



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

Monday, September 20, 2021 at 7:00 PM
Council Chambers and YouTube Livestream

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

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

AGENDA

The Honorable Mayor Angelyne Butler, MPA

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

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

VIRTUAL NOTICE

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

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

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

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

CALL TO ORDER/WELCOME:

INVOCATION/PLEDGE:

ROLL CALL - CITY CLERK:

PRESENTATIONS:

- 1. Proclamation Presentation – Legislative**

Background/History:

Councilmember Gutierrez would like to present a proclamation acknowledging October as Hispanic Heritage Month.

2. Presentation by Superintendent of Schools Dr. Morcease J. Beasley

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 September 7, 2021 - S. Diane White, Interim City Clerk**

NEW BUSINESS:

- 4. Council Approval of Rental Assistance Program for Forest Park Residents – Chief Executive Office**
- 5. Council Approval of Surplus City Equipment – Information Technology**
- 6. Adoption of Ordinance 2021-12 Amending Ethics Code to Create Ethics Officer – Legislative**

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. Proclamation Presentation – Legislative

Background/History:

Councilmember Gutierrez would like to present a proclamation acknowledging October as Hispanic Heritage Month.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Proclamation Presentation – Legislative

Submitted By: S. Diane White

Date Submitted: 09.16.21

Work Session Date: N/A

Council Meeting Date: 09.20.21

Background/History:

Councilmember Gutierrez would like to present a proclamation acknowledging October as Hispanic Heritage Month.

Cost: \$ -0-

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

Financial Impact:

There is no budget impact

Action Requested from Council:

Presentation at Sept. 20, 2021 Meeting



CITY OF
FORESTPARK

PROCLAMATION

HISPANIC HERITAGE MONTH

WHEREAS: Hispanic Heritage Month is an opportunity to recognize the contributions of Hispanic American and to celebrate Hispanic Heritage and Culture; and

WHEREAS: the observation began in 1968 as Hispanic Heritage Week under President Lyndon B. Johnson, but was enacted into federal law on August 17, 1968, calling upon public officials, educators, librarians, and all the people of the United States to observe this time with ceremonies, activities, and programs; and

WHEREAS: this observance celebrates the culture and traditions of people whose ancestry can be traced to Spain, Mexico, Central America, South America and the Caribbean Islands; and

WHEREAS: the 2010 U.S. Census estimates that almost 30 percent of Forest Park’s population are Hispanic and Latino residents; and

WHEREAS: these Hispanic and Latino residents play a unique and vital role in our economy and workforce as well as our faith communities and social tapestry; and

NOW, THEREFORE BE IT RESOLVED, that the City of Forest Park recognize October 2021 as Hispanic Heritage Month in Forest Park. We urge our citizens and stakeholders to use the month of October to educate themselves on the contribution of immigrants to our local community.

Mayor Angelyne Butler

Councilmember Kimberly James
Ward 1

Councilmember Dabouze Antoine
Ward 2

Councilmember Hector Gutierrez
Ward 3

Councilmember Latresa Akins-Wells
Ward 4

Councilmember Allan Mears
Ward 5

File Attachments for Item:

3. Council Approval of Council Work Session and Regular Meeting Minutes from September 7, 2021

- S. Diane White, Interim City Clerk



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

Tuesday, September 07, 2021, at 6:00 PM
Council Chambers and YouTube Livestream

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

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

DRAFT WORK SESSION MINUTES

The Honorable Mayor Angelyne Butler, MPA

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

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

CALL TO ORDER/WELCOME: The meeting was called to order by Mayor Butler at 6:00pm.

ROLL CALL - CITY CLERK: A quorum was established.

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

DIRECTORS PRESENT: Darquita Williams, Interim Finance Director; Shalonda Brown, HR Director, Bobby Jinks, Director Public Works, James Shelby, PB&Z Director, Nathaniel Clark, Police Chief, Major Sandra Johnson, Police Department and Latosha Clemons, Fire Chief

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

- Clayton County Rental Assistance Program has been extended to October 3, 2021. This is for Clayton County residents needing help with rental assistance can apply for funding now. For more information contact 404-858-6147 or email – erap@claytoncountyga.gov
- Clayton County Police Department has commended 45 days “warning period” to notify and help drivers adjust to the Automated Traffic Enforcement of School Zones. This program was instituted after a nationwide spike in pedestrian fatalities over the past decade in which Georgia become one of the 5 deadliest states for pedestrians, with the seventh highest fatality rate.
- Early Voting is October 12-29 from 8:00am to 5:00pm. There are two Saturday days, October 16 and 23 and those hours are (9:00am – 5:00pm). The location for early voting is City of Forest Park’s Senior Center located at 5087 Park Ave, Forest Park, GA 30297.
- General Election Voting will be held on November 2 from 7am – 7 pm at the City of Forest Park Gymnasium, 803 Forest Parkway, Forest Park, GA 30297.
- Absentee ballot applications can be requested by contacting our City Clerk/Elections Superintendent Diane White’s office at 678-704-4784 or via email elections@forestparkga.gov or by visiting The Elaine Corley Recreation Center, 803 Forest Park, Forest Park, GA 30297 Monday thru Friday 8:00am – 4:30pm.
- Clayton County Community Services is hosting a job fair on September 10, 2021, from 10:00am – 1:00pm at 1000 Main Street, Forest Park, GA 30297. You must check in with resumes between 8:30am – 9:30am. Several employers including the City of Forest Park will be present and looking for highly qualified candidates to fill several open positions.

CITY OPERATIONS:

- Councilman Gutierrez hosted a community awareness meeting with the Clayton County Police Department and the Forest Park Police Department addressing checkpoints done outside of the City of Forest Park’s jurisdiction. Chief Clark and Clayton County Police Chief Roberts addressed members of the community and addressed issues especially surrounding the Hispanic community on their feeling of being targeted. This was a great meeting and I know we are speaking of more meetings in the future.
- Councilman Gutierrez will be hosting a Teen Night LGBTQI event on September 10, 2021, from 6pm – 8pm at 850 Main Street.
- On August 24, I participated in an awesome zoom meeting with all the parent liaisons within Clayton County Schools. It was supposed to be a meet and greet but turn into a great sharing of ideas and concerns. I am looking forward to continuing to develop that partnership. Thank you, Councilwoman Kimberly James, for initiating that meeting.
- Forest Park Police Department has kicked off its Active Preventive Patrol by Law Enforcement (A.P.P.L.E) program.
- City of Forest Park has also initiated school zone cameras and submitted applications for all 8 schools in the city. As of now we have 5 schools approved, 1 pending and 2 were denied by the state. The areas will be posted with signage to warn drivers slow down and adhere to the speed limit near our schools.

HUGE KUDOS

I would like to give **HUGE KUDOS** to our Council Aides Tenisha Dixon and Demarion Moses, and to the City of Forest Park Public Works Department, Director Bobby Jinks, Recreation and Leisure Department, Director Tarik Maxwell, our Police, Chief Nathaniel Clark and Fire Department’s Chief Latosha Clemons for helping to

make this Labor Weekend Tailgate and Fireworks Show so amazing. You all did an absolute amazing job with the event and securing the safety and well-being of all our attendee's.

EMPLOYEE SPOTLIGHT:

Police Department: Newly Hired Recruits Alexis Mayes, Samuel Taylor and Eric Ellis and recent Academy Graduates: Officer Shareese James and Officer Isaiah Ellis (Top Gun Honoree)

Executive Office: Demarion Moses, Council Aide

COVID-19 UPDATE: Division Chief Joel Turner

Mayor Butler- requested to have a moment of silence to remember Firefighter/Paramedic John Gaddy.

As we have all seen on the news, the COVID-19 numbers continue to rise again statewide. The same is true within the city. The current average rate of daily positives among those tested statewide is 16.8% over the past two weeks.

