the help of your staff to alleviate some of that work stream for their workforce.

Councilmember Akins-Wells – This is great, and I hope we can start this in the residential area.

Councilmember Mears – I do not have any industrial buildings in my ward, but I do have a small park on Alder. It is a dark park, and I am sure we can get more use out of it with updated lights.

Joe Cobb - Very easy fix, I have an existing power pole that I can come over and put in the park.

City Manager – We rode through some of the parks and some of them need some upgrades. The one on Second Street we promised the residents we would upgrade some of the things. The ceiling fan and lighting did not work. There is also one on Jonesboro Rd, which is behind a shopping plaza, and we want to look at upgrading.

Councilmember Gutierrez – Falcon took about 17,000.00 of my Capital Outlay money drawing up upgrades, so the upgrades are ready.

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 6:51 pm for Personnel, Litigation, or Real Estate matters.

Motion made by Councilmember James, Seconded by Councilmember Mears.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez

It was moved to reconvene back into the Council Work Session at 7:08 pm.

Motion made by Councilmember Antoine, Seconded by Councilmember Gutierrez.

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

ADJOURNMENT:

It was moved to adjourn the August 21, 2023, Council Work Session at 7:10 pm.

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, August 21, 2023 at 7:00 PM
 Council Chambers and YouTube Livestream

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

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

The Honorable Mayor Angelyne Butler, MPA

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

The Honorable Dabouze Antoine
 The Honorable Latresa Akins-Wells

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

DRAFT MINUTES

CALL TO ORDER/WELCOME: The meeting was called to order at 7:00pm by Mayor Butler.

INVOCATION/PLEDGE: The invocation and pledge were led by Elder Wanda.

ROLL CALL - CITY CLERK: A quorum was established.

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

Jeremi Patterson, Deputy Finance Director; LaShawn Gardiner, Director Planning & Community Development; Javon Llyod, PIO, Shalonda Brown, HR Director, Diane Lewis, Deputy HR Director; Bobby Jinks, Public Works Director; Bruce Abrahams, Director Economic Development; Latosha Clemons, Fire Chief, David Halcome, Deputy Fire Chief; Police Chief; Brandon Criss; Tarik Maxwell, Parks and Recreation, and Joshua Cox, IT Director, Authur Geeter, Procurement Manager.

CITY MANAGER'S REPORT:

City Manager - With our Revenue Recovery Plan, we have been able to collect close to \$100,000.00 in back taxes. As we work to get a better understanding of the outflows and inflows of our financials for fiscal responsibility. Recreation and Leisure continue to work on being extremely busy. We are working city-wide to fill all vacant positions across this organization. The Office of Information Technology is continuing to improve operations city-wide. The Public Information Office has exceeded expectations for his role. He has been able to have 2 of his requests picked up from Fox 5 and 11 Alive News, and 3 of his stories were picked up from the Clayton Crescent. There was a large job fair held on July 31st and there were over 100 participants and there were about 16 offers extended. The Municipal Court is continuing to work and ensure all backlogs are caught up and to ensure the caseloads are adequate for a court of our size. We are also looking to bring a division of Probation Services.

We are continuing to see a downward spiral in our crime from the police department. We encourage you to continue to lock your doors because people are removing those valuables from inside. In our finance department, we have been collecting and issuing citations to businesses in Forest Park for delinquent taxes or that did not have a business license and have collected \$53,000.00. Kudos to Chief Clemons on a recent designation she received last month relative to the executive staff of the Fire Department. Chief Clemons continues to put forth cutting-edge technology within that department. Public Works continue to work with Waste Management to ensure we can release information relative to what is happening with sanitation in Forest Park. Community and Development is working on modernization and digitalization within their office, so it is a one-stop shop. Economic Development is working on a concerted unified retreat for our Downtown Development Authority and URA to make sure we are working on the vision of One Forest Park.

PRESENTATIONS:**1. CRAIG 1300 – COMMUNITY RISK REDUCTION PRESENTATION-** Fire DepartmentBackground/History:

The Forest Park Fire Department has a new tool called Craig 1300 that helps uncover risks, prioritize where to focus resources, and communicate data-driven plans with pre-curated visualizations that can be shared with community leaders.

In this presentation, we will show a video, talk about what is CRR (Community Risk Reduction), what is CRA (Community Risk Assessment), Our community, social vulnerabilities, and our incidents.

PowerPoint presentation to be given by: Ioana Armstrong, Emergency Management Coordinator, Forest Park Fire & EMS

Chief Clemons – I am going to turn this over to my colleague.

Ms. Armstrong–Craig 1300 will help in conducting community risk assessments from information that is data-driven and specific to the City of Forest Park. It is based on NFPA 1300 Standard which is the National Fire Protection Association, and that assessment is community risk assessment and community risk reduction plan development. This is a process to identify and prioritize local risks followed by integrated and strategic investment resources to reduce their occurrence and impact. A progressive CRR strategy will help communities protect their residents, business owners, and visitors in a changing world. As more communities implement CRR, first responders will be safer, resources will be allocated appropriately, and individual responsibility for prevention will become normalized across the community.

2. Council Recognition of African American Business Month – Executive Offices

Background/History:

Recognition of African American Business Month.

Mayor Butler, read the proclamations to be presented, recognizing August as African American Business Month, and she and the council took pictures.

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

There were (3) three public speakers:

Zack Parker- I would like to make a suggestion, when doing the broadcasting on YouTube that the presentation be shown on YouTube or the Screen or linked in the description for the people at home who cannot come in. I also would like to thank my friend Ward 4 councilwoman for making Forest Park Day a success and bringing the community together. Thanks for your guidance and for keeping me levelheaded. I would like to show my appreciation to the City Manager, you seem to have done a lot of work and thanks for allowing me to get my minutes last time. I was perturbed by being interrupted, but I appreciate it. Thank you Councilmember Gutierrez for your support as well. I would also like to thank the Mayor for allowing me to speak uninterrupted tonight. Also, I would like the questions of the constituents to be answered when they come up here to voice their concerns.

Ms. Thompson – My property sits at the front door of Waste Management. I have a problem with debris in my yard all the time. The trucks start to work from 6 am to 5 or 6 pm and they back up in front of my home down the street. When someone is visiting me, they find it difficult to go around these trucks because they meet other cars coming up the street. The main problem is the structure of my home has changed. I can feel my floor vibrating, there is a glass object on my dresser that rattles when the trucks go by. There is a big hole down the street from my home and if the trucks hit the street, you can hear the vibration of that object.

Last year the ceiling in my bedroom collapsed and we have yet to figure out why. I was not out of the room for 20 minutes and this happened. I am very afraid that one day the whole house may collapse, and I pray that it doesn't, but I pray I am not in it if it does. There are cracks in the kitchen floor and a lot of things affecting my home. I would like Waste Management to put a fence around my home. There is a liquid leaking from these trucks, and I am concerned because I do not know what it is.

City Manager – Ms. Thompson, my staff will get with you after this meeting. This matter has been brought before us and we convened a meeting with Waste Management two weeks ago to figure out a solution for your property. The trash cleanup was going from the transfer station up to the police department. We are trying to get them to expand it from the police department to Old Dixie. In addition to that we have a grant program that will be out in the next 30 days for exterior modification and that will qualify for your fence to keep the debris out. Someone from my team will be out to assist you in filling out that grant application to see about fixing things relative to your house structurally and to see how to use the program to put a fence around your property to keep the trash and debris out. Know that we are working tirelessly to come up with a solution.

LaWanda Folami – I would like to echo my neighbor. I do not know how your property was this morning. We put our bins on the property, but when the dumpsters come and retrieve them, they do not place them back in the yard and are thrown out in the streets. It was an outstanding Forest Park Day, and the performances were great.

I would like to apologize to Ms. Hood, many people got her position confused after Ms. White left. She is filling in until we get a certified City Clerk, to deal with the voter's registration. I think you are doing an amazing job. I would like to thank the police department for keeping us safe and protected. I do want to talk about the Development Authority, but I will go there to talk about it.

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

It was moved to adopt the agenda with the addition of item 4a for the Council to approve the Intergovernmental Agreement for election services with Clayton County.

Motion made by Councilmember James, Seconded by Councilmember Antione.

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

APPROVAL OF MINUTES:

- 3. Council Approval of Council Work Session and Regular Meeting Minutes from August 7, 2023 -**
City Clerk

It was moved to approve the Council Work Session and Regular Meeting minutes from August 7, 2023, with the recommended changes.

Motion made by Councilmember Antione, Seconded by Councilmember James.

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

OLD BUSINESS:

- 4. Council Approval of Charter Amendment to Establish New Ward Lines – Legal**

It was moved to approve the Charter Amendment to Establish New Ward Lines.

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

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

- 4a. Council Approval on the Intergovernmental Agreement for the Elections Services with Clayton County.**

It was moved to approve the Intergovernmental Agreement for the Election Services with Clayton County.

Motion made by Councilmember Mears, Seconded by Councilmember James.

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

5. **Council Approval of Conditional Use Permit for Self-Storage at 4140 Jonesboro Rd** -Planning & Community Development

It was moved to consider a possible override of the mayor's veto.

There was no motion, so it dies.

NEW BUSINESS:

6. **Council Approval of a Change Order for the Main Street Streetscape Project** -Planning & Community Development

It was moved to approve the Main Streetscape Project.

Motion made by Councilmember Antione, Seconded by Councilmember James.

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

7. **Council Approval of LMIG Street Paving** – Public Works Department

It was moved to approve the LMIG Street Paving.

Motion made by Councilmember James, Seconded by Councilmember Antione.

City Manager – For clarity we are approving this in addition to looking to bid out some of our own streets to bring back a cost proposal. If we are able to put some of the roads up, we can, with the understanding we are still going to go out for bids and see what kind of pricing and timing we can go.

Mayor Butler – Do we amend the motion or make a separate one?

City Attorney – I would make it a separate motion for staff to proceed on the roads that we can do internally.

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

It was moved to authorize staff to bid out projects that can be done internally.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

8. **Council Approval of Reaffirming Commitment to Civil Rights Policy (Title 6)** – Legal

It was moved to approve Reaffirming Commitment to Civil Rights Policy (Title 6).

Motion made by Councilmember James, Seconded by Councilmember Antione.

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

9. Council Approval of Intergovernmental Agreement with DDA – Legal

It was moved to approve the Intergovernmental Agreement with Downtown Development Authority.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

10. Council Approval of Fire Department Contracts relative to training expenses – Legal

It was moved to approve the Fire Department Contracts relative to training expenses.

Motion made by Councilmember James, Seconded by Councilmember Antione.

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

11. Council Approval of Revision to Personnel Manual with Respect to Employee Suspensions – Executive Offices

It was moved to approve the Revision to Personnel Manual with Respect to Employee Suspensions

Motion made by Councilmember James, Seconded by Councilmember Antione.

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

12. Council Approval of the One Light Initiative- Executive Offices

It was moved to approve the One Light Initiative.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

CLOSING COMMENTS BY GOVERNING BODY:

Councilmember James – Thanks to everyone for coming out. My Ward meeting that I host every third Thursday will be at the Senior Center. The post will be made available, and the council aides will get it on the website. You can go back and listen to it. I would like to say thank you to Mr. Clark for all that he has brought to the City of Forest Park, and a shout out to our staff. We have our SMEs that run the city which are the department heads and the staff.

Thanks to the new employees. We are excited about the future, and we have a lot of great things coming down the pipeline. The city is in a great place. There are some new developments coming, things being done, and businesses coming, we are moving in the right direction. Mark your calendar on Saturday, September 23rd will be our homecoming parade. We will celebrate our Forest Park High School. We are asking all alumni graduates to consider being in the parade. We have Sling Nation that is going to participate in the parade. Let's make this a great day.

Finally, tomorrow is qualifying for Wards 3, 4, and 5. If you know anyone who is interested or thinks they can do a better job, you have the opportunity. Also, make sure you exercise your right to vote. Remember the lines and I think everyone has received their cards in the mail of things that have changed with the redrawing of the **lines**. Thank you all and have a great day.

Councilmember Antione – Nice to see everyone and the new faces. God bless everyone.

Councilmember Gutierrez – Thanks to everyone for coming out. I am very excited about the Craig Resources, that will be available. This is going to help our areas of vulnerability to growth and keep our people safe. Welcome to the new employees. I had a lot of fun at Fun Friday and Forest Park Day. It was exciting to see the community come out and the collaboration between the governments. I think it is essential to come together and bring the resources together for an amazing day. Tailgating season starts this Saturday.

Thanks to Director Maxwell and Public Works for everything. I was looking at the park that night and there was a lot of trash and the next day it was all gone. I am proud of our city for recognizing all the businesses today, thank you for choosing Forest Park. We get the big businesses, but the backbone of our city is these small hiding gems.

We gave out a lot of book bags for our Back to School Bash and I want to thank Victoria Williams, who supports our High School PTSA. Food truck Friday will not be the first Friday this month, it will be moved to the second Saturday and Friday of the month. This is an election year, so make sure you register to vote so that your voices are heard.

Councilmember Akins-Well I would like to say Happy Birthday to my aunt Ms. Gwen, who celebrated her birthday yesterday. She and her daughter Hope do a lot in the community. I met Zach Parker on Nextdoor and at first, I thought he was a terrible person. I invited him to my home, and we talked about life. We have taken the time to get to know one another and have become friends. He comes to the games and supports my son. You can't judge someone on how they look or because they may have said something that you do not like, get to know them first. He is a great person, and a lot of things can be resolved through communication.

Ms. Thompson, thank you for coming. We have been having this Waste Management discussion for a long time. I went to her home a couple of weeks ago. I feel that we are not listening and want to put a band-aid on the problem. It may not be in anyone else's ward, it is in the City Forest Park, and it is affecting our residents. The fence sounds good, but you have to go to her home to see what this station being there is doing. If it is doing it to her home, it is doing it to other homes in the area. It is not fair, and you would not want it done to your parents or grandparents.

It is time to do something and stop making excuses. I know legally it may take a lot, but I feel it is worth it. If we can spend 140,000.00 on Main Street for some bricks, we can pay for our residents to be comfortable. I will keep talking about this until we stop putting band-aids on it and do something about it. She was there first and the way she lives matters to me, and it should to you too.

Jonathan Rashmir, thanks for picking up where your father left off and for all you do for the community. Thank you for being a sponsor for Fun Friday and Forest Park Day and being out in the community. Thanks to public works, fire, and the police department. You guys were on point on Saturday in the community, you showed up and showed out.

These are pictures of the community coming together. You may not support the event, you may not like the event but you cannot hate the community coming together. People came from everywhere. Clayton County and the City of Forest Park came together. Working with Dr. Alieeka, and I appreciate Clayton County for being the sponsor, shows unity. I am all about bringing my community together. Thanks to everyone who played a part in making Forest Park Day a success. We will see you next month at Fun Friday.

Councilmember Mears – I want to thank everyone for coming and remember this is where your business gets taken care of. I always try to recognize the oldest participating citizen in the meeting and that is Mr. Finch. I appreciate everyone for coming. Come back and hold us accountable for what we do.

Councilmember Wells – I wanted to let Mr. Finch know that we are making some upgrades to the garden in Ward 4 that was named after him. We are about to do some great things to make it nice. We also have some great people assisting and once complete it will not look like your garden.

Councilmember Gutierrez – Sunday, at the Senior Center the Seniors in Action are going to have a Sip and Paint. If you have questions, you can contact me or the council aides. Ms. Thompson, thank you for letting us know your narrative. I think it needs to continue to come from the citizens. I am not on that side of town often but notice one side of the road is all black, those juices that are flowing have flies around it that look like bats. All the mildew and stuff on cars I know is from there. I do not want anyone in those conditions, and I think with this new city manager we will find a solution to this. We hear you loud and clear.

Mayor Butler – I echo the sentiments of my colleagues. Thank you for coming and we do have to enter back into Executive Session.

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 enter in Executive Session for Personnel, Litigation or Real Estate matters at 8:21pm.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

It was moved to adjourn the Executive Session and reconvene back into the Council Regular Meeting at 8:39pm.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

City Attorney – Based on the discussion in Executive Session a motion will be in order to authorize the Mayor to sign a release agreement for the police department.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

City Attorney – Based on the Executive Session Discussion a motion will be in order to authorize a combination of the two positions in the finance department into one and the city manager can name those positions.

City Manager – Financial Service Technician and Staff Accountant.

Councilmember James – What is the name of the new position?

City Manager – Staff Accountant

Motion made by Councilmember James, Seconded by Councilmember Mears.

Councilmember James – What are the two positions?

City Manager- The two positions we are folding, are Staff Accountant and Financial Service Technician. We are folding them so we can increase the pay for the Senior Staff Accountant.

Councilmember James – So, Senior Staff Accountant is the new name?

City Manager – Yes.

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

City Attorney – A motion to appoint Randi Rainey as the city’s City Clerk.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

ADJOURNMENT:

It was moved to adjourn the August 21, 2023, Council Regular Meeting at 8:46pm.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

DRAFT

File Attachments for Item:

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



CITY OF
FORESTPARK

City Council Agenda Item

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

Submitted By: LaShawn Gardiner

Date Submitted: August 29, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

The applicant is requesting a Conditional Use Permit to operate a private school and day care for students, specializing in STEM learning methodology at 5370 Ash St. This property is located within the Single-Family Residential District (RS). Per Section 8-8-28 Single Family Residential District (RS), Places of worship, private school and daycare centers require conditional use permits to operate in the Single-Family Residential District. A church currently exists on the subject property. The Planning Commission recommended **Denial of a Conditional Use Permit** at its meeting on June 15, 2023, based on the potential of a liability of children and adult activities that include clinics, recovering alcoholics and offenders mixing. The following combination would not be allowed as a combined use. The City Council tabled this item for 30-days at the August 7, 2023, meeting to allow time to receive additional information from the applicant.

Cost: \$ N/A

Budgeted for: _____ Yes _____ No

Financial Impact:

N/A

Action Requested from Council:

Approve or Deny the Conditional Use Permit in a RS (Single-Family Residential) zoned district based on clarification of information submitted.

Restoration and Deliverance C.O.G.I.C. at 5370 Ash St. Forest Park, GA has been an active member in the Forest Park community for over 22 years. We are partitioning for a Conditional Use permit to operate as a private school and day care, geared towards underprivileged students needing specialized education and care. Our institution adheres to the STEM learning curriculum to academically prepare and socially equip our students for college. With a Conditional Use permit granted we would also like to add an extension for a Church/Place of worship.

Life Christian Academy will have 150 kids, serving grades K-12 for the 2023-2024 school year. School hours are from 8am-3pm, Monday through Friday. Daycare hours are from 6am-6pm, Monday through Friday. The school building needs no repairs.

Restoration and Deliverance C.O.G.I.C. and Life Christian Academy have partnered with daycare providers to accompany the service at 5370 Ash St. This is an effort to better and be of service to low income working families, as an extension to our community development efforts.

Our vision is to provide services that are essential to rebuilding our community, our city and most importantly our youth because they are our future.

For further information please call Pastor James Summers 404-484-8812 or Life Christian Academy, Director Mr. Kelvin Waters @404-423-7799.

Thank you, God Bless

Pastor James Summers

Pastor James Summers



GACS

www.gacs.org



Item # 4.

706.548.2200

805 S. Glynn St. Suite 127 #305

Fayetteville, GA 30214

Re: Life Christian Academy of Performing Arts

To Whom it may Concern,

Life Christian Academy of Performing Arts in Forest Park, GA is an active member in good standing of the Georgia Association of Christian Schools.

In addition to their active membership, they are also in the candidate stage of the accreditation process and are actively working towards the requirements for full accreditation.

Please let me know if you have further clarification needed.

Serving Christ and you,

Rev. Steven Brondyke, MA, M.Div.
Executive Director



706.548.2200
www.gacs.org

706.548.2200
Steven@Gacs.org

Re: School Membership Inquiry
Steven Brondyke <steven@gacs.org>
Fri 8/11/2023 12:43 PM
To:SaVaughn Irons <slrons@forestparkga.gov>

CAUTION: This email originated from outside of the organization. Please use caution when interacting with this email.

Good Afternoon,

Yes. They are an active member!

Rev. Steven Brondyke, MA, M.Div.
Executive Director
GACS
steven@gacs.org

Sent from my iPhone

On Aug 11, 2023, at 9:22 AM, SaVaughn Irons <slrons@forestparkga.gov> wrote:

Good morning, Steven,

Thank you for taking the time to speak with me a few minutes ago. Per our conversation, I am trying to verify if Life Christian Academy Of Performing Arts at 5370 Ash St. Forest Park, GA 30297, is an active member in good standing with the Georgia Association of Christian Schools. We reviewed your website, and do not currently see them listed. If you could please respond to this email, as well as provide any documentation that they may have as proof, so that I may submit this information to our City Council for approval.

Best Regards,

<Outlook-0kve5hel.png>

SaVaughn Irons
City Planner

City of Forest Park
Phone: (404) 366-4720 | Mobile: (470) 330-3059
785 Forest Parkway | Forest Park, GA 30297
www.forestparkga.gov | sirons@forestparkga.gov

[<Outlook-A white le.png>](#)

[<Outlook-A blue and.png>](#)

[<Outlook-A white bi.png>](#)

[<Outlook-A white pl.png>](#)

[<Outlook-A logo of.png>](#)

Confidential: Please be advised that the information contained in this email message, including all attached documents or files, is privileged and confidential and is intended only for the use of the individual or individuals addressed. Any other use, dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient, please delete this message and notify us of incorrect delivery by immediate reply.

From: SaVaughn Irons
Sent: Thursday, August 10, 2023 3:05 PM
To: STEVEN@GACS.ORG <STEVEN@GACS.ORG>
Subject: School Membership Inquiry

Good afternoon Steven,

I hope this email finds you well. I left a voicemail for you on August 8th to inquire about a particular school that advised us they are a part of your network but have been having issues locating the information. If possible, do you have a moment to schedule a quick call so that I may be able to find out some additional information needed for City Council?

Best Regards,

<Outlook-3ydkhl15.png>

Sa Vaughn Irons

City Planner

City of Forest Park

Phone: (404) 366-4720 | Mobile: (470) 330-3059

785 Forest Parkway | Forest Park, GA 30297

www.forestparkga.gov | sirons@forestparkga.gov

<[Outlook-A white le.png](#)>

<[Outlook-A blue and.png](#)>

<[Outlook-A white bi.png](#)>

<[Outlook-A white pl.png](#)>

<[Outlook-A logo of.png](#)>

Confidential: Please be advised that the information contained in this email message, including all attached documents or files, is privileged and confidential and is intended only for the use of the individual or individuals addressed. Any other use, dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient, please delete this message and notify us of incorrect delivery by immediate reply.



CITY OF
FORESTPARK
Life. Love. Learning.

Item # 4.

CITY OF FOREST PARK

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

August 28, 2023

While reviewing documentation provided by Mr. Waters, I contacted **THE GEORGIA DEPT OF EARLY CARE AND LEARNING, BRIGHT FROM THE START**. On Monday August 28, 2023, I spoke with Ms. Thomas from **GA DECAL, BRIGHT FROM THE START** at 770-405-7962. Ms. Thomas was able to verify that Life Christian Academy is in their system as an exempt status. She further advised me that an applicant can either be licensed, or exempt. Based on this information, it was determined that the exemption status letter and paperwork provided by Mr. Waters is legitimate. The letter submitted is signed by Chrissy Powell, who is the exemption unit manager at **GA DECAL, BRIGHT FROM THE START**.