As of today, 9/7/2021:

- Clayton County's average rate of daily positives is 13.9% for the past two weeks.

As reported by Clayton Co Health District: 9/5/2021

- There are 2,757 cumulative cases in the 30297zip code: 9.0% of county cases.

The COVID-19 vaccines are available now for individuals ages 12 and up, with continued testing underway for children under 12. Pfizer has received full authorization from the CDC and Moderna and Johnson & Johnson are both in that same approval process now. These vaccines have shown to be highly effective at minimizing the effects of COVID in vaccinated individuals, as well as helping limit it's spread. Vaccines are STRONGLY encouraged for all, and especially those with underlying medical issues that can be further complicated by COVID-19.

We continue to encourage good hygiene practices – washing hands or using hand sanitizer, distancing of unvaccinated individuals, and wearing masks in close indoor environments, especially for the non-vaccinated.

Measures are still in place in all departments to minimize sick employees at work and exposures to their coworkers.

Councilmember Mears- are cloth masks more efficient as the other masks?

Division Chief, Joel Turner- there are a variety of studies and results that are coming out. The CDC is recommending medical grade mask for efficiency. Something is better than nothing.

OLD BUSINESS:

1. Discussion - Sister Cities Itemized List – Legislative Department

Background/History:

On August 02, 2021, the City Council Approved a budget of \$15,000 to participate in Sister Cities International with 3 cities in Haiti, Ghana, and Senegal. At that time, it was the direction of the council prior to any purchases being made that an itemized list be presented for approval. Submitted for council review and discretion is an itemized listing showing what could be purchased and shipped using available funding. The City Manager is seeking council direction on how they would like to proceed with this matter.

Discussion/Comments by Governing Body:

Councilmember Antoine - I have seen all 3 lists and I thought it was a great job by the City Manager to break the information down to see it clearly. I was in favor of the last one in the amount of \$14,000. If you are going to help people you may as well put your best foot forward; I thought that was the best one. I am not sure what the other councilmembers think.

Councilmember James - I am wondering if these are for the (3) different countries that we are helping? Do we know if these items are a need? I see the iPad, iPhone and laptops. Are these items on their wish list? Or is this something that we decided to do.

Councilmember Antoine - this is basically for education. And yes, the principal does feel that these items are appropriate at this time only because you have a lot of students that do not have access to the internet. These are the kids that will google how to be a doctor, police officer, a lawyer or a mayor. So, it is appropriate for this setting; and yes, this is on the wish list.

Councilmember James - what countries are the items for?

City Manager - I did not specify what country this would be used for. I brought an itemized list based on the dollar amount that would be provided. So, if you did it for all (3) countries at \$5,000.00 each for the entire \$15,000.00 you could see what could be purchased. It is not designated to a specific country that would be up to the council.

Councilmember Akins-Wells - So, no one knows what country this money is going to, no one know where \$15,000 is going. It says the Sister Cities budget. In the budget does it have the travel expenses. I know Councilmember Antoine traveled to Haiti. Is travel expenses included in this budget? I can't remember. Is that something council discussed.

City Manager - that is something that I would have to look at from last year. There is no travel included in this budget here.

Councilmember Akins-Wells - if someone was traveling for Sisters Cities it should have come out of this budget, if that is what they were traveling for. So maybe we should look into that and where the money is going; we know it's being spent; where is it going is to (3) different countries? Who is responsible for knowing that? You can't just be sending money. If we have (3) Sister Cities (countries) then each country should get \$5,000.00. It should not be designated to one country.

Councilmember Mears - I have a point of order Madam Mayor.

Mayor Butler - Councilmember Gutierrez has the floor.

Councilmember Gutierrez - I guess we have committed to these (3) countries, but do we have a point of contact for Ghana and Senegal. If we are going to commit, who are the other people and what is the money is going to be used for? For Haiti, I know the money is going to the school. I just know the countries by their name.

City Manager - I do know we contacted one person from Ghana. We did receive that letter. Part of the issue that we had this last year, we discovered some of the letters that were supposed to be sent once council approved the whole Sister Cities initiative were not sent to those particular countries, so we never received a response as to who, what and where. The City Clerk and I are working diligently to try to get the

correspondence happening before we start saying we have something for your country. We did find a letter that was supposed to go to Ghana. I think the letter did get mailed and we are looking for the one for Senegal. We have been using contacts from previously and from Councilmember Antoine. We are still looking for the others.

Councilmember Mears - this is just an outline? This is not set in stone. We are in it; and I feel like we need to make our word good. These people are starving to death. They do not have clean water or bathrooms. You cannot go to school if you are dead. If you send all of the money over there for school, but they can't go to school. I think we need to break it down and look at it more. I am for giving them some money, but we have Sister Cities in Forest Park that needs help. I think we need more discussion.

Councilmember Akins-Wells - someone needs to know where the money is going, no one can answer the question. I mean if I was from another city/country, and I am the only one that knows anything; that is not okay.

Councilmember Antoine - when we sent before, the former City Clerk sent it to the designated area. We contacted principals and pictures were sent. The mayor was asked to come but some things occurred, and she could not. Everyone is welcome to come and view these schools. This is not rocket science, this is like if you go to church, and they partner with another church for proceeds, and you go on a mission trip. This is a good school. We have worked with the fire department and donated used phones.

Mayor Butler - there must be a shipping address.

City Manager - yes, there is an address.

NEW BUSINESS:

2. Confirmation of the Director of Information Technology – Executive Offices

Background/History:

The City Council approved the City Manager's request for a Director of Information Technology to help enhance and build our city technology infrastructure.

City Manager - I would like to present to the Council the Information Technology Director Mr. Josh Cox. Mr. Cox is a graduate of the University of South Carolina in Columbia with a Bachelor of Science degree in integrated information technology. He also has a national certified as Chief Information officer from the University of North Carolina. He served for 6 years with the US Army Reserves as a Signal Support Systems Specialist, where he was responsible for maintaining, deploying and operating communication equipment and ensuring his fellow soldiers were properly trained. He received multiple awards during his service and was honorably discharged after completion of his enlistment. Most recently he has served in several positions with an information technology service provider that offered customers, which included municipalities private cloud hosting, custom web application development, SharePoint consulting, web designing, and managed services. He has served the last 5 years as virtual CIO for multiple municipalities in different states, including Georgia.

There were no comments.

3. Mission, Vision and Values Statement – Executive Offices

Background/History:

The City of Forest Park has several goals and initiatives that has been defined in a comprehensive plan. However, a mission and vision, and set of values is just as important to the strategic future of the city to helping the employees, and residents know the purpose of our existence and core values on which it is governed. It is an extremely important part of our city's strategy to help set priorities, allocate resources, and ensure that everyone is working towards common goals and objectives, providing a roadmap to the future. The attached Mission, Vision and set of values was crafted by city for this councils review and discretion.

Discussion/Comments by Governing Body:

Councilmember Gutierrez - I am excited about this Mayor. Sometimes the comments can get clouded with things that are not aligned with any of these things. I am glad we can implement a mission, vision, and value statement

Mayor Butler- read the Mission, Vision, and Value Statement into the record.

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

Vision Our vision is to be a welcoming, safe, family-oriented, fiscally sound city with an emerging urban vibrancy that maximizes its geographic location to be the most attractive residential and commercial destination in the state.

Values • Collaboration - We will work to maximize impact by incorporating diverse community stakeholders' feedback, expertise, and resources. • Creativity - We will work to encourage imaginative and innovative solutions to foster positive changes in our community. • Strategy – We will work to engage in strategic thinking that allows for efficient planning, objective data driven decisions, and flexibility to meet community needs. • Integrity - We will operate transparently with the highest level of professional and ethical behavior in our endeavors and encourage the spirit of generosity. • Respect and Equity - We will operate justly, without discrimination, to ensure equitable access to all. We celebrate the unique attributes of individuals and treat each other with sensitivity and respect.