Best Regards,

SaVaughn Irons

SaVaughn Irons

City Planner

BRIGHT FROM THE START
 Georgia Department of Early Care and Learning
 Martin Luther King Jr. Drive SE, 754 East Tower, Atlanta, Georgia 30334
 (404) 656-5957

Brian P. Kemp
GOVERNOR

Amy M. Jacobs
COMMISSIONER

April 29, 2021

Ms. Melissa Douglas, Program Official
 Life Christian Academy School of Performing Art, LLC
 721 Morrow Road
 Forest Park, Georgia 30397

Re: Life Christian Academy
 Exemption Program Number: EX-53206
 741 Morrow Road
 Forest Park, Georgia 30297
 (Clayton County)

Dear Ms. Douglas:

On April 28, 2021, Bright from the Start: Georgia Department of Early Care and Learning received an Exemption Amendment for the program at the above location. Based on a review of your program description, it was determined that this program meets the criteria for exemption from state licensure as follows:

591-1-1-.46(1)(b)7. (EXMT-18033) Day camp programs for children five (5) years and older that are operated between school terms, whose primary purpose is to provide organized recreational, religious, or instructional activities. The day camp programs may operate during summer and other school breaks and shall operate for no more than twelve (12) hours per day.

CONDITIONS OF EXEMPTION:

- Ages of Children: 5 years through 17 years
- Operation Months: School Break (summer), School Breaks (other)
- Operation Days: Monday through Friday
- Operation Hours: Additional Hours : - Summer Hours : 7:00 am - 5:30 pm

Note: Exemption approval means this program is not licensed as a child care learning center and is not required to be licensed because the program operations meet the criteria as described above. Therefore, the program is not required to comply with the Bright from the Start Rules for Child Care Learning Centers. Unless participating in the Childcare and Parent Services (CAPS) subsidy program, Bright from the Start will not regulate or routinely inspect this program and will only monitor the program to ensure compliance with exemption criteria and requirements or to collect data. The facility must meet all local requirements, such as complying with building, zoning, and fire regulations. If you have any questions about participating in the Childcare and Parent Services (CAPS) subsidy program, visit [CAPS.dec.ga.gov](https://caps.dec.ga.gov), email caps.support@dec.ga.gov or call 404-657-3434 or 1-888-442-7735.

This exemption program number EX-53206 and the exemption category number EXMT-18033 remain valid as long as there are no changes in the program. If you alter the program in any way or move the program to a new location, you must submit a new exemption application for review. You must also notify

Bright from the Start if the program stops operating. This letter and the enclosed Exemption Notice must be posted in a conspicuous location for public viewing.

Also, enclosed are the requirements for exempt programs for you to use as a reference to ensure your program remains in compliance. Current information about exemptions can also be found at <http://www.decal.ga.gov/CCS/Exemptions.aspx>.

If you have questions or need general support, contact Rosalyn Elder at (404) 780-0868 or at rosalyn.elder@decal.ga.gov.

Sincerely,

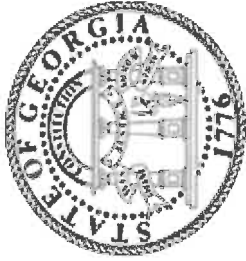


Chrissy Powell
Exemption Unit Manager

cc: Exemption File
Angelette Anderson

NOTICE OF EXEMPTION

Effective Date: April 29, 2021



This program is not licensed by Bright from the Start: Georgia Department of Early Care and Learning and is not required to be licensed. The program is not regulated and may not be routinely inspected.

Exemption Provider Number: EX-53206

Life Christian Academy

741 Morrow Road

Forest Park, Georgia 30297

“This exemption is granted pursuant to the authority vested in Bright from the Start: Georgia Department of Early Care and Learning, O.C.G.A. §20-1A-14(b) et seq.”

Refer to the letter posted with this notice for details about the exemption(s) approved for this program.

**Bright from the Start: Georgia Department of Early Care and Learning,
2 Martin Luther King Jr. Drive SE, 670 East Tower Atlanta, Georgia 30334
404-657-5562
www.decal.ga.gov**

THIS NOTICE AND THE EXEMPTION APPROVAL LETTER MUST BE POSTED IN A CONSPICUOUS LOCATION IN THE PROGRAM.

Licensed Providers and Exempt Providers: What are the Differences?

Licensed Providers

Who should become licensed?

- Providers caring for more than six children in a commercial location for pay are licensed as Child Care Learning Centers (CCLC)
- Residential homes caring for more than two unrelated children for pay are licensed as Family Child Care Learning Homes (FCCLH)

What are the benefits of being licensed?

- Public assurance of safe, healthy, nurturing standards
- Access to other services to benefit the provider and children including CAPS, CACFP, and Quality Rated
- Legal compliance and more flexibility in services offered to families

What are the first steps in starting a CCLC or FCCLH?

The first step in applying for an initial license is to review the requirements found at <http://decal.ga.gov/CCS/StartingACenter.aspx> and the Rules and Regulations found at <http://www.decal.ga.gov/CCS/RulesAndRegulations.aspx>. Next, the provider should participate in the online licensure orientation training applicable to the type of facility they will operate. Participants register for the courses through the Georgia Professional Development System at <https://gapds.decal.ga.gov>

Can exempt providers become licensed?

Yes. Exempt providers who wish to become licensed will follow the same procedures as initial applicants to begin the licensing process.

Are licensed providers monitored?

Yes, in addition to the initial licensing visit that is required to obtain official permission to operate, licensed providers are monitored at least twice each year. In addition, providers receive visits when an incident or complaint arises and as a follow up after citations are issued.

Do licensed providers reapply or renew their license each year?

The license continues, but there is a fee to renew the license each year. The fee is based on the licensed capacity and is due November 1–December 31.

Email: ApplicantServicesUnit@decal.ga.gov

Exempt Providers

What is an Exemption?

An exemption is an exception to the requirements that a business or a person must be licensed. These providers must adhere to Exemption rules and regulations.

Georgia law requires that anyone caring for more than two children for pay must be licensed or obtain exemption approval. The application process and the 14 categories of Exemptions are explained at <http://www.decal.ga.gov/CCS/Exemptions.aspx>

Who can apply for an exemption?

Anyone operating in a commercial location can apply for an exemption. Those operating in residential homes (FCCLHs) cannot apply for exemptions. The Exemption is granted if the provider operates according to the criteria established for an exempt provider.

Can exempt providers receive funding from Childcare and Parent Services (CAPS), Nutrition Services (CACFP/SFSP), or participate in Quality Rated?
Only facilities in Categories 1 (government owned and operated) and 7 (day camps) are eligible to receive CAPS funding. All providers can participate in Nutrition Services programs if they qualify. Exempt providers cannot participate in Quality Rated.

Are exempt providers monitored?

Yes, exempt providers are monitored and visits are conducted. Providers may receive an initial visit prior to approval. All providers will receive a monitoring visit based on a random sampling percentage of providers visited each year. Providers receiving CAPS funds receive annual visits.

Are exempt providers required to renew their exemptions annually?

No. As long as the exempt provider remains at the same address and maintains the same owner/operator, the exemption will continue to be active. Exempt providers must comply with all rules set by state and local authorities governing topics such as—but not limited to—zoning, fire safety, and construction.

Do administrators and staff of exempt providers have to be fingerprinted?

DECAL encourages all exempt providers to require some form of fingerprinting to ensure safe and quality care of children. Exempt and non-exempt providers receiving CAPS funds must comply with DECAL fingerprinting rules.

Email: CCSExemptions@decal.ga.gov

Rule 591-1-1-.46 Exemptions

(1) All programs providing group care for children shall obtain either a license or a commission for an early care and education program or an exemption from the department, as applicable. Any person or entity operating or planning to operate such a service believed to meet the criteria for exemption from licensure, as listed below, shall apply to the department for exemption by submitting the department's application for exemption.

(a) Exemption Requirements.

1. The application for exemption shall be notarized and shall include:

- (i) A valid and current e-mail address,
- (ii) A written description of services, fees, ages of children to be served, months, days, and hours of operation and location,
- (iii) Copies of written policies, advertisements, parental agreement forms, and other materials to support the criteria for exemption as determined by the department.
- (iv) A sworn statement that the information provided to the department is accurate and truthful.

2. The exemptions granted by the department are exemptions from licensure, and do not affect the authority of local, regional or state health department officials, the state fire marshal, local fire prevention officials, local or regional building officials or zoning officials to inspect and approve facilities and locations. Programs operated in a residence are not eligible for exemption. Additionally, the exemption is only valid at the address listed on the application.

3. A program granted an exemption shall post in a prominent place near the front entrance of the facility both a copy of the exemption approval letter issued by the department and a notice provided by the department that will notify a parent or guardian that the program is not licensed and is not required to be licensed by the state. The notice shall be at least ½ inch letters and shall contain the department's telephone number and website address.

4. A program approved for exemption shall maintain attendance records for children. When a parent or guardian initially registers a child with an exempt program, the parent or guardian shall sign a form indicating the parent or guardian has been advised and understands that the program is not licensed and is not required to be licensed by the state. The program must maintain the attendance records and parental notification forms during the time the child is enrolled in the program and for one year after the child no longer attends the program. All records shall be made available to any authorized representative of the department upon request.

5. Any program granted an exemption from licensure that subsequently loses accreditation, closes and/or ceases operation shall notify the department in writing within five (5) business days of such a change. A program granted an exemption that has subsequent material changes in the operation of their program, such as, but not limited to, a change of physical location, a change in operating months, days, and/or hours, or a

change in the ages served shall be required to submit a new application for exemption to the department.

6. Programs granted an exemption may be required to periodically update the department on the status of their exemption and operating information such as but not limited to submitting an annual report that would contain information related to the exemption approval.

7. The department may rescind an approval for exemption when one or more of the following is determined by the department:

- (i) The program no longer meets the criteria for the exemption.
- (ii) The program provided false information during the exemption request process or during an investigation.
- (iii) The program failed to comply with local, regional, and state health department, fire marshal, fire prevention, and building/zoning guidelines/requirements.
- (iv) The program failed to provide the department with a valid and current e-mail address or with other information requested by the department, such as but not limited to, the months, days, and hours of operation, ages of children served and operating address.

(b) Exemption Categories. The following types of programs shall be exempt from licensure:

1. Programs which are owned and operated by any department or agency of state, county, or municipal government. This includes, but is not limited to, the customary school day, as defined in Georgia law, and before and/or after school programs in public schools operated by the public school system and staffed with school system employees and recreation programs operated by city or county parks and recreation departments and staffed with city or county employees.

2. Private non-public educational programs with an established curriculum for children five (5) years and older that operate during the school term for the customary school day, as defined by Georgia law.

3. A private non-public school which provides education in any grades from kindergarten through 12th grade, meets the requirements under Georgia law for private schools (See O.C.G.A. § 20-2-690), and is accredited by one or more of the entities listed in O.C.G.A. § 20-3-519(6)(A) and which provides care before, after, or both before and after the customary school day, as defined in Georgia law, to its students as an auxiliary service to such students during the regular school year only. The accrediting entities listed in O.C.G.A. § 20-3-519(6)(A) are:

- (i) The Southern Association of Colleges and Schools;
- (ii) The Georgia Accrediting Commission;
- (iii) The Georgia Association of Christian Schools;
- (iv) The Association of Christian Schools International;
- (v) The Georgia Private School Accreditation Council;
- (vi) The Southern Association of Independent Schools;
- (vii) The Accrediting Commission for Independent Study. (O.C.G.A § 20-3- 519(6.1)(A).

4. Accredited private non-public educational programs with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day child care learning center and are an integral part of an accredited private non-public school that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private non-public school and the program is staffed with employees of that private non-public school.

5. Parent's Morning Out, Parent's Night Out, or similar programs which operate for no more than one session of up to four (4) consecutive hours per day and which limit attendance to no more than eight (8) hours a week per child.

6. Nursery schools, playschools, kindergartens or other educational programs for children two (2) years through six (6) years of age which operate for no more than four (4) consecutive hours per day.

7. Day camp programs for children five (5) years and older that are operated between school terms, whose primary purpose is to provide organized recreational, religious, or instructional activities. The day camp programs may operate during summer and other school breaks and shall operate for no more than twelve (12) hours per day.

8. Short-term educational or recreational activities or classes for children in which the supervision and care of the children are incidental to their participation in the activity or training in specific subjects, such as, but not limited to, music lessons, dance classes, swim lessons, etc. The provider is not assuming responsibility for supervision and care of the children outside of the classes or activities the children participate in and shall not advertise or otherwise represent that child care services are offered.

9. Any short-term child care service provided by an establishment, such as, but not limited to, a religious facility, health club, or retail store, and such program or service meets all of the following:

- (i) Operated on the premises of the establishment;
- (ii) Operated for the convenience of the parents, guardians, or custodians and for the use of on-duty employees or students attending classes;
- (iii) Parents, guardians, or custodians are participating in activities provided by the establishment on the premises of the establishment;
- (iv) Parents, guardians, or custodians are readily available;
- (v) Attendance of child in the short-term child care service is limited to no more than four (4) hours per day and no more than ten (10) hours per week, except in the instance of child care services offered at infrequent events such as, but not limited to, conferences and weddings.

10. Programs operated after the customary school day, as defined in Georgia law, for children five (5) years and older that are strictly instructional and skill-based in a single talent, ability, expertise, proficiency or subject or in closely related skills, proficiencies or

subjects, including but not limited to classes such as art, cheerleading, dance, drama, gymnastics, martial arts and music, and the programs comply with all of the following:

- (i) Programs provide direct instruction in the single skill or subject and/or closely related skills or subjects to every child each day the child is present;
- (ii) Programs do not provide services that are not directly related to the single skill or subject or to the closely related skills or subjects, such as but not limited to homework assistance. During the hours of operation, programs may provide services related to the instruction, such as transportation and giving children time to change into proper clothes/gear;
- (iii) Programs shall not advertise or otherwise represent that the program is a child care facility, an after school program, or that the program offers child care services;
- (iv) Programs shall not prepare meals and snacks, but may provide ready-to-eat snacks, such as pre-packaged snacks;
- (v) The majority of the program staff responsible for instruction shall possess specialized qualifications to instruct in that skill or subject, and the program shall submit documentation of such specialized qualifications of staff to the department at the time of application for exemption or as requested by the department;
- (vi) Programs shall inform parents or guardians about the physical risks a child may face while participating in the program;
- (vii) Such programs shall not be an integral part of a licensed child care learning center or day care center;
- (viii) Enrollment information shall clearly define the duration of the program.

11. Short term educational programs offered to school-aged children in which the supervision and care of the children are incidental to their participation in the short-term educational program, and the provider is not assuming responsibility for the provision of daily child care outside the scheduled program. The majority of staff responsible for the direct delivery of education services to children possesses specialized qualifications that are directly related to the short term educational programs being offered, and the program shall submit documentation of such specialized qualifications to the department at the time of application for exemption or as requested by the department. The sole or primary purpose of such short term educational programs is:

- (i) To prepare children for advancement to the next educational level through a prescribed course of study or curriculum;
- (ii) To provide specialized tutoring services through a prescribed course of study or curriculum to assist children with the passage of mandatory educational proficiency examinations;
- (iii) To provide specialized tutoring services through a prescribed course of study or curriculum to assist children in specific academic areas, such as, but not limited to, foreign language, mathematics, science, etc.

12. Any program or facility providing care for school-aged children that is operated by, or in affiliation with a national membership non-profit organization that was created for the purpose of providing youth services and youth development, that charges a membership fee for children and may receive monthly, weekly, or daily fees for services. Such program or facility holds membership in good standing and is certified by its

national association as complying with the association's purposes, procedures, minimum standards and mandatory requirements. Such national membership organizations include, but are not limited to, the Boys and Girls Clubs of America.

13. Any program providing group care for children for no pay.

14. A center that is licensed by the department may request an exemption from licensure if the center's program is an integral part of an established religious congregation or religious school that conducts regularly scheduled classes, courses of study, or educational programs and is a member of or accredited by or certified by a state, regional, or national accrediting agency for religious educational instruction or a state, regional, or national accrediting agency for educational instruction as recognized and approved by the department if such accrediting entity uses standards that are substantially similar to those established by the department. In addition to the requirements listed above applicable to all exemptions, the following additional requirements shall apply to centers seeking an exemption under this provision:

(i) A center seeking such exemption from licensure shall be required to submit to the department documentation of certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and any other pertinent documentation as requested by the department, such as non-profit tax-exempt verification. The accrediting agency must conduct regularly scheduled visits to the center while such center remains accredited.

(ii) If such exemption is granted, the center shall submit annual documentation to the department verifying its continued certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and other pertinent documentation as may be requested by the department.

(iii) Such exemptions granted by the department are valid as long as the center remains certified or accredited. The program shall provide the department written notice within five (5) business days of the center's loss of certification or accreditation, including a copy of such notification from the certifying or accrediting entity. The department shall rescind the center's exemption granted herein upon notification of the loss of certification or accreditation.

(iv) Any center seeking such exemption shall comply with all applicable requirements for background checks for directors/employees as required in O.C.G.A. § 20-1A-30 et seq., Chapter 591-1-1, Rules for Child Care Learning Centers, department policies, as well as applicable local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements while such exemption is in effect. The department retains jurisdiction over centers granted such exemption to conduct unannounced periodic background check audits and to conduct complaint investigations regarding compliance with background check requirements, as well as compliance with local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements.

(v) The department may rescind such exemption for a center's failure to comply with the requirements for background checks for directors/employees pursuant to O.C.G.A. § 20-1A-30 et seq., Chapter 591-1-1, Rules for Child Care Learning Centers, and department policies.

(vi) Any center applying for such exemption that is owned and/or under the legal control/direction of the certifying or accrediting entity shall not be approved by the department.

(vii) A center seeking such exemption shall adopt and comply with the minimum standards of its certifying or accrediting entity for the operation of the center's program. Such minimum standards adopted by the center shall be published and made available to parents of enrolled or prospective children upon request.

(viii) A center granted such exemption shall comply with the requirements regarding notification to parents of enrolled children if the center does not carry liability insurance.

History: New Rule entitled "Exemptions" adopted. F. Nov. 16, 2012; eff. Dec. 6, 2012.



GEORGIA
CORPORATIONS
DIVISION

GEORGIA SECRETARY OF STATE
**BRAD
RAFFENSPERGER**

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	Life Christian Academy School of Performing Art L.L.C.	Control Number:	15118954
Business Type:	Domestic Limited Liability Company	Business Status:	Active/Compliance
NAICS Code:	Educational Services	NAICS Sub Code:	Fine Arts Schools
Principal Office Address:	9111 Overlook dr, Jonesboro, GA, 30238, USA	Date of Formation / Registration Date:	12/21/2015
State of Formation:	Georgia	Last Annual Registration Year:	2023

REGISTERED AGENT INFORMATION

Registered Agent Name: **Kelvin Waters**
Physical Address: **9111 Overlook Dr, Macon, GA, 30238, USA**
County: **Clayton**

[Back](#)

[Filing History](#)

[Name History](#)

[Return to Business Search](#)

File Attachments for Item:

5. Council Approval of Use of Summary Minutes in Lieu of Verbatim Minutes – Executive Offices



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of Use of Summary Minutes in Lieu of Verbatim Minutes– Executive

Submitted By: City Manager

Date Submitted: August 29, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

The Open Meetings Act further requires that minutes of Council meetings be prepared and available for public inspection. However verbatim minutes are not required under the Open Meetings Act. Instead the Open Meetings Act provides that the minutes “shall be promptly recorded and such records shall be open to public inspection once approved as official by the agency or its committee, but in no case later than immediately following its next regular meeting” and that such minutes “shall, at a minimum, include the names of the members present at the meeting, a description of each motion or other proposal made, the identity of the persons making and seconding the motion or other proposal, and a record of all votes. The name of each person voting for or against a proposal shall be recorded.”

It is proposed that the City of Forest Park discontinue the preparation of verbatim minutes of its public meetings and begin to utilize summary or action minutes meeting the minimum requirements of the Open Meetings Act. The use of summary or action minutes will reduce the chance for confusion or mistake in the preparation of minutes. Additionally, City Council meetings will continue to be audio and/or video recorded.

Cost: \$ N/A

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

Financial Impact:

Action Requested from Council:

Approval of the resolution approving summary minutes.

RESOLUTION NO. _____**A RESOLUTION TO DIRECT THE CITY CLERK TO PREPARE SUMMARY MINUTES IN LIEU OF VERBATIM MINUTES FOR ALL PUBLIC MEETINGS OF THE CITY COUNCIL**

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, O.C.G.A. § 50-14-1 (the “Open Meetings Act”) requires that most meetings of the City Council be open to the public;

WHEREAS, the Open Meetings Act further requires that minutes of such Council meetings be available for public inspection;

WHEREAS, verbatim minutes are not required under the Open Meetings Act;

WHEREAS, instead the Open Meetings Act provides that the minutes “*shall be promptly recorded and such records shall be open to public inspection once approved as official by the agency or its committee, but in no case later than immediately following its next regular meeting*” and that such minutes “*shall, at a minimum, include the names of the members present at the meeting, a description of each motion or other proposal made, the identity of the persons making and seconding the motion or other proposal, and a record of all votes. The name of each person voting for or against a proposal shall be recorded;*”

WHEREAS, it is proposed that the City of Forest Park discontinue the preparation of verbatim minutes of its public meetings and begin to utilize summary or action minutes meeting the minimum requirements of the Open Meetings Act;

WHEREAS, the use of summary or action minutes will reduce the chance for confusion or mistake in the preparation of minutes; and

WHEREAS, City Council meetings will continue to be audio and/or video recorded;

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

SECTION 1. Authorization of Intergovernmental Agreement. The City Clerk is hereby instructed to prepare summary action minutes for City Council meetings in lieu of verbatim minutes.

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 5th day of September, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
INTERGOVERNMENTAL AGREEMENT

File Attachments for Item:

6. Council Approval of Animal Control Agreements with Lake City and Riverdale – Police Department and Legal



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of Animal Control Agreements with Lake City and Riverdale– Police and Legal

Submitted By: City Attorney

Date Submitted: August 29, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

It is proposed that the City update its intergovernmental agreement with Lake City under which Forest Park provides certain animal control services to Lake City. The agreement was last updated in 2011. It is also proposed that the identical agreement be used to provide animal control services for the City of Riverdale.

Under the new agreement, the basic services would remain the same. However, the fees have increased as follows:

- Increase from \$6 to \$15 per day for kenneling of animals
- Increase from \$40 to \$50 for animal disposal
- Increase from \$15 to \$35 for pickup fee for all animals collected during normal business hours
- Increase from \$60 to \$75 for pickup fee for animals collected outside of normal business hours

The agreement also provides that all fines and fees collected in any municipal court (Lake City or Riverdale) for animal control violations will be paid to Forest Park to offset some its expenses in providing animal control services.