4. Title Change from Training Captain to Division Chief (Training) – Fire Department**Background/History:**

The purpose of this request is to streamline the efficiencies of Fire Department Operations and to have consistency within the Divisions of the Fire Department. Currently, this position holds the Title as Training Officer Fire Captain with duties, roles, and responsibilities higher than a Captain and equivalent to a Fire Battalion Chief and EMS Division Chief. Our Fire Department is the only fire department in the surrounding area to not have a Training Chief as the head of the Training Division. I believe that changing the position title would help streamline training that requires communications with outside agencies and within our very own Fire Department.

Discussion/Comments by Governing Body:

Councilmember James -is there a person in that position already.

Fire Chief Clemmons - yes, we currently have a training captain. What I am looking to do is stabilize the fire department to have both divisions have equal ranking for the organizational chart. There is no pay increase it is just a title change.

5. Public Artwork (Murals) – Executive Offices**Background/History:**

The City Council has discussed on several occasions wanting Public Artwork (murals) displayed in specific areas of the city. The city would like to the opportunity to promote local talent and engage the community turning empty city walls into huge public canvases that have a lasting positive effect on the community. The City Manager is seeking direction on how the council would like to proceed.

Discussion/Comments by Governing Body:

Councilmember Gutierrez - I am advocate of the arts. I am a big fan of the City of Atlanta and Hapeville with what they have done with some of their art spaces. I just want to make a comment when my name was mentioned. I was a little upset. Ms. Robin Kemp mentioned in the Clayton Crescent Report that “Councilmember Gutierrez has repeatedly lobbied for his wife from the dais to paint a mural for the city”. It was a bit distasteful, and I talked to Robin about it. She said that I said before. I said if I did say that I would donate my salary to the Clayton Crescent. She did apologize. I have identified some spaces and walls with the teen council. It would really improve the commute to work and school for employees and students to see a nice quote on the wall.

Councilmember James - I would like it to be on a professional level. I do want to get the students involved and engaged. I have spoken to the City Manager about the brick wall on Conley Road in front of the cemetery. I am working with Clayton County Arts to get an RFP sample. I want it to be something lasting. As far as seeking direction from the council, Madam Mayor the City Manager should move forward.

City Manager - one of the things would happen with the RFP process is that the Council would be designating where the murals would appear, and we could have the artists to give us their vision. We would ask the council and community. It would then be the budgeting and how you want to go about it.

Councilmember James - you may want to stop by the barbershop that is located on the corner of Main Street. I met Mr. Williams the other day. The mural that he has painted inside of his shop it is amazing. He is an alumnus of Forest Park High School. Mr. Williams played football at Forest Park High School and graduated from Savannah State and decided that he wanted to come back to Clayton County to give back.

6. American Rescue Funds Allocation Recommendation and Survey Results – Executive Offices**Background/History:**

The Coronavirus State and Local Fiscal Recovery Funds provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery. The City of Forest Park received its first allocation of \$3,738,098.00 and posted and promoted an online survey from July 12, 2021, to August 30, 2021, requesting community input on how these funds

should be allocated. Base on the community survey results, conversation regarding strategic priorities and needs of city operations the City Manager and his team has put forward the following recommendation for council review and direction.

Discussion/Comments by Governing Body:

Mayor Butler - has there been an update on the eviction moratorium?

City Attorney - the national moratorium was determined to be unconstitutional so that does not affect various counties, I will have to check with Clayton County. There are a number of local courts that has imposed their own local moratoriums. I will have to check with Clayton County to determine if they will follow suit with some of the other counties.

City Manager - if I am not mistaken the moratorium is scheduled to expire on October 3, 2021.

Mayor Butler - can we allocate some funding to residents should they be in a predicament?

City Attorney - Yes.

Mayor Butler - How about for tree removal services? I know this is touchy because we are talking about private property. Can we allow up to (X) amount of dollars as a grant?

City Attorney - that would be something for us to explore. Particularly, if it is a public safety hazard for the trees, but if it is purely private, we would run in to some issues with the gratuity clause, but we can explore.

Mayor Butler - what about homeowner incentives?

City Attorney - we can explore.

7. Resolution 2021-30 to Accept the City of Forest Park LCI Main Street Report – Planning, Building, and Zoning

Background/History:

The City of Forest Park was awarded a grant by the Atlanta Regional Commission (ARC) to update the Livable Centers Initiative (LCI) study for the Main Street Overlay District in Downtown Forest Park. The purpose of the study was to revisit the original LCI plan and keep it relevant to the current context, and economic conditions.

The city had a robust public engagement process that included city officials, numerous public meetings, workshops, and public hearings at the Planning Commission meeting to encourage stakeholders and citizen participation in the process for shaping the report.

PB&Z Director, James Shelby, provided an overview of the Resolution 2021-30 to Accept the City of Forest Park LCI Main Street Report.

Bob Begel, of Lord Aeck & Sargent provided Mayor and Council with a presentation.

There were no comments.

8. Approval of Resolution 2021-31 to Authorize Sale of Abandoned portion of JG Glover Court – Legislative

Background/History:

On August 2, 2021, the City Council authorized the abandonment of the northern portion of JG Glover Court which was not needed as a public road by the City of Forest Park. The City notified the abutting property owner of its right to acquire the abandoned portion of JG Glover court pursuant to authorization provided in O.C.G.A. § 32-7-4(a). The property owner has requested the purchase of the abandoned right-of-way. A resolution approving the sale is required by O.C.G.A. § 32-7-4(d).

This is the final step in the process.

There were no comments.

9. Ordinance to Repeal and Replace the City of Forest Park Chapter 8 Zoning and Chapter 3 Sign Ordinances – Planning, Building, and Zoning

Background/History:

The City of Forest Park is updating its zoning and sign ordinances, which will address changing conditions that have occurred within the City and re-align current and future community and economic development goals. Updates to the zoning ordinance will focus on creating a predictable use of adjacent properties, uniformity in lot development, prevention of adverse built conditions on adjacent properties, requirements of compatible land uses, and improved cityscape appearances. The Zoning Ordinance will also integrate new business uses, modernize district standards, incorporate design guidelines for the Main Street District, and address items such as building facades, landscaping, sidewalks, bike lanes, lighting, and signage.

The City held numerous public meetings, workshops, and public hearing at the Planning Commission meeting to encourage stakeholders and citizen participation to help shape the new Zoning Ordinance regulations, achieve a neighborhood-friendly design, and stimulate economic development while maintaining the character of the City.

There were no comments.

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

ADJOURNMENT:

It was motioned to adjourn the Council Work Session of September 7, 2021, at 7:03pm.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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



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DRAFT REGULAR MEETING MINUTES

The Honorable Mayor Angelyne Butler, MPA

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

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

CALL TO ORDER/WELCOME: The meeting was called to order by Mayor Butler at 7:03pm

INVOCATION/PLEDGE: Invocation and pledge was given by Pastor Fortson.

ROLL CALL - CITY CLERK: A quorum was established.

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

DIRECTORS PRESENT: Darquita Williams, Interim Finance Director; Shalonda Brown, HR Director, Bobby Jinks, Director Public Works, James Shelby, PB&Z Director, Nathaniel Clark, Police Chief, Major Sandra Johnson, Police Department and Latosha Clemons, Fire Chief

PRESENTATIONS:**1. Proclamation presented to Delta Sigma Theta Sorority – Clerk’s Office****Background/History:**

Thank you very much for agreeing to support the efforts of the East Point/College Park Alumnae Chapter of Delta Sigma Theta Sorority, Inc. as we celebrate Women's Equality Day on August 26, 2021.