Cost: \$ Variable

Budgeted for: Yes No

Financial Impact: The City will receive revenue from Lake City and Riverdale related to certain animal control services provided. Portions of this revenue will be paid to Clayton County for the use of the Clayton County Animal Selter.

Action Requested from Council:

Approval of the contracts.

INTERGOVERNMENTAL AGREEMENT FOR ANIMAL CONTROL

THIS INTERGOVERNMENTAL AGREEMENT (hereinafter "the Agreement"), is entered into this _____ day of _____ by and between the City of Forest Park, a municipal corporation chartered by the state of Georgia, and the City of Lake City, a municipal corporation chartered by the State of Georgia.

For the purpose of settling forth the parties' rights and responsibilities with respect to the creation and operation of animal control services as authorized by law.

WITNESSETH

WHEREAS, Article 9, Section 3, Paragraph I of the Constitution of the State of Georgia provides that municipalities may contract with each other for joint provision of services;

WHEREAS, the City of Forest Park and the City of Lake City (jointly "the Parties") have determined that there is a present and continuing need for providing joint animal control services within the City of Lake City by the City of Forest Park;

WHEREAS, the Parties have determined that the best method to accomplish this joint activity is by entering into this Agreement and by having the Dog Control Officer for the City of Forest Park appointed as the Dog Control Officer for the City of Lake City and to have the Animal Control Unit of the City of Forest Park designated as the Animal Control Unit for the City of Lake City, and by designating the Animal Shelter of the Animal Control Unit of Clayton County Police Department as the official Animal Shelter and Dog Pound of the City of Forest Park as well as the City of Lake City;

WHEREAS, the Parties have determined that it is mutually beneficial to the public health, safety, and welfare of the citizens of the City of Forest Park and the City of Lake City to have joint and cooperative dog control services and other animal control services; and

WHEREAS, the parties are desirous of setting forth the rights and responsibilities of the Parties, and the authority of the Parties in their joint cooperation and desire to provide for limited jurisdictional authority as provided in Article 9, Section 3 of the Constitution of the State of Georgia;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein and for other good and valuable consideration, the parties hereunto agree as follows:

SECTION 1: DOG CONTROL OFFICER

The Dog Control Officer appointed by the Governing Body for the City of Forest Park pursuant to Section 11-3-32 of the City of Forest Park Code of Ordinances (hereinafter the "City Code") is hereby appointed and designated as the Dog Control Officer for the City of Lake City, and

shall perform and exercise all duties and responsibilities as the Dog Control Officer for the City of Lake City in accordance with the terms of this Agreement.

SECTION 2: ANIMAL CONTROL UNIT

The Animal Control Unit of the City of Forest Park is hereby designated and appointed as the Animal Control Unit of the City of Lake City.

- A. The Animal Control Officer or Officers employed by the Animal Control Unit of the City of Forest Park are hereby designated and authorized to pick up any stray animal within the City of Lake City, to quarantine any unvaccinated animal that has bitten a person or other animal and to impound any animal at the direction of the City of Lake City police that is needed for evidence or that is suspected of being subjected to cruelty or otherwise in violation of a City ordinance or state law. In addition, the Animal Control Officer or Officers of the City of Forest Park are authorized to put out animal traps and use such other equipment as necessary to carry out the intent and purposes of this Intergovernmental Agreement.
- B. The Animal Shelter operated by the Animal Control Unit of Clayton County Police Department is hereby designated as the animal control shelter and dog pound of the City of Forest Park and the City of Lake City. Furthermore, the standard operating procedures of the Animal Control Unit of Clayton County Police Department and the Animal Control Unit of the City of Forest Park regarding the impoundment, adoption, destruction and collection of fees for animals impounded or otherwise collected in the unincorporated portion of Clayton County or in the City of Forest Park are hereby adopted as the procedures and fees to be used within the City of Lake City.

SECTION 3: ANIMAL CONTROL BOARD

The Animal Control Board of the City of Forest Park is hereby appointed and designated as the Animal Control Board of the City of Lake City and shall exercise all duties and responsibilities as the Animal Control Board for the City of Forest Park and the City of Lake City.

SECTION 4: MUNICIPAL COURT APPEARANCES BY OFF DUTY OFFICERS.

The City of Lake City shall pay a witness fee of \$25.00 for each Municipal Court appearance by an employee of City of Forest Park who appears off duty as a witness for the City of Lake City in the prosecution of the ordinances of the City of Lake City.

SECTION 5: FEE, FINES AND FORFEITURES

The parties agree that all fees, fines and forfeitures collected pursuant to this Agreement by the City of Forest Park shall be paid over to the City of Forest Park to offset some of the costs incurred by Forest Park.

For any dog or cat impounded within the City of Lake City, which is not reclaimed by its owner, the City of Lake City shall reimburse the City of Forest Park (who shall in turn reimburse Clayton County) for any veterinary bills for the animal as well as the following costs: a kennel fee of \$15.00 per day for each day the animal is boarded; and \$50.00 (or the fee actually paid by the County, whichever is lower) to cover the cost of humane disposal if the animal is not picked up or adopted.

In the event that the Animal Control Unit of the City of Forest Park shall be called upon by the City of Lake City to pick up an animal within the City of Lake City, then the City of Lake City shall pay the following pick up costs to the City of Forest Park: during the normal operating hours of the City of Forest Park Animal Control Unit, a pick up fee of \$35.00; outside of the normal operating hours of the City of Forest Park Animal Control Unit, a pick up fee of \$75.00.

In the event that the Animal Control Unit of the City of Forest Park cannot pick up an animal within the City of Lake City, and the City of Forest Park shall request pick up by the Animal Control Unit of Clayton County, the City of Lake City shall pay the following pick up costs to the City of Forest Park, who shall in turn pay said costs to Clayton County: during the Clayton County Animal Control Unit's normal operating hours, a pick up fee of \$35.00; outside of the Clayton County Animal Control Unit's normal operating hours, a pick up fee of \$75.00.

All fees shall be paid within thirty days of invoice by check payable to the City of Forest Park, and mailed or delivered to: City of Forest Parks Department of Finance, Forest Park City Hall, 745 Forest Parkway, Forest Park Georgia 30297.

SECTION 6: POLICE RESPONSE

When requested by the City of Forest Park, the City of Lake City police will respond and assist the City of Forest Park or Clayton County Animal Control in carrying out the intent of this Intergovernmental Agreement. The City of Lake City police shall be responsible for enforcing City of Lake City ordinance violations and any violations of state animal protection laws or other state laws that occur within the city limits of the City of Lake City.

SECTION 7: DURATION

- A. This Agreement become effective immediately upon approval of the Mayor and City Council of City of Forest Park, and the Mayor and City Council of the City of Lake City.
- B. This Agreement shall continue in effect until midnight December 31, 2024, and shall be automatically renewed annually there from, unless terminated pursuant to the provisions contained herein, but for not more than 10 years.
- C. The Mayor and City Council of City of Forest Park, or the Mayor and City Council for the City of Lake City, may terminate this Agreement by resolution properly

adopted and giving thirty days notice from the date of adoption of the resolution and served upon the Mayor of the City, as applicable, and the respective clerks thereof.

SECTION 8: GOVERNING LAW

The parties agree that this Agreement shall be governed and construed in accordance with the laws of the State of Georgia.

SECTION 9: MERGER CLAUSE

The parties agree that the terms of this Agreement include the entire agreement between the Parties and as such shall exclusively bind the Parties. No other representations either oral or written may be used to contradict the terms of this Agreement.

SECTION 10: NO CREATION OF CAUSE OF ACTION

Nothing contained in this Agreement shall be construed as creating a right or cause of action for any participating officers, or any other third party, as against either of the parties hereto, or to Clayton County, or any of their respective officers, agents, employees, insurers or assigns, nor as a right for any such third party to institute or maintain a suit which would not otherwise exist under law as a legal claim against any of them.

SECTION 11: WAIVER

A waiver by any Party of any breach of any provision, term, covenant, or condition of this Agreement shall not be deemed a waiver of any subsequent breach of the same or any other provision, term, covenant or condition.

SECTION 12: SEVERABILITY

The Parties agree that each of the provisions included in this Agreement is separate, distinct and severable from the other and remaining provisions of this Agreement, and that the invalidity or unenforceability of any Agreement provision shall not affect the validity or enforceability of any other provisions of this Agreement.

SECTION 13: CERTIFICATION BY EACH PARTICIPATING PARTY

Each of the persons signing this Agreement herein certifies that he or she has executed this Agreement only after said Agreement has been approved by the governing body of the Party. Each such person also certifies that he or she is authorized to bind his or her respective government to this Agreement.

IN WITNESS WHEREOF, the Parties have signed their names and affixed their seals to this Agreement, this ____ day _____ 2023.

CITY OF FOREST PARK

Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

CITY OF LAKE CITY

Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

INTERGOVERNMENTAL AGREEMENT FOR ANIMAL CONTROL

THIS INTERGOVERNMENTAL AGREEMENT (hereinafter "the Agreement"), is entered into this _____ day of _____ by and between the City of Forest Park, a municipal corporation chartered by the state of Georgia, and the City of Riverdale, a municipal corporation chartered by the State of Georgia.

For the purpose of settling forth the parties' rights and responsibilities with respect to the creation and operation of animal control services as authorized by law.

WITNESSETH

WHEREAS, Article 9, Section 3, Paragraph I of the Constitution of the State of Georgia provides that municipalities may contract with each other for joint provision of services;

WHEREAS, the City of Forest Park and the City of Riverdale (jointly "the Parties") have determined that there is a present and continuing need for providing joint animal control services within the City of Riverdale by the City of Forest Park;

WHEREAS, the Parties have determined that the best method to accomplish this joint activity is by entering into this Agreement and by having the Dog Control Officer for the City of Forest Park appointed as the Dog Control Officer for the City of Riverdale and to have the Animal Control Unit of the City of Forest Park designated as the Animal Control Unit for the City of Riverdale, and by designating the Animal Shelter of the Animal Control Unit of Clayton County Police Department as the official Animal Shelter and Dog Pound of the City of Forest Park as well as the City of Riverdale;

WHEREAS, the Parties have determined that it is mutually beneficial to the public health, safety, and welfare of the citizens of the City of Forest Park and the City of Riverdale to have joint and cooperative dog control services and other animal control services; and

WHEREAS, the parties are desirous of setting forth the rights and responsibilities of the Parties, and the authority of the Parties in their joint cooperation and desire to provide for limited jurisdictional authority as provided in Article 9, Section 3 of the Constitution of the State of Georgia;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein and for other good and valuable consideration, the parties hereunto agree as follows:

SECTION 1: DOG CONTROL OFFICER

The Dog Control Officer appointed by the Governing Body for the City of Forest Park pursuant to Section 11-3-32 of the City of Forest Park Code of Ordinances (hereinafter the "City Code") is hereby appointed and designated as the Dog Control Officer for the City of Riverdale, and

shall perform and exercise all duties and responsibilities as the Dog Control Officer for the City of Riverdale in accordance with the terms of this Agreement.

SECTION 2: ANIMAL CONTROL UNIT

The Animal Control Unit of the City of Forest Park is hereby designated and appointed as the Animal Control Unit of the City of Riverdale.

- A. The Animal Control Officer or Officers employed by the Animal Control Unit of the City of Forest Park are hereby designated and authorized to pick up any stray animal within the City of Riverdale, to quarantine any unvaccinated animal that has bitten a person or other animal and to impound any animal at the direction of the City of Riverdale police that is needed for evidence or that is suspected of being subjected to cruelty or otherwise in violation of a City ordinance or state law. In addition, the Animal Control Officer or Officers of the City of Forest Park are authorized to put out animal traps and use such other equipment as necessary to carry out the intent and purposes of this Intergovernmental Agreement.
- B. The Animal Shelter operated by the Animal Control Unit of Clayton County Police Department is hereby designated as the animal control shelter and dog pound of the City of Forest Park and the City of Riverdale. Furthermore, the standard operating procedures of the Animal Control Unit of Clayton County Police Department and the Animal Control Unit of the City of Forest Park regarding the impoundment, adoption, destruction and collection of fees for animals impounded or otherwise collected in the unincorporated portion of Clayton County or in the City of Forest Park are hereby adopted as the procedures and fees to be used within the City of Riverdale.

SECTION 3: ANIMAL CONTROL BOARD

The Animal Control Board of the City of Forest Park is hereby appointed and designated as the Animal Control Board of the City of Riverdale and shall exercise all duties and responsibilities as the Animal Control Board for the City of Forest Park and the City of Riverdale.

SECTION 4: MUNICIPAL COURT APPEARANCES BY OFF DUTY OFFICERS.

The City of Riverdale shall pay a witness fee of \$25.00 for each Municipal Court appearance by an employee of City of Forest Park who appears off duty as a witness for the City of Riverdale in the prosecution of the ordinances of the City of Riverdale.

SECTION 5: FEE, FINES AND FORFEITURES

The parties agree that all fees, fines and forfeitures collected pursuant to this Agreement by the City of Forest Park shall be paid over to the City of Forest Park to offset some of the costs incurred by Forest Park.

For any dog or cat impounded within the City of Riverdale, which is not reclaimed by its owner, the City of Riverdale shall reimburse the City of Forest Park (who shall in turn reimburse Clayton County) for any veterinary bills for the animal as well as the following costs: a kennel fee of \$15.00 per day for each day the animal is boarded; and \$50.00 (or the fee actually paid by the County, whichever is lower) to cover the cost of humane disposal if the animal is not picked up or adopted.

In the event that the Animal Control Unit of the City of Forest Park shall be called upon by the City of Riverdale to pick up an animal within the City of Riverdale, then the City of Riverdale shall pay the following pick up costs to the City of Forest Park: during the normal operating hours of the City of Forest Park Animal Control Unit, a pick up fee of \$35.00; outside of the normal operating hours of the City of Forest Park Animal Control Unit, a pick up fee of \$75.00.

In the event that the Animal Control Unit of the City of Forest Park cannot pick up an animal within the City of Riverdale, and the City of Forest Park shall request pick up by the Animal Control Unit of Clayton County, the City of Riverdale shall pay the following pick up costs to the City of Forest Park, who shall in turn pay said costs to Clayton County: during the Clayton County Animal Control Unit's normal operating hours, a pick up fee of \$35.00; outside of the Clayton County Animal Control Unit's normal operating hours, a pick up fee of \$75.00.

All fees shall be paid within thirty days of invoice by check payable to the City of Forest Park, and mailed or delivered to: City of Forest Parks Department of Finance, Forest Park City Hall, 745 Forest Parkway, Forest Park Georgia 30297.

SECTION 6: POLICE RESPONSE

When requested by the City of Forest Park, the City of Riverdale police will respond and assist the City of Forest Park or Clayton County Animal Control in carrying out the intent of this Intergovernmental Agreement. The City of Riverdale police shall be responsible for enforcing City of Riverdale ordinance violations and any violations of state animal protection laws or other state laws that occur within the city limits of the City of Riverdale.

SECTION 7: DURATION

- A. This Agreement become effective immediately upon approval of the Mayor and City Council of City of Forest Park, and the Mayor and City Council of the City of Riverdale.
- B. This Agreement shall continue in effect until midnight December 31, 2024, and shall be automatically renewed annually there from, unless terminated pursuant to the provisions contained herein, but for not more than 10 years.
- C. The Mayor and City Council of City of Forest Park, or the Mayor and City Council for the City of Riverdale, may terminate this Agreement by resolution properly

adopted and giving thirty days notice from the date of adoption of the resolution and served upon the Mayor of the City, as applicable, and the respective clerks thereof.

SECTION 8: GOVERNING LAW

The parties agree that this Agreement shall be governed and construed in accordance with the laws of the State of Georgia.

SECTION 9: MERGER CLAUSE

The parties agree that the terms of this Agreement include the entire agreement between the Parties and as such shall exclusively bind the Parties. No other representations either oral or written may be used to contradict the terms of this Agreement.

SECTION 10: NO CREATION OF CAUSE OF ACTION

Nothing contained in this Agreement shall be construed as creating a right or cause of action for any participating officers, or any other third party, as against either of the parties hereto, or to Clayton County, or any of their respective officers, agents, employees, insurers or assigns, nor as a right for any such third party to institute or maintain a suit which would not otherwise exist under law as a legal claim against any of them.

SECTION 11: WAIVER

A waiver by any Party of any breach of any provision, term, covenant, or condition of this Agreement shall not be deemed a waiver of any subsequent breach of the same or any other provision, term, covenant or condition.

SECTION 12: SEVERABILITY

The Parties agree that each of the provisions included in this Agreement is separate, distinct and severable from the other and remaining provisions of this Agreement, and that the invalidity or unenforceability of any Agreement provision shall not affect the validity or enforceability of any other provisions of this Agreement.

SECTION 13: CERTIFICATION BY EACH PARTICIPATING PARTY

Each of the persons signing this Agreement herein certifies that he or she has executed this Agreement only after said Agreement has been approved by the governing body of the Party. Each such person also certifies that he or she is authorized to bind his or her respective government to this Agreement.

IN WITNESS WHEREOF, the Parties have signed their names and affixed their seals to this Agreement, this ____ day _____ 2023.

CITY OF FOREST PARK

Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

CITY OF RIVERDALE

Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE CONTRACTS FOR ANIMAL CONTROL SERVICES

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 proposes to contract enter into certain intergovernmental agreements with Lake City and Riverdale for the provision of animal control services;

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

SECTION 1. Approval of Contracts. The intergovernmental agreements with Lake City and Riverdale for the provision of animal control services as presented to the City Council on September 5, 2023 are 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 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 5th day of September, 2023.

Mayor Angelyne Butler

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

7. Council Approval of Truck Operating Hours Ordinance – Police Department and Legal



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of Truck Operating Hours Ordinance – Police and Legal

Submitted By: City Attorney

Date Submitted: August 29, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

It is proposed that the City ordinance be amended to prohibit tractor trailers and large trucks from operating in residential areas between 10pm and 7am. Our current ordinance does not sufficiently address the matter of trucks operating in or around residential areas.

This ordinance would prohibit the operation of excessively loud trucks or engines within any residential area, or within a radius of 500 feet therefrom. Additionally, no truck tractor or large truck shall be allowed to enter, park or stand within any residential area between the hours of 10pm and 7am.

Cost: \$ N/A

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

Financial Impact:

Action Requested from Council:

Approval of the ordinance.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK WITH RESPECT TO THE OPERATION OF TRUCKS WITHIN THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park as follows:

SECTION 1. That Section 10-2-31 of the Code of Ordinances, City of Forest Park is hereby amended by deleting said Section in its entirety and replacing it with a new Section 10-2-31 as set forth below:

“Sec. 10-2-31. - Motor trucks or trailers prohibited from operating during designated hours.

It shall be unlawful for any person within any residential area, or within a radius of 500 feet therefrom, to operate, run up or test any motor vehicle, truck tractor, large truck or machinery engine between the hours of 10:00 p.m. and 7:00 a.m. in a manner which creates a noise of such a high level or of such a duration that a reasonable person of normal sensitivity residing in the residential area is caused discomfort, annoyance and denial of the reasonable use of property. This subsection shall not apply to any vehicle being operated on an authorized place, street, road or highway in a manner not inconsistent with other noise ordinances or laws. Additionally, no truck tractor or large truck shall be allowed to enter, park or stand within any residential area between the hours of 10:00 p.m. and 7:00 a.m. for any purpose whatsoever.”

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

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. Codification and Severability.

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

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

SECTION 6. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. Effective Date. This ordinance 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 ORDAINED this _____ day of _____, 2023.

Mayor Angelyne Butler

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

8. Council Approval of Resolution to Request Local Legislation to Increase Hotel-Motel Tax – Executive Offices and Legal



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Resolution to Request Local Legislation to Increase Hotel-Motel Tax – Executive and Legal

Submitted By: Michael Williams

Date Submitted: August 29, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

It is proposed that the City Council initiate the process of increasing the hotel-motel tax to 8% by approving a resolution calling on the Clayton County Legislative Delegation to pass local legislation authorizing the City of Forest Park to do so.

The City currently imposes a 3% hotel-motel tax. State law provides that cities can increase the tax to up to 8% after adopting a resolution urging the passage of local legislation by the Georgia General Assembly. Once the local legislation is approved by the General Assembly, the City may thereafter approve an ordinance providing for the increased tax and the usage of the additional revenue.

Under the State law, the revenue from the tax must be used as follows:

- The first 3% may be used for general fund purposes.
- The next 3.5% must be used for promoting tourism, conventions, and trade shows within Forest Park by contracting with a destination marketing organization (such as a convention and visitor's bureau) for such purpose.
- Any amount of the final 1.5% that is not used for promoting tourism, conventions, and trade shows shall be expended for tourism product development.

State law defines "Tourism product development" as the expenditure of funds for the creation or expansion of physical attractions which are available and open to the public and which improve destination appeal to visitors, support visitors' experience, and are used by visitors. Such expenditures may include capital costs and operating expenses. Some specifically named items in the state code include:

- Meeting, convention, exhibit, and public assembly facilities;
- Visitor information and welcome centers;
- Wayfinding signage;
- Museums, art galleries, gardens;

-
- Parks, trails, and other recreational facilities; or
 - Performing arts facilities.

Cost: \$ None

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

Financial Impact:

This will increase the hotel motel tax from 3% to 8%.

Action Requested from Council:

Approval of the resolution.

ORDINANCE GUIDANCE

CITY/COUNTY/CONSOLIDATED GOVERNMENT ADOPTING A HOTEL-MOTEL EXCISE TAX OF 6%, 7%, OR 8% UNDER O.C.G.A. § 48-13-51(b).

Local governments wishing to adopt a Hotel-Motel Excise Tax (HMT) at a rate of 6, 7, or 8 percent must do so under authorization paragraph O.C.G.A. § 48-13-51(b). This authorization generally follows a three- step process.

- 1) An initial resolution from the city council/county commission requesting the local legislative delegation introduce the local act. The resolution should specify the subsequent tax rate, identify the project or projects or tourism product development purposes, and specify the allocation of proceeds.*
- 2) Local legislation passed by both the House of Representatives and the Senate and signed by the Governor. (Sample available on website)*
- 3) An ordinance adopted by council/commission adopting the new tax. The ordinance should specify the authorization paragraph under which the jurisdiction is imposing the tax, the specific rate of taxation being imposed, and the effective date of the tax.*

This ordinance guidance is provided as a courtesy by the Department of Community Affairs (DCA) to provide basic information on the key components necessary in the adoption of a Hotel-Motel Excise Tax under O.C.G.A. § 48-13-51(b).

DCA staff is available for consultation or clarification on certain issues surrounding the HMT, but this guidance is not a legal document or assurance of legal protection. Ultimate legal opinion should always stem from the city/county attorney. This document is intended to serve as a guide and is neither legal advice nor a directive from DCA.

Jurisdictions may find additional sections appropriate, addressing concerns such as the process for transmission of funds, record-keeping and document retention, penalties for non-compliance, codified designation of the jurisdiction's destination marketing organization, designation of tourism product development projects, short term rental regulations and others.

Upon adoption, a copy of the ordinance signed by the chief elected official and the city or county clerk should be forwarded to the DCA Office of Research at Research@dca.ga.gov.