On August 26, 1920, the 19th Amendment to the United States Constitution was certified and the right for women to vote was secured. In 1971, the U.S. Congress designated August 26th as Women’s Equality Day. Women’s Equality Day commemorates the passage of the 19th Amendment.

In the decades since that passage, the precious right to vote has bolstered generations of women and empowered them to stand up, speak out and steer the country they love in a more equal direction. This year of 2021 marks the 110th Anniversary of the women’s suffrage and the passing of the 19th Amendment. The East Point/College Park Alumnae Chapter, Delta Sigma Theta Sorority, Inc. will be honoring this event.

Mayor Butler presented the proclamation to the East Point/College Park Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

2. Ward 4 – Yard of the Quarter – Legislative, Councilmember Akins-Wells**Background/History:**

Councilmember Akins-Wells would like to present the residence of Ms. Tina Thomas as the Yard of the Quarter for Ward 4.

Councilmember Akins-Wells - I initiated the *Keep Ward 4 Beautiful* program in 2016 in hopes to neighbors would convince other neighbors to keep their yards clean and pretty and they would be rewarded. Ms. Tina Thomas keeps her home nice and beautifully landscape. There are a lot of people that likes to drive by including myself because we know Ms. Tina will be outside working in the yard. I would like to say thank you so much Ms. Tina for doing your part to keep Ward 4 beautiful. We will be doing something different; you will get a sign to place in your yard for 60 days and when the next yard is selected you will come to the city council meeting and present the sign to the next person.

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

There were two (2) speakers:

Dianne Lunsford – there are some things that I am concerned about, Haiti. My son has been to Haiti to help with recovery and stuff like that when they have natural disasters. There has been a lot of money sent to Haiti, but it does not get passed the government. I do not know how in the world they can get computers and iPhone (s) stuff like that when you have such a crooked government. I want us to spend our money wisely. The second is regarding a mission, vision, and value statement that was introduced. We have ethics from our city council that they do not listen to. There are rules and we have an ethics meeting that we can voice our opinions and concerns to, and they are no shows. So, what do we do in a case like that? Do we just throw out the complaint regarding the ethics? The third one, is the murals. I think murals are great. I wonder if you all will approve the murals or allow the public to have input before they are put up. I pray they will be in good taste. Diversity is fine, but I want it to be inclusive. It is not just one ethnic group lets have it all this is Forest Park; that is who we are. The last one, I am with *C.E.R.T. (Community Emergency*

Response Team). We work with the Fire and Police Departments. The *C.E.R.T.* team is in dire need of new transportation. We have a bus and Ford Explorer, and they are of no use anymore they are dilapidated. Pretty on the outside but they are no functional. Would you consider allowing us to have one of the Tahoe's; it would not cost anything, and it would look professional again.

Justin Cook and Bishop Fortson Forest Park Ministers Association – I am here to share a little about our organization. We have been servicing the community for 10 years under the leadership of Dr. Beeler and Pastor Paden. We are composed of churches, city governments/officials, residents, and business owners with the goal to unify and enhance the quality of life for residents in the city. On Saturday, September 11, 2021, at Starr Park located at 5031 Park Avenue Forest Park, GA. 30297 you are invited to join us for a “Day of Prayer” beginning at 12:00 noon. We will come together to pray for the city, government and the things going on around the world with the pandemic affecting different countries. We will be partnering with the fire department and emergency services to honor and remember the lives lost 20 years ago on September 11th. Some other upcoming events we have is the School Lunch Project we partner with the schools in the City of Forest Park weekly lunch bags giveaway to combat hunger. If you all are not aware there is a huge population of homeless kids that attend these schools. We also have an annual holiday gift baskets for the police/fire and first responders. We can always use volunteers and supplies to help us. We are still trying to lock down a date for our Annual Political Forum. Will give the residents an opportunity to send in questions for the candidates who are running and to allow the candidates to share their views and goals for the city. We host our meetings monthly every Wednesday. For more information, please email us at forestparkministersassociation@gmail.com.

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

It was motioned to approve the Regular Agenda of Sept. 7, 2021, as printed.

Motion made by Councilmember Mears, Seconded by Councilmember James.

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

APPROVAL OF MINUTES:

- 3. Council Approval of Council Work Session and Regular Meeting Minutes from August 16, 2021 - S. Diane White, City Clerk**

It was motioned to approve the Council Work Session and Regular Meeting Minutes of Aug. 16, 2021.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

OLD BUSINESS:

- 4. Approval of Sister Cities International - Itemized Request of Purchase - Legislative Department**

It was motioned to approve Option 3 of the Sister Cities requested purchases.

Councilmember James - I would like to get clarity on the specific countries that the items are actually going to.

Mayor Angelyne Butler - all of the items listed in option 3 are going to Haiti.

Councilmember Gutierrez - honestly at this point, that is the one that I would feel most comfortable with because we do not know anyone in the other countries. Are these paper letters or emails?

City Manager - if I am not mistaken, they are paper letters. I am not sure if we had an email contact for Donna, but I know we had an email address and basically there is no specific country, it's just where council directs me to do.

Councilmember Mears - I'm all for it, but I think we need some more study. We don't need to get

Councilmember Gutierrez- everyone here agrees that we want things here in the City of Forest Park but how would we be able to assist and support the meal program or some of the other things with the Ministers Association?

City Attorney - the Sister Cities was done as part of an initiative for the council joined. It is an international exchange program. The funds are authorized because we are doing things that the city has authority to do. As it relates to the Ministers Association or any other groups, we can partner with certain organization to support programs under our Charter, case by case. We cannot donate food, but we can support other types of programs.

Councilmember Mears - I just want to make sure. We have used equipment that we donated. We need to help someone to help deliver it. We need more people in the fight besides us.

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

NEW BUSINESS:

5. **Approval of IT Director** - Executive Offices

It was motioned to approve the confirmation of Josh Cox as the IT Director.

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

The mayor administered the Oath of Office to Mr. Cox.

6. **Approval of Mission, Vision and Values of Statement** - Executive Offices

It was motioned to approve the Mission, Vision and Values of Statement for the City of Forest Park.

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

7. **Approval of Title Change from Training Captain to Division Chief (Training)** - Fire Department

It was motioned to approve the Fire Department's title change from Training Captain to Division Chief.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

8. Approval of Public Art (Murals) - Executive Offices

It was approved to move forward with the Public Arts (Murals) for the city.

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

9. Approval of American Rescue Funds Allocation Recommendations and Survey Results - Executive Offices

It was motioned by Councilmember Wells and seconded by Councilmember Gutierrez to approve the American Rescue Fund Allocations recommendations. Councilmember Wells withdrew her motion.

Councilwoman James - I want to implement some of the suggestions that Madame Mayor made and have those items included.

It was motioned to amend the recommended allocation of the American Rescue Funds to include an additional \$400k for rental assistance for Forest Park residents facing eviction, and an additional \$200k for tree removal and home improvements program to bring back for further research.

Motion made by Councilmember James, Seconded by Councilmember Antoine.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears. The motion carried.

10. Approval of Resolution 2021-30 to Accept the City of Forest LCI Main Street Project - Planning, Building and Zoning

It was motioned to approve Resolution 2021-30 to accept the City of Forest Park LCI Main Street Project
Motion made by Councilmember James, Seconded by Councilmember Mears.

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

11. Approval of Resolution 2021-31 to Authorize Sale of Abandoned portion of JG Glover Court – Legislative

It was motioned to approve Resolution 2021-31 authorizing the sale of abandoned portion of JG Glover Court.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

12. Ordinance to Repeal and Replace the City of Forest Park Chapter 8 Zoning and Chapter 3 Sign Ordinances – Planning, Building, and Zoning

It was motioned to open the Public Hearing for Ordinance to Repeal and Replace the City of Forest Park Chapter 8 Zoning and Chapter 3 Sign Ordinances.

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

Speakers in favor: *there were no speakers*

Speakers in opposition: *there were no speakers*

It was motioned to close the Public Hearing for Ordinance to Repeal and Replace the City of Forest Park Chapter 8 Zoning and Chapter 3 Sign Ordinances.

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

It was motioned to approve the Ordinance to Repeal and Replace the City of Forest Park Chapter 8 Zoning and Chapter 3 Sign Ordinances

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

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

CLOSING COMMENTS BY GOVERNING BODY:

Councilmember James – thank you so much for coming out. Welcome aboard to our new I.T. Director. I want to say welcome to all of our new police officers. Thank you so much. I just want you all to take this Coronavirus really serious. We have some issues in the high school with some of our staff. Thank you all for coming out and we appreciate you. Reminded everyone that on Saturday, September 25, 2021, the City of Forest Park will be hosting the 23rd Annual Autumn Fun Run/Walk 5K event. If you would like to be on my team, please contact City of Forest Park Panther Strong to connect with me. We really want to come out and show up for the City of Forest Park 5K Autumn Fun/Run Walk 2021 event. There are flyers circulating about the Forest Park High School homecoming we want the City of Forest Park businesses and alumni to participate. We would like to make it a festive event. Thank you.

Councilmember Antoine – good evening to everyone. I see some new faces around, I want to welcome the new I.T. Director, thank you Chief for all of the new recruits. I also want to give a big shout out to mayor and Council for passing the ordinance; thank you for doing the right thing. I appreciate all the people that send me emails and text messages about what is going on in Haiti. It shows that you have a passion not just about you and know there are other people God has created. Thank you for that because you go unnoticed. Mayor you did a great job with the tree removal initiative. For those that do not know we have a bad problem with trees here. The rental assistance I hope that is something made easy for people to apply. Now, I have a place to send people when the call. Thank you to the City Manager, Dr. Marc-Antonie Cooper, and City Attorney, Mike Williams.

Councilmember Gutierrez -my condolences to the family of Firefighter/Paramedic John Clay Gaddy. This is a devastating blow to our family; if there is anything that we can do, please let us know. I had a clean-up this past Saturday, but no one showed up, I was by myself. This is a call to action to our people, it starts with us. At our social

events we have a lot of people there, I know that is more fun. but more people can cover more ground and pick up a lot of trash. The first Saturday of every month if you can make it out there it would be nice. Welcome to the new employees, welcome to our family. It is not perfect, but no family is perfect. Let us know how we can improve our city. If you have any ideas or incentives that you bring from other cities, we've been pooching everyone starting with IT and the new police officers. The Haiti initiative that Councilmember Mears asked about what we are doing with those vehicles-well we met with nonprofits Atlanta for Haiti and Voices United they will help us to raise money to get the vehicles over there. I spoke with the contact person in Haiti they are very excited. They are going through a lot dealing with the earthquake. Last Wednesday, I was recognized as one of the "50 Most Influential Latinos" in the state. I could not have done it without you. Most of my work was validated from my work here. It was humbling being around all of those people. It is nice to get a "good job". The city funded (2) initiatives Panthers in Action (*last year*) and our Senior Committee, but on September 24, 2021, we will kick off bingo night. We will bridge the gap between the people and elected officials where you can gather in a place and come up with ideas that will be impactful and positive. On September 10, 2021, a motivational speaker will come out to speak to our Panthers in Action. September 19th we will have our Falcons and Bucks tailgate. Come out and support the Falcons! This might be the year. Come out and have fun in the community. Councilmember Akins-Wells is out there feeding the crowds in the masses. It was nice food and building community with everyone. We are in the planning stage for a big city event for Hispanic Heritage Month that will be held on October 2nd. So please plan come out to get some good food and get your dance on. I really like the idea made by Ms. Langford about the art. I think we started an art committee. The more that people are involved the better it will be better it will be for everyone. Thank everyone for listening. If you need anything, let me know. Shot out to Chief Clark for helping host the event with the County Police Chief it was a great success. I saw some of the people at your event Coffee with the Chief; thank you for those initiatives. There was a time where my dog ran away, the police responded so fast, so thank you.

Councilmember Akins-Wells – thanked everyone for coming out. I wanted to remind you all to come out to the tailgate. I also wanted to remind everyone of Fun Fridays! Fun Friday will be held on September 17, 2021. I want to give Parks and Recreation Director, Mr. Tarik Maxwell a huge thank you! He has come in and done an amazing job with opening up our parks and making the community feel welcomed in their city. Thanks to the Public Works department for all that you do. Fire Chief Clemmons I have never seen the Fire Department show up like they have been showing up for these last events. I have been distributing cereal, so I decided to go to the Fire Department to give them cereal however no one came to the door. My husband told me that the Fire Department was at Food Truck Friday. So, thank you, Chief Clemmons, for having the fire department visual in the community. I hope everyone had a great holiday. No, I was not feeding everyone I had my grill out there and Councilmember Gutierrez made a comment "to go get some food from Councilmember Wells". Have a good night.

Councilmember Mears - I want to thank the police department they take a lot of heat; Mr. Clark takes a lot too. I have been in my home for 60 years and never had any problems. I had a situation a couple of weeks ago where there was an attempted break-in. I was in the kitchen looking out into the back and there was a gentleman standing in the backyard. I did not know whether to offer him in or get my gun. I called the police; I call Chief Clark and in (4) minutes there were (2) police officers at my house. Now, I can respond to that kind of service. The new programs that they are orchestrating with the green cards I got up the other night and the officers on midnight shift came by to place a card on my truck. The officer was stopping by to let him know that he was in the neighborhood. My wife said, "get up someone is getting your truck". The police officer was not getting in the truck, he was just leaving the card. You have to be careful. We have transit people coming in. Never let your guard down and lock your doors. I want to give Police Chief Clark and his group of "merry men" and thank you.

Mayor Butler – I want to thank everyone for coming out tonight. On Wednesday, October 13, 2021, will be the city's second "State of the City Address". The event will be held at Living Faith Tabernacle located at 5880 Old Dixie Hwy, Forest Park, GA 30297 beginning at 7:00 pm. I would love to see all of those that are here and all those under the sound of my voice present.

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

It was motioned to recess into Executive Session at 7:53pm.

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

For the Record: Councilmember Akins-Wells left the meeting at 8:50pm.

It was motioned to reconvene back into Regular Meeting at 9:12pm.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Mears
Absent: Councilmember Akins-Wells. The motion carried.

ADJOURNMENT:

It was motioned to adjourn the Regular Meeting of September 7, 2021, at 9:12pm.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Mears.
The motion carried.

File Attachments for Item:

5. Council Approval of Surplus City Equipment – Information Technology

Type	Serial Number	Reset	Department	DATE
Iphone SE	FFNCRH1NPLJM	YES	PBNZ	8/5/2021
Iphone 6	FFMW4F91GRYG	YES	PBNZ	8/13/2021
Iphone SE	FFWD2L8QPLJM	YES	City Hall	8/4/2021
Iphone 6	FK1V3BY1HFLR	YES	PBNZ	8/5/2021
Iphone SE	F18D6HYFPLJM	YES	City Hall	8/1/2021
Iphone 7	C7CY47JHHG6W	YES	PBNZ	8/4/2021
Iphone 7	C7CXN6K7HG6W	YES	Rec Center	8/4/2021
Iphone SE	F17D44WEPLJN	YES	City Hall	8/24/2021
Iphone 6	F17Q5RT1G5MC	YES	Rec Center	8/4/2021
Iphone 7	DX3XRMEQH6W	YES	IT	8/4/2021
Iphone 7	DX3CVNJYHG6W	YES	HR	7/30/2021
Iphone 7	DX3YK72CHG6W	YES	Rec Center	8/4/2021
Iphone 7	DX3CVZZCHG6W	YES	City Hall	8/13/2021
Iphone 7	DX3YLDPCHG6W	YES	PW	8/5/2021
Iphone 7	DX3RDRMHG6W	YES	NA	8/4/2021
Iphone 7	DX3Y15B9HG6W	YES	PW	8/5/2021
Iphone 7	DX3YD1Z7HG6W	YES	PBNZ	8/13/2021
Iphone 7	DX3Y15B9HG6W	YES	PW	7/30/2021
Iphone 7	DX3Y7EJLHG6W	YES	PW	7/30/2021
Iphone 7	DX4YHU32HG6W	YES	NA	8/4/2021
Iphone 7	DX3Y7FK4HG6W	YES	PW	8/5/2021
Iphone 7	F71Y4NQHHG6W	YES	PBNZ	8/3/2021
Iphone 7	F71Y4MVDHG6W	YES	Rec Center	8/4/2021
Iphone 7	F71Y4HW7HG6W	YES	PW	7/30/2021
Iphone 7	F71Y4GE5HG6W	YES	PW	7/30/2021
Iphone 7	F71Y46AAHG6W	YES	PW	7/30/2021
Iphone 7	F71Y40E6HG6W	YES	Rec Center	8/1/2021
Iphone 7	F71Y45LPHG6W	YES	PW	7/30/2021
Iphone 7	F71Y4G7ZHG6W	YES	Rec Center	8/11/2021
Iphone 7	F71Y4D3JHG6W	YES	PW	8/13/2021
Iphone 7	F71Y4ARMHG6W	YES	NA	8/4/2021
Iphone 7	F71Y4DPXHG6W	YES	HR	8/23/2021
Iphone 7	F71Y44P2HG6W	YES	City Hall	8/5/2021
Iphone 7	F71Y476GHG6W	YES	PW	8/4/2021
Iphone 7	F71Y476DHG6W	YES	PW	8/5/2021
Iphone 7	F71Y42P7HG6W	YES	PW	8/13/2021
Iphone 7	F71Y4MWWKHG6W	YES	Rec Center	8/1/2021
Iphone 7	F71Y4BX3HG6W	YES	NA	8/4/2021

File Attachments for Item:

6. Adoption of Ordinance 2021-12 Amending Ethics Code to Create Ethics Officer – Legislative

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF FOREST PARK, GEORGIA TO REVISE THE CODE OF ETHICS FOR OFFICIALS; TO PROVIDE FOR ~~A COMPLAINT AND HEARING PROCESS WITH RESPECT TO ALLEGED VIOLATIONS OF THE CODE~~THE ESTABLISHMENT OF AN ETHICS OFFICER; TO PROVIDE FOR DISCIPLINE; AND FOR OTHER PURPOSES.

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

Section 1. The Code of Ordinances, City of Forest Park, Georgia is hereby amended by ~~the addition of deleting Chapter 6 to Title 2 of the Code and replacing it with~~ a new Chapter 6 to Title 2 ~~of the Code~~ as shown on Exhibit A.

Section 2. ~~Article E of Chapter 1 to Title 2 of~~All pending ethics complaints before the Code ~~is hereby repealed~~City shall be referred to the newly created Ethics Officer.

Section 3. In the event any word, phrase, sentence or paragraph is determined by a court of competent jurisdiction to be unconstitutional, the offending provisions shall be severed from the ordinance and the remaining words, phrases, sentences and paragraphs shall continue in effect as fully as though no challenge had been brought, it being the intent of the Council that severability be applied to the maximum extent allowed by law.

Section 4. All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. This ordinance shall be effective immediately upon its adoption.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, ~~2020~~2021.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

Chapter 6 Code of Ethics

Sec. 2-6-1 Purpose and intent.

(a) It is the policy of the City of Forest Park that the proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all city officials is adopted.

(b) This Chapter has the following purposes:

- (1) To encourage high ethical standards in official conduct by city officials;
- (2) To establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interest of the City;
- (3) To require disclosure by such officials of private financial or other interests in matters coming before the City; and
- (4) To serve as a basis for disciplining those who refuse to abide by its terms.

(c) It is the intent of this Chapter that City officials shall avoid any action, whether or not specifically prohibited by section 2-2-5 of this Chapter, which might result in, or create the appearance of the following:

- (1) Using public office for private gain;
- (2) Impeding government efficiency or economy; or
- (3) Affecting adversely the confidence of the public in the integrity of the government.

Sec. 2-6-2 Political campaigns not covered.

The provisions of this Chapter shall not apply to political contributions; loans, expenditures, reports or regulation of political campaigns; or the conduct of candidates in such campaigns.

Sec. 2-6-3 Scope of persons covered.

The provisions of this Chapter shall be applicable to the Mayor and all Members of the City Council, as well as to all members of the Forest Park Planning and Zoning Board,

Forest Park Downtown Development Authority, the Forest Park Urban Redevelopment Agency, Forest Park HousingDevelopment Authority, and to members appointed to anyall other boards, authorities, commissions, or agencies of the City.

Sec. 2-6-4 Definitions.

As used in this Chapter, the following terms shall have the following meanings:

- (1) *City Official* or *Official*, unless otherwise expressly defined, means the Mayor and all Members of the City Council, as well as to all members of the Forest Park Planning and Zoning Board, Forest Park Downtown Development Authority, the Forest Park Urban Redevelopment Agency, Forest Park Housing Authority, and to members appointed to any boards, commissions or authorities of the City.
- (2) *Decision* means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the Mayor and Council or other City board, authority, commission or agency, as well as the discussions or deliberations of the Council, board, authority, commission or agency which can or may lead to a vote or formal action by that body.
- (3) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son, daughter, grandchild of any city official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.
- (4) *Remote interest* means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, City utility charges or a comprehensive zoning ordinance or similar matter is deemed remote to the extent that the Official would be affected in common with the general public.
- (5) *Financial interest* means any an interest, either directly or through a member of the immediate family, in another person or entity, where:
 - a. The interest is ownership of five percent (5%) or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or
 - b. The funds received by the person from the other person or entity during the previous 12 months either equal or exceed (i) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or (ii) ten percent (10%) of the recipient's gross income during that period, whichever is less;

- c. The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the City Council; or
 - d. The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.
- (6) *Thing of value* means any item, consideration, or benefit other than those exempted under O.C.G.A., § 16-10-2(a)(2). Thing of value shall not include the following:
- a. Food or beverage consumed at a single meal or event;
 - b. Legitimate salary, benefits, fees, commissions, or expenses associated with a recipient's non-public business, employment, trade, or profession;
 - c. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service;
 - d. Food, beverages, and registration at group events to which all members of the Council, board, authority, commission or agency is invited;
 - e. Actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation or speaking at the meeting;
 - f. A commercially reasonable loan made in the ordinary course of business;
 - g. Any gift with a value less than \$100.00;
 - h. Promotional items generally distributed to the general public or to City Officials;
 - i. A gift from a member of the City Official's immediate family; or
 - j. Food, beverage, or expenses afforded City Officials, members of their immediate families, or others that are associated with normal and customary business or social functions or activities.

Sec. 2-6-5 Prohibited conduct.

(a) No City Official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the City.

(b) No City Official, in any matter before the Council or other City body, relating to a person or entity in which the Official has a Substantial Interest or from whom the Official has received a Thing of Value, shall fail to disclose for the record such Interest or receipt of such Thing of Value prior to any discussion or vote or fail to recuse himself or herself from such discussion or vote, as applicable.

(c) No City Official shall act as an agent or attorney for another in any matter before the City Council or other City body.

(d) No City Official shall directly or indirectly receive, or agree to receive, any Thing of Value in any matter or proceeding connected with, or related to, the duties of his office except as may be provided or exempted by law.

(e) No City Official shall enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law. Any Official who has a proprietary interest in an agency doing business with the City shall make that interest known in writing to the City Council and the City Clerk.

(f) All public funds shall be used for the general welfare of the people and not for personal economic gain.

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(g) Public property shall be disposed of in accordance with state law.

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(h) No City Official shall solicit or accept other employment to be performed, or compensation to be received, while still a City Official if the employment or compensation could reasonably be expected to impair such Official's judgment or performance of City duties.

(i) If a City Official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the Official shall disclose the fact to the City Council and shall recuse himself or herself and take no further action on matters regarding the potential future employer.

(j) No City Official shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(k) No City Official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

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

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(m) A City Official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.

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(n) A City Official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the Official's immediate family, or those with whom the Official has business or financial ties amounting to a Substantial Interest.

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(o) A City Official shall not order any goods and services for the City without prior official authorization for such an expenditure. No City Official shall attempt to obligate the City nor give the impression of obligating the City without proper prior authorization.

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(p) No City official shall draw travel funds or per diem from the City for attendance at meetings, seminars, training or other education events and fail to attend such events without promptly reimbursing the City therefor.

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(q) No City Official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Forest Park.

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(r) No City Official shall use the attorney or attorneys who are employed by or appointed by the City for personal or private business without paying just compensation therefor.

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(s) No City Official shall use his superior position to request or require an employee of the City to:

- (1) Do clerical or other work on behalf of his or her family, business, social, church, or charitable or fraternal interests;
- (2) Purchase goods and services to be used for personal, business, or political purposes; or
- (3) Work for him or her personally without offering just compensation.

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(t) No City Official shall grant or make available to any person or entity any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large. No City Official shall ask or require any City employee to grant or make available to any person or entity any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large, or to exercise any discretionary authority except in accordance with established law.

(u) No City Official may participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a substantial interest.

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(v) No City Official who serves as a corporate officer or member of the board of directors of a nonprofit entity shall fail to disclose that interest to the Mayor and Council prior to participating in a vote or decision regarding funding of that entity by or through the City.

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(w) No City Official shall violate any provision of the City Charter or ordinances of the City.

(x) No City Official shall fail to conduct themselves with courtesy and respect, and the utmost civility and decorum, both in public and private settings.

Sec. 2-6-6 Remote interests need not be disclosed.

Where the interest of a City Official in the subject matter of a vote or decision is remote or incidental, the City Official may participate in the vote or decision and need not disclose the interest.

Sec. 2-6-7 Board of Ethics Officer.

(1) The Board There is hereby created the position of Ethics Officer for the City of Forest Park. The Ethics Officer may be an individual or a law firm. The Ethics Officer or the primary law firm representative must be an active member of the City shall consist Georgia Bar Association in good standing with five (5) years' experience in the practice of three (3) residents of the City, one appointed by the Mayor, one law.

(2) The Ethics Officer shall be appointed by the City Council Members and a third appointed by the Mayor and approved a period not to exceed four (4) years.

(3) The Ethics Officer shall not be involved in partisan or nonpartisan political activities or the political affairs of the City of Forest Park or Clayton County.

(a)(4) The Ethics Officer may be suspended or discharged only for cause by a majority vote of the City Council. The members of the Board of Ethics shall designate one of their members as Chairperson and another member as Recording Secretary For these purposes, "cause" shall include the failure to perform the position of Ethics Officer, any violation of the City Charter or Ordinances, or having been charged with any crime of moral turpitude.

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(b) All members of the Board of Ethics shall be residents of the City for at least one (1) year immediately preceding the date of taking office and shall remain a City resident while serving on the Board. No person shall serve on the Board of Ethics

~~who has been convicted of a felony involving moral turpitude in this state or any other state, unless such person's civil rights have been restored and at least ten years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude. No person shall serve on the Board of Ethics who is less than 21 years of age, who holds a public elective office, who is physically or mentally unable to discharge the duties of a member of the Board of Ethics, or who is not qualified to be a registered voter in the City. No person shall be eligible for membership on the Board of Ethics who, within the preceding one year period, has had any interest in any contract or contracting opportunity with the City or has been employed by the City.~~

- ~~(c) Upon appointment, members of the Board of Ethics shall sign an affidavit attesting to their qualifications to serve as a member of the Board.~~
- ~~(d) Members of the Board of Ethics with any permit or rezoning application pending before the City, or any pending or potential litigation against the City or any City Official charged in the complaint shall be disqualified from serving on the Board of Ethics for that complaint. An alternative member of the Board of Ethics shall be selected in the same manner as the disqualified individual for that particular complaint.~~
- ~~(e) All members of the Board of Ethics shall serve a term of two (2) years.~~
- ~~(f) Members of the Board of Ethics shall serve without compensation. The City shall provide meeting space for the Board of Ethics and, subject to budgetary procedures and requirements of the City, such supplies, equipment and staff assistance as may be reasonably necessary for the Board to perform its duties and responsibilities.~~
- ~~(g) Members of the Board of Ethics may be removed by affirmative vote of the City governing authority.~~

Sec. 2-6-8 RECEIPT OF COMPLAINTS

- (a) All complaints against city officials shall be filed with the city clerk, who will give it to the Mayor and Council. The Mayor and Council may require that oral complaints, and complaints illegibly or informally drawn, be reduced to a memorandum of complaint in such form as may be prescribed by the city council. Upon receipt of a complaint in proper form, the city clerk or the clerk's designee shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery.
- (b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this ordinance.

- (c) Upon receipt of a complaint in proper form, the ~~Board~~Ethics Officer shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The ~~Board of~~ Ethics Officer is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the ~~Board of~~Ethics Officer shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official. For complaints that are not dismissed, the ~~Board of~~ Ethics Officer is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint.
- (d) The ~~Board of~~ Ethics Officer is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint.
- (e) The ~~Board of~~ Ethics Officer is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the city council has not prescribed such forms.
- (f) Findings of the ~~Board of~~ Ethics Officer shall be submitted to the City Council for action.
- (g) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a city official, whether currently serving as a city official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

Sec. 2-6-9 Hearing

A hearing shall be held within sixty (60) calendar days after filing of the complaint. The ~~Board of~~ Ethics Officer shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the taking of testimony and the cross-examination of available witnesses. The decision of the ~~Board of~~ Ethics Officer shall be rendered to Mayor and Council within seven calendar days after completion of the final hearing. At any hearing held by the ~~Board of~~ Ethics Officer, the city official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The city official subject to the inquiry shall have also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any

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way affect the power or jurisdiction of the ~~Board of Ethics~~ Officer or the city council to act upon any complaint.

Sec. 2-6-10 Appeals.

Any final decision by the Mayor and Council shall be reviewable by the Superior Court of Clayton County by writ of certiorari; provided that no failure or refusal of the Ethics ~~Board~~Officer or the Mayor and Council to take action pursuant to this Chapter shall be reviewable by superior court.

Sec. 2-6-11 Bar against subsequent complaint.

Where a complainant files a complaint for which the Ethics ~~Board~~Officer fails to make a “finding of violation” or for which the Mayor and Council fails to determine that any penalty is appropriate, the complainant shall be barred from filing any subsequent complaint against the same respondent Official for a period of 12 months after termination of the original complaint proceeding. Where a complainant files a complaint for which the Ethics ~~Board~~Officer fails to make a “finding of violation” or for which the Mayor and Council fail to determine that any penalty is appropriate, the complainant shall be barred from filing any subsequent complaint against the same respondent City Official alleging substantially the same facts and circumstances as the basis for the subsequent complaint.

Sec. 2-6-12 Penalty

Any person violating any provision of this article is subject to:

- (a) Public reprimand or censure by the city council;
- (b) Request for resignation by the city council; or
- (c) Removal from elected office pursuant to the procedure established by Section 5.16 of the City Charter.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF FOREST PARK, GEORGIA TO REVISE THE CODE OF ETHICS FOR OFFICIALS; TO PROVIDE FOR THE ESTABLISHMENT OF AN ETHICS OFFICER; TO PROVIDE FOR DISCIPLINE; AND FOR OTHER PURPOSES.

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

Section 1. The Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting Chapter 6 to Title 2 of the Code and replacing it with a new Chapter 6 to Title 2 as shown on Exhibit A.

Section 2. All pending ethics complaints before the City shall be referred to the newly created Ethics Officer.

Section 3. In the event any word, phrase, sentence or paragraph is determined by a court of competent jurisdiction to be unconstitutional, the offending provisions shall be severed from the ordinance and the remaining words, phrases, sentences and paragraphs shall continue in effect as fully as though no challenge had been brought, it being the intent of the Council that severability be applied to the maximum extent allowed by law.

Section 4. All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. This ordinance shall be effective immediately upon its adoption.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, 2021.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

Chapter 6 Code of Ethics

Sec. 2-6-1 Purpose and intent.

(a) It is the policy of the City of Forest Park that the proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all city officials is adopted.

(b) This Chapter has the following purposes:

- (1) To encourage high ethical standards in official conduct by city officials;
- (2) To establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interest of the City;
- (3) To require disclosure by such officials of private financial or other interests in matters coming before the City; and
- (4) To serve as a basis for disciplining those who refuse to abide by its terms.

(c) It is the intent of this Chapter that City officials shall avoid any action, whether or not specifically prohibited by section 2-2-5 of this Chapter, which might result in, or create the appearance of the following:

- (1) Using public office for private gain;
- (2) Impeding government efficiency or economy; or
- (3) Affecting adversely the confidence of the public in the integrity of the government.

Sec. 2-6-2 Political campaigns not covered.

The provisions of this Chapter shall not apply to political contributions; loans, expenditures, reports or regulation of political campaigns; or the conduct of candidates in such campaigns.

Sec. 2-6-3 Scope of persons covered.

The provisions of this Chapter shall be applicable to the Mayor and all Members of the City Council, as well as to all members of the Forest Park Planning and Zoning Board, Forest Park Downtown Development Authority, the Forest Park Urban Redevelopment Agency, Forest Park Development Authority, and to members appointed to all other boards, authorities, commissions, or agencies of the City.

Sec. 2-6-4 Definitions.

As used in this Chapter, the following terms shall have the following meanings:

- (1) *City Official* or *Official*, unless otherwise expressly defined, means the Mayor and all Members of the City Council, as well as to all members of the Forest Park Planning and Zoning Board, Forest Park Downtown Development Authority, the Forest Park Urban Redevelopment Agency, Forest Park Housing Authority, and to members appointed to any boards, commissions or authorities of the City.
- (2) *Decision* means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the Mayor and Council or other City board, authority, commission or agency, as well as the discussions or deliberations of the Council, board, authority, commission or agency which can or may lead to a vote or formal action by that body.
- (3) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son, daughter, grandchild of any city official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.
- (4) *Remote interest* means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, City utility charges or a comprehensive zoning ordinance or similar matter is deemed remote to the extent that the Official would be affected in common with the general public.
- (5) *Financial interest* means any an interest, either directly or through a member of the immediate family, in another person or entity, where:
 - a. The interest is ownership of five percent (5%) or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or
 - b. The funds received by the person from the other person or entity during the previous 12 months either equal or exceed (i) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in

payment for goods, products or services, or (ii) ten percent (10%) of the recipient's gross income during that period, whichever is less;

- c. The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the City Council; or
- d. The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

(6) *Thing of value* means any item, consideration, or benefit other than those exempted under O.C.G.A., § 16-10-2(a)(2). Thing of value shall not include the following:

- a. Food or beverage consumed at a single meal or event;
- b. Legitimate salary, benefits, fees, commissions, or expenses associated with a recipient's non-public business, employment, trade, or profession;
- c. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service;
- d. Food, beverages, and registration at group events to which all members of the Council, board, authority, commission or agency is invited;
- e. Actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation or speaking at the meeting;
- f. A commercially reasonable loan made in the ordinary course of business;
- g. Any gift with a value less than \$100.00;
- h. Promotional items generally distributed to the general public or to City Officials;
- i. A gift from a member of the City Official's immediate family; or
- j. Food, beverage, or expenses afforded City Officials, members of their immediate families, or others that are associated with normal and customary business or social functions or activities.

Sec. 2-6-5 Prohibited conduct.

(a) No City Official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the City.

(b) No City Official, in any matter before the Council or other City body, relating to a person or entity in which the Official has a Substantial Interest or from whom the Official has received a Thing of Value, shall fail to disclose for the record such Interest or receipt of such Thing of Value prior to any discussion or vote or fail to recuse himself or herself from such discussion or vote, as applicable.

(c) No City Official shall act as an agent or attorney for another in any matter before the City Council or other City body.

(d) No City Official shall directly or indirectly receive, or agree to receive, any Thing of Value in any matter or proceeding connected with, or related to, the duties of his office except as may be provided or exempted by law.

(e) No City Official shall enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law. Any Official who has a proprietary interest in an agency doing business with the City shall make that interest known in writing to the City Council and the City Clerk.

(f) All public funds shall be used for the general welfare of the people and not for personal economic gain.

(g) Public property shall be disposed of in accordance with state law.

(h) No City Official shall solicit or accept other employment to be performed, or compensation to be received, while still a City Official if the employment or compensation could reasonably be expected to impair such Official's judgment or performance of City duties.

(i) If a City Official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the Official shall disclose the fact to the City Council and shall recuse himself or herself and take no further action on matters regarding the potential future employer.

(j) No City Official shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(k) No City Official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

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

(m) A City Official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.

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- (2) The Ethics Officer shall be appointed by the City Council a period not to exceed four (4) years.
- (3) The Ethics Officer shall not be involved in partisan or nonpartisan political activities or the political affairs of the City of Forest Park or Clayton County.
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Sec. 2-6-8 RECEIPT OF COMPLAINTS

- (a) All complaints against city officials shall be filed with the city clerk, who will give it to the Mayor and Council. The Mayor and Council may require that oral

complaints, and complaints illegibly or informally drawn, be reduced to a memorandum of complaint in such form as may be prescribed by the city council. Upon receipt of a complaint in proper form, the city clerk or the clerk's designee shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery.

- (b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this ordinance.
- (c) Upon receipt of a complaint in proper form, the Ethics Officer shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The Ethics Officer is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Ethics Officer shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official. For complaints that are not dismissed, the Ethics Officer is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint.
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- (g) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a city official, whether currently serving as a city official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

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Sec. 2-6-10 Appeals.

Any final decision by the Mayor and Council shall be reviewable by the Superior Court of Clayton County by writ of certiorari; provided that no failure or refusal of the Ethics Officer or the Mayor and Council to take action pursuant to this Chapter shall be reviewable by superior court.

Sec. 2-6-11 Bar against subsequent complaint.

Where a complainant files a complaint for which the Ethics Officer fails to make a “finding of violation” or for which the Mayor and Council fails to determine that any penalty is appropriate, the complainant shall be barred from filing any subsequent complaint against the same respondent Official for a period of 12 months after termination of the original complaint proceeding. Where a complainant files a complaint for which the Ethics Officer fails to make a “finding of violation” or for which the Mayor and Council fail to determine that any penalty is appropriate, the complainant shall be barred from filing any subsequent complaint against the same respondent City Official alleging substantially the same facts and circumstances as the basis for the subsequent complaint.

Sec. 2-6-12 Penalty

Any person violating any provision of this article is subject to:

- (a) Public reprimand or censure by the city council;
- (b) Request for resignation by the city council; or
- (c) Removal from elected office pursuant to the procedure established by Section 5.16 of the City Charter.