If you have any questions, concerns, or needs surrounding the HMT, please contact the DCA Office of Research at Research@dca.ga.gov.

ORDINANCE GUIDANCE

CITY/COUNTY/CONSOLIDATED GOVERNMENT ADOPTING A HOTEL-MOTEL EXCISE TAX OF 6%, 7%, OR 8% UNDER O.C.G.A. § 48-13-51(b).

Section I: Ordinance Preamble, Name and Citation

- The preamble explains the purpose of the ordinance and the objectives sought to be accomplished by it. This may include “whereas” statements listing the requisite characteristics or legal citations necessary for implementing the tax.
- The title can be named anything your government chooses; common examples are:
 - Hotel-Motel Excise Tax Ordinance of _____
 - _____ Excise Tax on Rooms Lodging and Accommodations
 - _____, Georgia Lodging Tax Ordinance
- Identify which section of the O.C.G.A. your government is citing as authorization to collect the tax.
 - Be specific, avoiding "O.C.G.A. § 48-13-50 et seq."
 - Title 48, Chapter 13, Article 3, Section 51(b).

Section II: Intent, Purpose, and Authorization to Levy Excise Tax

- The intent of this ordinance is to levy an excise tax on rooms, lodgings, and accommodations to provide additional funding for the promotion of tourism, conventions, and trade shows in the City or County.
- The purpose of this ordinance is to enact an excise tax upon the furnishing for value to the public of any room or rooms, lodgings or accommodations facilitated or furnished by an innkeeper.
- This excise tax shall be imposed under the authorization of a local act of the Georgia General Assembly pursuant to O.C.G.A. § 48-13-51(b)

Section III: Definitions

The following terms are widely used in Hotel-Motel Excise Tax statute or are specifically defined in to O.C.G.A. § 48-13-50.2. This is not an exhaustive or required list, the inclusion of certain definitions in the ordinance is at the discretion of the City or County attorney.

- (a) **Destination Marketing Organization:** a private sector nonprofit organization or other private entity which is exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code of 1986 that is supported by the tax under this article, government budget allocations, private membership, or any combination thereof and the primary responsibilities of which are to encourage travelers to visit their destinations, encourage meetings and expositions in the area, and provide visitor assistance and support as needed. O.C.G.A. § 48-13-50.2(1)
- (b) **Due Date:** The twentieth day after the close of the preceding calendar month. *The governing authority imposing the tax may provide by resolution or ordinance for quarterly or annual returns.*
- (c) **Estimated Tax Liability:** An innkeeper's tax liability under this article, adjusted to account for any subsequent change in the rate of tax imposed under this article or any substantial change in circumstances due to damage to the premises, based on his or her average monthly payments

PROVIDED BY DCA AS COURTESY TO HELP GUIDE HOTEL-MOTEL EXCISE TAX EFFORTS. THIS DOCUMENT AND ANY PORTION THEREOF ARE NOT A LEGAL DOCUMENT OR GUARANTEE OF LEGAL STANDING.
CONSULT CITY/COUNTY ATTORNEY IN DEVELOPMENT & ADOPTION OF ALL DOCUMENTS RELATED TO HOTEL-MOTEL EXCISE TAX

ORDINANCE GUIDANCE

CITY/COUNTY/CONSOLIDATED GOVERNMENT ADOPTING A HOTEL-MOTEL EXCISE TAX OF 6%, 7%, OR 8% UNDER O.C.G.A. § 48-13-51(b).

for the last fiscal year.

- (d) **Hotel:** Includes any hotel, motel, inn, lodge, tourist camp, tourist cabin, campground, or any other place in which room or rooms, lodgings, or accommodations are regularly furnished for value and shall apply to the furnishing for value of any room, lodging, or accommodation.
- (e) **Innkeeper:** (A) Any person that furnishes for value to the public any room or rooms, lodgings, or accommodations in a county or municipality and that is licensed by, or required to pay business or occupation taxes to, such municipality or county for operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, campground, or any other place in which room or rooms, lodgings, or accommodations are regularly furnished for value; or (B) A dealer as defined in subparagraph (M.3) of paragraph (8) of Code Section 48-8-2 that is required to collect and remit the tax imposed by Article 1 of Chapter 8 of this title for acting as a marketplace facilitator as such term is defined in paragraph (18.1) of Code Section 48-8-2 for facilitating the furnishing for value to the public any room or rooms, lodgings, or accommodations on behalf of another person. O.C.G.A. § 48-13-50.2(2)
- (f) **Monthly Period:** Any calendar month of any year.
- (g) **Occupancy:** The use or possession, or the right to use or possession, of any room or apartment in a hotel or motel, or the right to use or possession of the furnishings or to the services and accommodations accompanying the use and possession of the room or apartment.
- (h) **Occupant:** Any person (or persons utilizing as a single unit) who, for a consideration, uses, possesses, or has the right to use or possess, any room or hotel or motel under any lease, concession, permit, right of access, license, agreement or otherwise.
- (i) **Permanent Resident:** Any occupant who as of a given date shall have occupied, or has or shall have the right of occupancy, of any guest room in a hotel for more than 30 (thirty) consecutive days.
- (j) **Person:** An individual, firm partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, nonprofit corporation or cooperative nonprofit membership, estate, trust, business trust receiver, trustee, syndicate, business entity, or any other group or combination acting as a unit, to include the plural as well as the singular number, excepting, however, the United States of America, the State of Georgia, and any political subdivision of either thereof upon which the governing authority is without power to impose the tax herein provided.
- (k) **Private Sector Non-Profit Organization:** A chamber of commerce, a convention and visitors bureau, a regional travel association, or any other private group organized for similar purposes which is exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code of 1986; provided, however, that a county or municipality which has prior to April 1, 1990, contracted for a required expenditure under this Code section with a private group which is exempt from federal income tax under provisions of Section 501(c) of the Internal Revenue Code other than Section 501(c)(6) may continue to contract for required expenditures with such a private group. O.C.G.A. § 48-13-50.2(3)
- (l) **Promoting Tourism, Conventions, and Trade Shows:** Planning, conducting, or participating in programs of information and publicity designed to attract or advertise tourism, conventions, or

ORDINANCE GUIDANCE

CITY/COUNTY/CONSOLIDATED GOVERNMENT ADOPTING A HOTEL-MOTEL EXCISE TAX OF 6%, 7%, OR 8% UNDER O.C.G.A. § 48-13-51(b).

trade shows. O.C.G.A. § 48-13-50.2(4)

- (m) **State Authority:** An authority created by state law which serves a state-wide function, including, but not limited to, the Georgia Agricultural Exposition Authority, Georgia Aviation Authority, Georgia Building Authority, Georgia Development Authority, Georgia Environmental Finance Authority, Jekyll Island Authority, Lake Allatoona Preservation Authority, Georgia Medical Center Authority, Georgia Ports Authority, Georgia Regional Transportation Authority, State Road and Tollway Authority, Sports Hall of Fame Authority, Georgia Technology Authority, and Georgia World Congress Center Authority, but shall not mean an authority created for support of a local government or a local purpose or function and shall not include authorities such as area planning and development commissions and any organizational entities they may create, regional commissions and any organizational entities they may create, or local water and sewer authorities. O.C.G.A. § 48-13-50.2(5)
- (n) **Tourism Product Development:** means the expenditure of funds for the creation or expansion of physical attractions which are available and open to the public and which improve destination appeal to visitors, support visitors' experience, and are used by visitors. Such expenditures may include capital costs and operating expenses. Tourism product development may include: (A) Lodging for the public for no longer than 30 consecutive days to the same customer; (B) Overnight or short-term sites for recreational vehicles, trailers, campers, or tents; (C) Meeting, convention, exhibit, and public assembly facilities; (D) Sports stadiums, arenas, and complexes; (E) Golf courses associated with a resort development that are open to the general public on a contract or fee basis; (F) Racing facilities, including dragstrips, motorcycle racetracks, and auto or stock car racetracks or speedways; (G) Amusement centers, amusement parks, theme parks, or amusement piers; (H) Hunting preserves, trapping preserves, or fishing preserves or lakes; (I) Visitor information and welcome centers; (J) Wayfinding signage; (K) Permanent, nonmigrating carnivals or fairs; (L) Airplanes, helicopters, buses, vans, or boats for excursions or sightseeing; (M) Boat rentals, boat party fishing services, rowboat or canoe rentals, horse shows, natural wonder attractions, picnic grounds, river-rafting services, scenic railroads for amusement, aerial tramways, rodeos, water slides, or wave pools; (N) Museums, planetariums, art galleries, botanical gardens, aquariums, or zoological gardens; (O) Parks, trails, and other recreational facilities; or (P) Performing arts facilities. O.C.G.A. § 48-13-50.2(6)

Section IV: Tax Rate

- This authorization paragraph allows for an excise tax at a rate not to exceed 8 percent of the charge for the furnishing for value to the public of any room or rooms, lodgings, or accommodations facilitated or furnished by an innkeeper.
- This section should specify a rate of either 6, 7, or 8 percent.

Section V: Effective Date

- Any action by a local governing authority to impose or change the rate of the tax authorized under this article shall become effective no sooner than the first day of the second month

PROVIDED BY DCA AS COURTESY TO HELP GUIDE HOTEL-MOTEL EXCISE TAX EFFORTS. THIS DOCUMENT AND ANY PORTION THEREOF ARE NOT A LEGAL DOCUMENT OR GUARANTEE OF LEGAL STANDING. CONSULT CITY/COUNTY ATTORNEY IN DEVELOPMENT & ADOPTION OF ALL DOCUMENTS RELATED TO HOTEL-MOTEL EXCISE TAX

ORDINANCE GUIDANCE**CITY/COUNTY/CONSOLIDATED GOVERNMENT ADOPTING A HOTEL-MOTEL EXCISE TAX OF 6%, 7%, OR 8% UNDER O.C.G.A. § 48-13-51(b).**

following its action by the local governing authority. O.C.G.A. § 48-13-51(g)(1)

- This section should state the effective date of the new rate or tax complying with the restriction in subsection (g).

Section VI: Exemptions

The tax imposed by this ordinance shall not apply to:

- Charges made for any rooms, lodgings, or accommodations provided to any persons who certify that they are staying in such room, lodging, or accommodation as a result of the destruction of their home or residence by fire or other casualty; O.C.G.A. § 48-13-51(h)(1)
- The use of meeting rooms and other such facilities or any rooms, lodgings, or accommodations provided without charge; O.C.G.A. § 48-13-51(h)(2)
- Any rooms, lodgings, or accommodations furnished for a period of one or more days for use by Georgia state or local governmental officials or employees when traveling on official business. Notwithstanding the availability of any other means of identifying the person as a state or local government official or employee, whenever a person pays for any rooms, lodgings, or accommodations with a state or local government credit or debit card, such rooms, lodgings, or accommodations shall be deemed to have been furnished for use by a Georgia state or local government official or employee traveling on official business for purposes of the exemption provided by this paragraph. For purpose of the exemption provided under this paragraph, a local government official or employee shall include officials or employees of counties, municipalities, consolidated governments, or county or independent school districts; O.C.G.A. § 48-13-51(h)(3)
- Charges made for continuous use of any rooms, lodgings, or accommodations after the first 30 days of continuous occupancy. O.C.G.A. § 48-13-51(h)(4)

Section VII: Use of Revenue

The ordinance should either include the minimum statutory restrictions below, or state that the revenue will be allocated in accordance with the requirements in O.C.G.A. § 48-13-51(b)(5) and O.C.G.A. § 48-13-51(b)(6).

- In each fiscal year during which a tax is collected under paragraph (2) or (3) of this subsection, an amount equal to not less than 50 percent of the total amount of taxes collected that exceed the amount of taxes that would be collected at the rate of 5 percent shall be expended for promoting tourism, conventions, and trade shows by the destination marketing organization designated by the county or municipality levying the tax; O.C.G.A. § 48-13-51(b)(5)(A).
- The remaining amount of taxes collected that exceed the amount of taxes that would be collected at the rate of 5 percent which are not otherwise expended under subparagraph (A) of this paragraph shall be expended for tourism product development. O.C.G.A. § 48-13-51(b)(5)(B).
- A county or municipality levying a tax pursuant to this subsection shall expend an amount equal to the amount of total taxes collected under this subsection which would have been collected at

PROVIDED BY DCA AS COURTESY TO HELP GUIDE HOTEL-MOTEL EXCISE TAX EFFORTS. THIS DOCUMENT AND ANY PORTION THEREOF ARE NOT A LEGAL DOCUMENT OR GUARANTEE OF LEGAL STANDING. CONSULT CITY/COUNTY ATTORNEY IN DEVELOPMENT & ADOPTION OF ALL DOCUMENTS RELATED TO HOTEL-MOTEL EXCISE TAX

ORDINANCE GUIDANCE**CITY/COUNTY/CONSOLIDATED GOVERNMENT ADOPTING A HOTEL-MOTEL EXCISE TAX OF 6%, 7%, OR 8% UNDER O.C.G.A. § 48-13-51(b).**

a rate of 5 percent in accordance with the provisions of paragraph (3) of subsection (a) of this Code section. O.C.G.A. § 48-13-51(b)(6)

- A county or municipality levying a tax pursuant to this paragraph shall expend (in each fiscal year during which the tax is collected under this paragraph (3)) an amount equal to the amount by which the total taxes collected under this Code section exceed the taxes which would be collected at a rate of 3 percent for the purpose of: (A) promoting tourism, conventions, and trade shows; (B) supporting a facility owned or operated by a state authority for convention and trade show purposes or any other similar or related purposes; (C) supporting a facility owned or operated by a local government or local authority for convention and trade show purposes or any other similar or related purposes, if a written agreement to provide such support was in effect on January 1, 1987, and if such facility is substantially completed and in operation prior to July 1, 1987; (D) supporting a facility owned or operated by a local government or local authority for convention and trade show purposes or any other similar or related purposes if construction of such facility is funded or was funded prior to July 1, 1990, in whole or in part by a grant of state funds or is funded on or after July 1, 1990, in whole or substantially by an appropriation of state funds; (E) supporting a facility owned by a local government or local authority for convention and trade show purposes and any other similar or related purposes if construction of such facility is substantially funded or was substantially funded on or after February 28, 1985, by a special county 1 percent sales and use tax authorized by Article 3 of Chapter 8 of this title, as amended and if such facility was substantially completed and in operation prior to December 31, 1993; or (F) for some combination of such purposes. Amounts so expended shall be expended only through a contract or contracts with the state, a department of state government, a state authority, a convention and visitors bureau authority created by local Act of the General Assembly for a municipality, or a private sector nonprofit organization, or through a contract or contracts with some combination of such entities, except that amounts expended for purposes (C) and (D) may be so expended in any otherwise lawful manner. O.C.G.A. § 48-13-51(a)(3)

The Ordinance should then be signed by all necessary parties, dated and provided to DCA before the effective date to begin collecting the Tax.

A RESOLUTION OF THE CITY OF FOREST PARK REQUESTING THE GEORGIA GENERAL ASSEMBLY ADOPT LOCAL LEGISLATION FOR THE CITY OF FOREST PARK TO INCREASE THE HOTEL/MOTEL TAX TO PROVIDE FUNDING RESOURCES FOR PROMOTING TOURISM, CONVENTIONS, AND TRADE SHOWS AND TOURISM PRODUCT DEVELOPMENT PROJECTS; TO AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENTS RELATING TO SUCH LEGISLATION, AND OTHERWISE PERFORM ALL NECESSARY ACTS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES

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

WHEREAS, the City of Forest Park currently imposes a 3% Hotel/Motel tax on all occupied rooms within the City;

WHEREAS, the Georgia General Assembly authorizes municipalities to increase their Hotel/Motel Tax to 8% upon a request from the governing authority and passage of a local act by the General Assembly;

WHEREAS, the Mayor and City Council find that the City would benefit from the imposition of this tax by providing additional revenues for the promotion of travel and tourism and the development of destinations for visitors to the City of Forest Park; and

WHEREAS, O.C.G.A. § 48-13-51(b) provides that municipalities wishing to increase such tax must adopt a resolution which specifies the subsequent tax rate, identifies the projects or tourism product development purposes and specifies the allocation of proceeds;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL IN REGULAR SESSION THAT:

1. The City of Forest Park hereby requests the State Legislative Delegation of Clayton County introduce and seek passage of a local legislative act authorizing Forest Park to increase its Hotel/Motel tax from the existing 3% to 8%.
2. The City of Forest Park intends to use the proceeds of such tax for any legal purpose, to include specifically, but not limited to, promoting tourism, conventions, and trade shows by a qualified destination marketing organization designated by the City of Forest Park for such purpose.

3. The tax authorized by Section 48-13-51(b)(2) of the Official Code of Georgia Annotated, and the proceeds of this tax shall be used in accordance with sections 48-13-51(b)(5) and 48-13-51(b)(6).
4. An amount equal to the total taxes collected under O.C.G.A. § 48-13-51(b), which would have been collected at a rate of 5% shall be expended in accordance with the provisions of O.C.G.A. § 48-13-51(a)(3).
5. Any amount equal to not less than 50% of the total amount of taxes collected that exceed the amount of taxes that would be collected at the rate of 5% shall be expended for promoting tourism, conventions, and trade shows by the destination marketing organization designated by the City of Forest Park.
6. Any remaining amount of taxes collected that exceed the amount of taxes that would be collected at the rate of 5% which are not otherwise expended pursuant to the previous paragraph shall be expended for tourism product development.
7. This Resolution shall be effective immediately upon adoption.

SO RESOLVED, THIS _____ day of _____, 2023.

Mayor

(SEAL)

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

9. Council Approval of Resolution Recognizing Cancellation of 2023 Municipal Elections – Executive Offices and Legal



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval of Resolution Recognizing Cancellation of 2023 Municipal Elections – Executive and Legal

Submitted By: City Attorney

Date Submitted: August 29, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

The qualifying period for candidates in the 2023 municipal elections closed on August 24, 2023. As of the end of the qualifying period, only the incumbents in Wards 3, 4 and 5 qualified as candidates with no opposing candidates qualifying in each ward.

O.C.G.A. § 21-2-285 (j) provides that “in the event there is no opposed candidate in a precinct in a general or special municipal election, no election shall be held in such precinct unless a write-in candidate has qualified as provided by law or unless there are issues to be submitted to the electorate within a precinct.”

As of August 31, no person qualified as a write-in candidate, and there are no ballot questions submitted to the voters of the City of Forest Park in the 2023 municipal elections.

By operation of State law, no 2023 municipal election shall be conducted because there are no opposed candidates in the 2023 municipal election, no write-in candidates have qualified as provided by law and there are no issues to be submitted to the electorate.

The resolution acknowledges the cancellation of the 2023 elections under State law and directs staff to take the necessary steps to inform the voters of the cancellation.

Cost: \$ N/A

Budgeted for: _____ Yes _____ No

Financial Impact:

Action Requested from Council:

Approval of the resolution.

A RESOLUTION OF THE CITY OF FOREST PARK ANNOUNCING THE CANCELLATION OF THE 2023 MUNICIPAL ELECTIONS AS MANDATED BY STATE LAW; TO DIRECT THE CITY CLERK TO EXECUTE ANY DOCUMENTS RELATING TO SUCH CANCELLATION, AND OTHERWISE PERFORM ALL NECESSARY ACTS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES

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

WHEREAS, in November 2023, municipal elections were scheduled for the City of Forest Park;

WHEREAS, the qualifying period for candidates in the 2023 municipal elections closed on August 24, 2023;

WHEREAS, as of the end of the qualifying period, only the incumbents in Wards 3, 4 and 5 qualified as candidates with no opposing candidates qualifying in each ward;

WHEREAS, pursuant to O.C.G.A. § 21-2-133(a) write-in candidates must file a notice of intent of their candidacy as write-in candidate with the elections superintendent “no later than seven days after the close of the municipal qualifying period for municipal elections in the case of a general election;”

WHEREAS, as of August 31, no person has filed their the required notice pursuant to O.C.G.A. § 21-2-133(a);

WHEREAS, there are no ballot questions submitted to the voters of the City of Forest Park in the 2023 municipal elections;

WHEREAS, O.C.G.A. § 21-2-285 (j) provides that “in the event there is no opposed candidate in a precinct in a general or special municipal election, no election shall be held in such precinct unless a write-in candidate has qualified as provided by law or unless there are issues to be submitted to the electorate within a precinct;”

WHEREAS, O.C.G.A. § 21-2-285 (k) provides that when “no election is to be conducted, the municipality shall provide notice reasonably calculated to inform the affected electorate that no election is to be conducted. Each such unopposed candidate shall be deemed to have voted for himself or herself. The superintendent shall certify such unopposed candidate as elected in the same manner as he or she certifies other candidates as elected pursuant to Code Section 21-2-502;”

WHEREAS, the City Council wishes to recognize that no election is to be conducted as mandated by State law; and

WHEREAS, the City Council wishes to direct the staff to provide the required notice to the voters of the City that no election is to be conducted;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL IN REGULAR SESSION THAT:

SECTION 1. Recognition of Cancellation of 2023 Municipal Elections and Notice to the Public. The City Council formally acknowledges and recognizes that under O.C.G.A. § 21-2-285 (j), no 2023 municipal election shall be conducted because there are no opposed candidates in the 2023 municipal election, no write-in candidates have qualified as provided by law and there are no issues to be submitted to the electorate. The City staff is therefore directed to provide notice reasonably calculated to inform the voters of the City that no 2023 municipal elections are to be conducted. The City Clerk is further directed inform Clayton County that there will be no election and to take all necessary steps required under State law with respect to the certification of the 2023 municipal election.

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 INTENTIONALLY LEFT BLANK]

SO RESOLVED, THIS 5th day of September, 2023.

Mayor

(SEAL)

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

10. Council Approval of City-Wide Janitorial Contract – Public Works Department



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Discussion of City Wide Janitorial Contract – Public Works Department

Submitted By: Public Works- Bobby Jinks

Date Submitted: August 31, 2023

Work Session Date: September 5, 2023

Council Meeting Date: September 5, 2023

Background/History:

LEGISLATURE FOR CITY WIDE JANITORIAL CONTRACT

The city of Forest Park solicited for citywide janitorial services to various departments throughout the city of Forest Park. Each contractor shall furnish all labor, equipment, and supplies necessary to perform the services.

The city of Forest Park reserves the right to add or delete facilities/spaces as deemed necessary during the terms of the contract. The term of the contract is (3) three years, with an additional (2) two-year option which will be brought back at that time to the City Council for approval.

The cleaning schedule of all buildings may be modified at the City of Forest Park's discretion throughout the life of the contract. The work shall be scheduled at such times as to avoid interferences with normal or specific activities that may occur in the facilities of the various departments.

The Request for Bids was broken down into 2 different documents.

Bid 1-A: included City Hall, Human Resources, Planning and Community Development, and The Council House. **Klean Pro Facility Services, LLC** was the lowest bidder at \$2,700.00 per month.

Bid 1-B: included Public Works and the Police Department. **AT Trash Valet** was the lowest bidder at \$5,950.00.

The Department of Public Works will oversee this contract and the contract will be appropriately funded by each individual department listed. Any other City space will be negotiated by the Departments individually.

Cost: \$ \$103,800.00

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

Financial Impact: yes

Action Requested from Council: