



## CITY COUNCIL REGULAR SESSION

Monday, December 05, 2022 at 7:00 PM  
Council Chambers and YouTube Livestream

### MISSION STATEMENT

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

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

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

The Honorable Mayor Angelyne Butler, MPA

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

The Honorable Dabouze Antoine  
The Honorable Latresa Akins-Wells

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

## AGENDA

### VIRTUAL MEETING 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:**

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

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

**APPROVAL OF MINUTES:**

- 1. Council Approval of Council Work Session and Regular Meeting Minutes from November 21, 2022**  
- City Clerk

**OLD BUSINESS:**

- 2. Council Approval of actions regarding guidelines for Usage of Discretionary Ward Funds and Capital Outlay – Chief Executive Office.**
- 3. Council Approval of Changes to IGA between City and URA - Legal**

**NEW BUSINESS:**

- 4. Council Approval on Heritage Park Veterans Museum requesting donation of two military vehicles to restore for museum display – Economic Development and Police Department**
- 5. Council Approval of City Directory Brochures – Executive Office**
- 6. Council Approval of Building Repair Appropriation (Public Works) –Public Works/IT Departments**

**CLOSING COMMENTS BY GOVERNING BODY:**

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

**ADJOURNMENT:**

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

**File Attachments for Item:**

- 1. Council Approval of Council Work Session and Regular Meeting Minutes from November 21, 2022 - City Clerk**



# CITY COUNCIL WORK SESSION

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

## MISSION STATEMENT

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

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**FOREST PARK CITY HALL**  
 745 Forest Parkway  
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The Honorable Mayor Angelyne Butler, MPA  
 The Honorable Kimberly James  
 The Honorable Hector Gutierrez  
 The Honorable Allan Mears  
 The Honorable Dabouze Antoine  
 The Honorable Latresa Akins-Wells  
 Dr. Marc-Antonie Cooper, City Manager  
 S. Diane White, City Clerk  
 Mike Williams, City Attorney

## MINUTES

**CALL TO ORDER/WELCOME:** The meeting was called to order at 6:00pm by Mayor Butler and she read the Mission Statement.

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

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

Javon Lloyd, Public Information Officer, Joshua Cox, IT Director, Chiquita Barkley, Finance Director, Jeremi Patterson, Deputy Finance Director, LaShawn Gardiner, Director Planning & Community Development, Shalonda Brown, HR Director, Fire Chief Latosha Clemons, Bobby Jinks, Director Public Works, Police Chief, Nathaniel Clark, and Arthur Geeter, Purchasing Manager

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

**COMMUNITY INFORMATION/REMINDERS:**

- **RUNOFF EARLY VOTING – Starts Sunday, November 27 – Friday, December 2 – GENERAL RUNOFF ELECTION DAY IS DECEMBER 6, 2022.** In Clayton County Early and Advance voting schedule is Sunday, November 27 – 12pm – 5PM, and Monday, November 28 thru Friday, December 2, 2022, for 8am – 7pm. For more information or to find an advance voting location visit the Clayton County Board of Elections at [www.claytonelections.com](http://www.claytonelections.com).
- Saturday, December 3<sup>rd</sup> – City of Forest Park's Annual Holiday Parade and Celebration – parade starts 6:00pm – 8:00pm. Parade begins at 6:00pm at the old Bank of America drive-thru and concludes at the Starr Park Amphitheater. The following road closures are expected in advance of the festivities –
  - Intersection of Main Street and Phillips Drive
  - Intersection of Main Street and Ash St (Main Street Fountain)
  - Intersection of Lake Drive and Forest Parkway
- Saturday, December 10, 2022 @ 11:00 am - 2:00 pm at the City of Forest Park Senior Center, 5087 Park Ave – Breakfast with Santa/Trots-for-tots.
- Saturday, December 17, 2022, from 12:00 pm – 4:00pm Recreation and Leisure will host a Holiday Give Back at City of Forest Park Recreation Center.
- The City of Forest Park will be closed in observance of the Thanksgiving Holiday Thursday, November 24 and Friday, November 25, 2022, reopening at 8:00am, Monday, November 28, 2022.

**CITY OPERATIONS:**

- We are continuing to work with Waste Management on several operational issues, as well as negotiate a new contract to bring forth to City Council for approval. We had a meeting with their new District Manager Mr. Travis Blank and am confident we will improve this matter and close on a contract soon.
- MARTA Board Voted to advance plan for Rapid Bus lines in Clayton County. The City of Forest Park City Council, along with the councils for Jonesboro, Lovejoy, Riverdale, and Lake City, and the Clayton County Chamber voted in support of updating the Locally Preferred Alternative (LPA) for State Route 54 in Clayton County from commuter rail to bus rapid transit (BRT). Forest Park will be on of 17 proposed stops and connect East Point Rail station to Mountain View, Forest Park, Clayton State as well as other locations in Clayton County.

**EMPLOYEE SPOTLIGHT/SHOUT OUT:**

- I would like to thank all City of Forest Park staff and let them know we truly appreciate their understanding and patience, as well as their willingness to embrace the changes we are going through. With the implementation of our new payroll processing solution, as well as correcting several past issues we know that there has been and will be glitches in the process implementation. However, staff has worked with us

and been patient in allowing the corrections to be made and updated. Please know that as we are working through these issues and doing all we can to minimize any negative impacts to staff or operations. We will continue to communicate with staff on our progress.

## NEW BUSINESS:

1. **Council Discussion on a Resolution & Agreement with the Atlanta Regional Commission to Update City's Comprehensive Plan – Planning & Community Development Department**

### Background/History:

To request assistance from the Atlanta Regional Commission to update the Comprehensive Plan by October 31, 2023.

**City Manager** –We are looking for them to engage with us to assist this year to have it updated by October 31, 2023.

### Comments from Governing Body:

There were no comments

2. **Discussion to Execute a Non-Residential Gas Extension Contract with Atlanta Gas Light Company for the new Public Safety Building at Gillem - Department of Planning and Community Development**

### Background/History:

Background/History: Atlanta Gas Light Company will construct, own, operate and maintain a service line of suitable capacity from its main gas line to the new Public Safety Building at Gillem. The signed contract will allow Atlanta Gas Light Company to prepare for construction and move forward with ordering materials and installation.

### Comments from Governing Body:

**Councilmember Antoine** – Will there be any noise during the construction around the neighborhoods.

**James Shelby** – It is an Industrial Park; I do not know if it is going to disturb the warehouses or not. I think the answer is probably no.

**Councilmember Gutierrez** – It is a valid question because I had one of the residents hit me up and say they are building something over there. I do not know what they are building but I will call her back and see where it is that it is happening. So, the noise disturbance is mainly on the industrial side and the residents will not hear anything on their side?

**James Shelby** – The fire station is located on the interior of the industrial park so; I cannot see how it is disturbing the neighbors unless it is other warehouses being built by other companies. Our fire station is across the street from the Amazon and should not be causing any noise issues at all. If you have not had the chance to go out there you should because the building is spectacular and blends in with the existing buildings that are out there already. We are on target to be completed by April or May.

**Councilmember Akins-Wells** – I would like to see something set up for the residents. Maybe we can charter something, like we did before with the Kroger warehouse, to give them insight into what is going on and what is new out there. I think that is something to put together for the residents as well as the council members since they have not been over to Fort Gillem.

**James Shelby** – I will get with Dr. Cooper and see what we can come up with.

**Mayor Butler** – I think Bruce is working on something as well.

**City Manager** – Also, council woman this will be added into the monthly city manager's report, from Mr. Shelby.

### 3. **Council Discussion on Upgrading the Chamber AV System** – IT Department

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

Over the course of the past few months, we have experienced unexpected issues with the AV equipment in the council chambers. Most of the equipment is relatively new as it was upgraded a couple of years ago. Upon investigation of the AV issues we have experienced, it seems the most recent upgrade was completed with some limitations due to budget constraints at the time. This is impacting the quality and performance of the system today. I am asking for additional funds be added to the budget to complete the upgrades and updates needed to resolve the AV issues.

#### **Comments from Governing Body:**

**Councilmember James** – The items that were upgraded before were not under warranty or did we not get it completely done, I do not understand?

**Joshua Cox** – This was before my time, but my understanding after reaching out to the company is previously, they did a couple of different options for the upgrade and the one that was selected was adding in on top of what we already had instead of starting from scratch. A lot of the issues we are seeing today is, because they are tied into old cabling. We can basically go back and undo the short cuts that were taken before and redo it the right way.

**City Manager** – This is something that we can take over to the new facility once we start building that as well.

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

It was moved to recess into Executive Session at 6:10pm for Personnel, Litigation or Real Estate.

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

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

It was moved to reconvene back into Council Work Session at 6:24pm

Motion made by Councilmember James, Seconded by Councilmember Mears.

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

**ADJOURNMENT:**

It was moved to adjourn the Council Work Session Meeting at 6:24pm

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

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

DRAFT





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The Honorable Allan Mears

The Honorable Dabouze Antoine  
The Honorable Latresa Akins-Wells

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

### DRAFT MINUTES

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

**INVOCATION/PLEDGE:** The invocation and pledge were led by Minister Cook

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

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

Javon Lloyd, Public Information Officer, Joshua Cox, IT Director, Chiquita Barkley, Finance Director, Jeremi Patterson, Deputy Finance Director, LaShawn Gardiner, Director Planning & Community Development, Shalonda

Brown, HR Director, Fire Chief Latosha Clemons, Bobby Jinks, Director Public Works, Police Chief, Nathaniel Clark, and Arthur Geeter, Purchasing Manager

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

There were two (2) speakers:

**Ian Mendleson** – Work for a company that owns rental properties in Forest Park. He commended the mayor and councilmembers for trying to improve the safety issues that some renters face here in Forest Park. Personally, he does not feel the recently passed ordinance is the right answer. There is already existing mechanism to resolve safety for the renters, which is to report the existing landlords to code enforcement. The reporting process can be improved or streamlined to be more user-friendly to resolve these issues. Any cost associated with this new ordinance falls on the landlord and will make its way to the renters by rent increases, us making the housing less affordable to the renters of Forest Park.

As per OCGA-14-13-53, the site of real property that is rented or leased to another does not constitute a location or office for the real property owner, lessor, or the agent of the owner lessor. The entire purpose of this section is to define what does or does not constitute a location or office for the very purpose of being subject to the occupational tax. Since property owners do not meet this definition, they are not required to fill out and send in an occupational tax form or pay the occupational tax itself.

The Forest Park ordinance also requires each property to be inspected by the owner and the information be sent to the city. As Forest Park knows from the Cobb County Court decision from 2005 it is unable to require a city inspector to inspect rental property without probable cause. Therefore, the legality of requiring private citizens to perform actions that the city itself is unable to perform is also legally tenuous.

However, as for OCGA- 36-74-30B in no event may a local government require a registration of a residential rental property. I am part of a landlord and property management group that collectively owns or manages over 100 properties here in Forest Park. This group opposes this ordinance and would like to work with Forest Park to produce a better solution that complies with state law then fight this ordinance in court. Collectively this group has the significant resources to fund such a fight but would rather see this ordinance proactively repealed and improvements be made to the current system.

**LaWanda Folami** – This comes from the concerned citizens of Forest Park, which was established by the Honorable Ms. Valencia Stovall. Some of the citizens have concerns that they brought to my attention come that are afraid to speak out in fear of no longer having a job or having to walk on eggshells. They are coming to me on their behalf because around November 4 payroll was late coming in and they received insufficient funds to their account. No one from the city has gotten with them to accommodate them with those matters.

Another concern of the citizens is that they do not want any more chicken houses, liquor stores, any downgrade grocery stores or anything such as a Burger King or gas station. It is not right that a subordinate feels that another member of staff does not have an open-door policy. When did we start placing tint on windows with blinds, when did we start having the leaders not wanting subordinates or the public to not come in to speak with them? How dare you on the taxpayer's money.

Lastly, I would like to give my condolences to the speaker of the house. Mr. David, your presence on this earth with be missed but never forgotten. Through the years I have been in Forest Park, I have learned one thing; some people look down and some people feel down, but most of the people just become low-down. At the end of that there was an old quote I heard the journey” Pimping not easy, but somebody got to do it.” We the citizens are here, and I tell them I cannot believe in you until you believe in yourself, but I do not put up with foolishness.

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

It was moved to adopt the Council Regular Meeting agenda as printed.

Motion made by Councilmember Mears and seconded by Councilmember Antoine

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

**APPROVAL OF MINUTES:**

1. **Council Approval of Council Work Session and Regular Meeting Minutes from November 7, 2022 -**  
City Clerk

It was moved to approve the Council Work Session and Regular meeting minutes on November 7, 2022

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

**NEW BUSINESS:**

2. **Council Approval of a Resolution & Agreement with the Atlanta Regional Commission to Update City's Comprehensive Plan –** Planning & Community Development Department

It was moved to approve the Resolution and Agreement with ARC to update the City's Comprehensive Plan

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

3. **Council approval to Execute a Non-Residential Gas Extension Contract with Atlanta Gas Light Company for the new Public Safety Building at Gillem -** Department of Planning and Community Development

It was approved to execute a Non-Residential Gas extension Contract with AGL for the new Public Safety Building at Gillem

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

4. **Council Approval of Upgrading the Chamber AV System –** IT Department

It was moved to upgrade the AV system in the Council Chambers

Motion made by Councilmember Antoine, Seconded by Councilmember James.

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

### CLOSING COMMENTS BY GOVERNING BODY:

**Councilmember James** – I have lived here for 30 years, and I can remember when I ran for office, some of the community and employees' concerns were in play at that time. I want to stick with one specific thing because of the room today. We have business owners, clergy, resident owners, and visitors of the City of Forest Park, which complained about our police department.

After being elected five years ago, we decided to go in a different direction. We found Chief Clark, and we did a nationwide search to find him. I remember getting an email from a news outlet and it said, "Did you hire Chief Clark because he was Black? My response to the news outlet was, not because he was black, but he was the most qualified. Should it matter that he is black? I never heard from them again.

When we hired Chief Clark, we had many suspicions about our police department already and some of those things were confirmed. Some of the things uncovered were quotas, stop a Christian on Sunday profiling and many other things.

The public concern at that time was so great that people avoided coming to the City of Forest Park. I even had church leaders from the Hispanic community as well as the Black communities share the experience from the congregants on the harassment that they were experiencing and not wanting to come to services because of it.

I have even had Asian business owners complain about the harassment of their communities. It was not just people of color, but people of color were majority. Fast forward to today, we have had major change within our police department. The vision of the 21<sup>st</sup> century policing has been drilled in the police department. There is resistance from all when it comes to new leadership, but I recall a specific situation that occurred in September of last year, when misinformation and confidential information was being broadcast live on Facebook, which resulted to allegations and public criticism being bought against our police department, other staff members and leaders.

It seems that sabotage and resistance to change has worked itself out even to the point that people have left. Still today some are calling the police department trying to get them to jump ship. So, I am glad to come this evening and share with you as a governing body member that I am very proud of our police department and the staff. If it were not for the work that Chief Clark has put into play, I do not think we would be where we are today. I wanted to publicly make sure I said that aloud.

I attended the National League of Cities in Kansas City this past week, had a wonderful time and even went to several workshops. Some included transforming vacancies, immersive experiences, creating an equitable economy, five practical steps to grow a city, and a city's affordable housing. I also went to the NLC rail round table, and I am going to see if we can implement some of these things to better our city. I would like to give a special thanks to Ms. Victoria Williams, she was able to pick up the turkeys for me that Mr. Rashmir had to give out to Ward 1, thank you Mr. Rashmir.

I want everyone to enjoy Thanksgiving with their families and friends. Please reach out to us if there is anything we can do, or if you have any questions. We are here for you, we are your elected officials and if there is anything you want us to know about, just bring it to us and we will be happy to send it to whomever it needs to go to.

**Councilmember Antoine** – Thanks to everyone for coming here. I want to give a shout to Jonathan Rashmir and his team. Not everyone can call Thanksgiving on Thursday a Thanksgiving. A lot of people are going to have Thanksgiving because of the turkeys and things you gave out. As Ward 2 leader, we appreciate everything you do for the city. Also, a big shoutout to Bulldog Insurance for making a difference for the people in the city. Happy Thanksgiving to everyone.

**Councilmember Gutierrez** – I want to give a shoutout to the mayor and the city for hosting the Veterans Day celebration and for all the veterans that were recognized at the ceremony, and the employees that are veterans. Happy Birthday again to Mr. Rudy on turning 100 years young. Thanks to the Forest Park Choir, who will be performing again at our Christmas Parade. Thanks to Bulldog Insurance and shoutout to Mr. Rashmir. Thank you so much for making your father proud, by continuing to give back to our community. This is not just with the turkey, but we have a David Rashmir scholarship that was started initially by his father and Jonathan continued it. We have two Forest Park students that are recipients of those, and we will be celebrating them at the beginning of December. The first prize is \$1,500.00 and the second is \$1,000.00. Hopefully, more businesses will catch on and give back to the students, because they are our future.

The Senior Panthers in Actions are throwing a senior's ball on December 16 from 6pm to 11pm. They are adamant about if you are not RSVP, they are not going to let you in. So, make sure if you want to dress up nicely that you RSVP to the ball.

Thanks to the Clayton County School district, we partnered up, it was psychology and mental health week, and Ms. Taylor is the head of the department. We hosted a movie in the park and not a lot of people came out because it was very cold. We also had Thanksgiving dinner out there with the tailgate, so shoutout to Parks and Rec. and the City of Forest Park for hosting that. Enjoy Thanksgiving which is my favorite holiday and do not let Christmas stress you. It is all about love and how you make someone feel and not the materialistic stuff, because you cannot take it with you.

**Councilmember Akins-Wells** – Thank you all for coming out. The young gentlemen with the comments, it makes a lot of sense, and I would like us to look further into it to make sure we know what we are voting on. I would like to make sure we are doing the right thing, and not of the spur of the moment type things. I would like an update on that and what our response is to him on the rental properties.

Thank you so much Jonathan for continuing to do what your dad did. He was a great guy; you are a great guy, and our community needs people like you. We have huge companies that do not do half of what you all are doing or have done over the years, and I just want the community to know that. Every time I have given away turkeys it was because of you all establishment and having the hearts that you have, and I appreciate you so much on behalf of Ward 4.

Please have a Happy Thanksgiving, these past few years have been tough for a lot of families, with covid and people losing their jobs. Like Councilmember Gutierrez said, do not let the holiday stress you, every day we should give thanks and everyday should be a holiday. Do not get depressed, I know you may have lost loved ones, or have the funds to do what you want to do but just thank God for being able to see another holiday, because a lot of people did not.

Ms. Folami, thank you for your comments. We must hold each other accountable, and you all must hold us accountable. I do get irritated when certain things are being targeted, so I will not call it Wellness with Wells, the new name is Forest Park Fitness. I think we should focus on other things when you have thieves you have elected to office, or that comes into the chambers under the influence we need to focus on doing something about those things instead of being petty about things that is for the community.

I am no one boss, but I think some of these things should be put out there and the public should know about it. It is embarrassing when you have certain people lashing out and you know why, and some of the people know why no

one is doing anything about it. Things are being brushed up under the rug, so speak up and say something, because at the end of the day we work for you all. Hold us accountable, everyone. Thank you all so much. Have a Happy Thanksgiving and a Merry Christmas. To our employees thank you for showing up, I know it gets tough, I know the missing money was a lot, but you hung in there.

**Councilmember Mears** – I would like to thank you all for being here and hope you have a Happy Thanksgiving. Thanks to Mr. Rashmir and Bulldog Insurance for giving back. We have a lot of families in Forest Park that are having rough times. It is hard to see someone else's hardship when you are having hardship yourself. I try to help people if they look like they need help and not just around the holiday season. Thanks to the businesspeople in Forest Park for their giving and backing us and working with the council. I want everyone to have a good turkey day and after that Christmas is coming. Let us remember the reason for the season, because we need to be thankful for that day.

**Mayor Butler** – I would like to thank everyone for being present this evening. I do echo the sentiments of my colleagues to Bulldog Insurance and to Mr. Jonathan Rashmir, for their turkey contribution. As it pertains to the rental inspection ordinance, I do want to thank you for your understanding, of the effort that we are trying to put forward. It is not a requirement and one of the tasks of the city attorney is to protect the city at all costs.

If he has presented something that is countered to that, then it is something that the council will take into consideration and address accordingly. It is not intended to maliciously malign or hurt anyone, but it is to protect the residents. What I found is that there are some that are afraid to speak out, because they do fear retaliation one way or another. So having a process that is win, win is a goal for everybody, but we all know that it is a problem and unfortunately there are some ill principled people out there that are preying on our most vulnerable residents. That is what this ordinance is intended to address, so if you have any ideas, I am open to having dialogue with your group, but the city attorney knows how I feel about protecting this city at all costs. I want to wish everyone a Happy Thanksgiving, and we will have only one meeting in December unless we must have a special called meeting.

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

**ADJOURNMENT:**

It was moved to adjourn the Regular Council meeting at 7:27pm

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

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

**File Attachments for Item:**

**2. Council Approval of actions regarding guidelines for Usage of Discretionary Ward Funds and Capital Outlay – Chief Executive Office.**



CITY OF  
**FORESTPARK**

# City Council Agenda Item

**Subject:** Discussion and action regarding guidelines for Usage of Discretionary Ward Funds and Capital Outlay – Chief Executive Office

**Submitted By:** Dr. Marc-Antonie Cooper

**Date Submitted:** November 29, 2022

**Work Session Date:** December 05, 2022

**Council Meeting Date:** December 05, 2022

**Background/History:**

We have been asked to review and prepare a set of guidelines regarding the usage of the discretionary funds and Capital Outlay Funds each Councilmember is entitled to spend in furtherance of their duties as a member of the City Council. These guidelines were requested to be brought forward for discussion during the FY22-23 budget talks in order to clearly define acceptable uses of Regular and Capital Outlay Ward Funds. Per Council's direction to the City Manager once a policy was approved Capital Outlay Ward Funds would be released to members.

In the September 6<sup>th</sup> City Council Meeting there was disagreement with the section regarding "donated funds and goods". This section has been removed from the policy, and the City Manager is seeking councils' direction, and/or approval on the guidelines as presented.

**Cost: \$ 285,000**

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

**Financial Impact:**

Funds have been budgeted and place on hold

**Action Requested from Council:**

City Manager is seeking Council's Direction and/or approval of the policy.



## CITY OF FOREST PARK WARD DISCRETIONARY FUNDS USAGE GUIDANCE

The following is a set of guidelines regarding the usage of the discretionary funds each Councilmember is entitled to spend in furtherance of their duties as a member of the City Council. The basic rules are fairly straightforward:

### REGULAR WARD FUNDS

#### Types of Expenditures which are Proper:

The primary rule of thumb is to determine whether the expenditure is in furtherance of a council member's **official** duties. Examples of proper expenditures may include:

- Costs associated with keeping constituents informed of City business (newsletters are most common type of expense, but funds could be used to acquire official stationery and pay postage costs as well)
- Costs associated with member-sponsored City meetings/events such as town hall events, field hearings, or commemorative events so long as such events are open to all residents
- Costs (including travel costs and registration fees) associated with attendance for meetings where City business is discussed or issues affecting the City are discussed for which there is no existing reimbursement policy

The above listed items are not a comprehensive list but is set forth for illustrative purposes.

In addition, absent a policy to the contrary, a Council member may appropriately use their funds for any type of expenditure for which the City can lawfully incur. For instance, if there were a parcel of land in the City that the Council member was interested in having the City acquire, they could use their discretionary funds to order a title report, appraisal or survey on behalf of the City. Another example might be the payment of a stipend for a summer intern who is hired to assist the Councilmember with their official duties.

#### Types of Expenditures which are NOT Proper:

With respect to expenditures that may not be made, the primary rule of thumb is that the funds may not be used for the personal gain or benefit of the Councilmember.

- Funds may not be used any for personal expense or benefit whatsoever
- Funds may not be used for campaign expenses or events

- Funds may not be used in a manner that would constitute an illegal gratuity under the Georgia Constitution. The City must receive some benefit in return for the expenditure. Funds could not be used to buy toys for a holiday toy giveaway or food for a holiday food giveaway, for instance. Funds could not be used to sponsor a private group's event unless the City receives a benefit in return. Notwithstanding the provisions of Section 1.13(40) of the City's Charter is unconstitutional, charitable donations or similar contributions are not permitted.

To avoid any appearance of impropriety, the following rules should be adhered to:

1. Requests for cash advances of ward funds should be avoided. Check requests should be accompanied with receipts (for reimbursements) or a proper invoice (for advance payments).
2. Requests for purchases of gift cards or similar financial items should also be avoided.
3. For certain expenditures involving cooperative relationships with local governmental entities, a proper intergovernmental agreement should be utilized to memorialize the terms of the relationship. (For instance, the City could partner with a local school to provide educational/recreational services to Forest Park students utilizing ward funds provided a proper agreement is in place.)

## **CAPITAL WARD FUNDS**

### Types of Expenditures which are Proper:

The primary rule of thumb is to determine whether the expenditure is a capital expenditure. A definition of a capital expenditure is funds spent maintaining fixed assets, such as land, buildings, and equipment. In addition to the definition, examples of capital expenditures might include:

- Park equipment such as benches and playground equipment.
- Paying to repair roads and potholes.
- Vehicles.

The above listed items are not a comprehensive list but is set forth for illustrative purposes.

It is anticipated that all such expenditures are to be used for projects within a particular member's ward.

### Global Considerations for All Types of Ward Fund Expenditures

Council members are reminded that ethics rules apply to both the “proper” expenditures category as well as the “improper” expenditures category. Additionally, all expenditures and any records related to them are public documents and subject to disclosure under the Open Records Act. In addition to those matters, Council members must follow the City’s procurement ordinance and policies for all expenditures. Council members should rely on the City staff to execute all aspects of the expenditures once an item is identified for purchase.

Should a Council member have any question about any specific proposed expenditure, they should contact the City Manager or the City Attorney before any expenditure is made.

### **~~DONATED FUNDS AND GOODS~~**

~~Over the years, a number of businesses, individuals and civic groups have gifted funds and goods to the City in support of various programs and events. Section 1.13(12) of the Charter allows this. The City should no longer be responsible for accepting and disbursing funds from donors for such programs and events. Instead, prospective donors should pay directly and have the goods or services donated to the City for such events. For example:~~

- ~~• Rather than donating money for the City to buy toys, food or school supplies for programs, donors should buy the products themselves and then donate them to the City.~~
- ~~• Similarly, donors can directly pay for portions of the entertainment or food for events rather than cycling those funds through the City.~~

~~In doing so, this eliminates the potential for mistakes in the management of donated funds and reduces the potential for ethical problems associated with the solicitation of funds for City programs or events. Additionally, while elected officials may solicit donations for programs or events, City staff, including Council aides, should not in order to avoid any appearance of impropriety on their part.~~

**File Attachments for Item:**

**3. Council Approval of Changes to IGA between City and URA - Legal**

## INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (this "Agreement") is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, by and between the CITY OF FOREST PARK, GEORGIA (hereinafter referred to as the "City"), and THE URBAN REDEVELOPMENT AGENCY OF THE CITY OF FOREST PARK, GEORGIA (hereinafter referred to as the "URA");

**WHEREAS**, the City and the URA share a joint desire and ambition to spur economic redevelopment in various areas of the City; and

**WHEREAS**, the City and the URA wish to enter into this intergovernmental agreement by which they may set forth in writing the parameters for their relationship in pursuing their joint ambitions and goals for the development of the City.

**NOW, THEREFORE**, for and in consideration of the promises, mutual covenants, and agreements contained herein, the parties do hereby covenant and agree as follows:

### ARTICLE I: PURPOSE OF AGREEMENT

The purpose of this Agreement shall be to establish the parameters under which the URA operates as it endeavors to facilitate the revitalization and development of underutilized and underdeveloped areas in the City, attract private investment, strengthen the City's economic base and tax digest, attract new industries, create jobs, and benefit the residents and citizens of the City.

### ARTICLE II: FUNDING AND APPROPRIATIONS

- a. In consideration for the commitments made by the URA herein, the City may from time to time appropriate funds to be used by the URA, or on its behalf, in carrying out the development goals set forth in this Agreement and in carrying out those functions and activities provided for in this Agreement. In addition, from time to time during the term of this Agreement, the governing body of the City shall review the progress by the City and the URA, and the financial condition of the URA, and when it is deemed prudent and necessary by the City's governing body, it shall appropriate additional funds for use by the URA in carrying out the activities provided for herein. While all such decisions, and the appropriation function, shall remain the exclusive province of the City's governing body, which it may exercise in its sole discretion, the City will consult in good faith with the URA regarding the appropriate level of appropriation, and will, in all events, appropriate sufficient funds to meet all contractual obligations of the URA assumed with the consent of the City.
- b. The URA shall budget for and pay to the City the annual amount of \$ \_\_\_\_\_ (i) to supplement certain salaries of the City's economic development staff, (ii) for use of City facilities and (iii) for all services provided to the URA by the City.

### ARTICLE III: DEVELOPMENT ACTIVITIES

In consideration of the payments and appropriations made by the City under this Agreement, and the other promises and commitments made hereunder, the URA agrees that it shall undertake the following activities whenever and wherever needed in the City, in coordination and cooperation with the City:

1. The URA may enter into and execute any contracts, leases, mortgages, or other agreements, including agreements with bondholders or lenders, determined by the URA to be necessary or convenient to implement the provisions and effectuate the purposes of this Agreement. All such contracts, leases, mortgages, or other agreements which impose upon the URA any monetary obligation which cannot be satisfied without money from the City's budget shall be approved by the City prior to being entered into by the URA.
2. From time to time, the URA may acquire property, real or personal, or interests therein, for redevelopment and development purposes, and use or dispose of such property or interests, either through the City or directly with private parties.
3. The URA may conduct other planning and implementation activities as are deemed necessary and prudent, including planning and predevelopment activities such as site analysis, environmental analysis, development planning, market analysis, financial feasibility studies, preliminary design, zoning compliance, facilities inspections, and overall analysis of proposed redevelopment plans to ensure consistency with the City's overall goals and short term and long-range plans.

### ARTICLE IV: URBAN REDEVELOPMENT AGENCY OPERATIONS

- a. The City expressly authorizes the URA to utilize City Hall for its meeting and other operational purposes. The URA shall also have reasonable access to staff time and resources to conduct its operations. The ~~City~~City's Director of Economic Development shall ~~appoint one staff member to~~ function as ~~it~~the URA Executive Director, who shall be responsible for the maintenance of all URA minutes, records, contracts and other official documents, and for ensuring URA compliance with State Law and City ordinances. All such utilization shall be coordinated through and at the direction of the City Manager. The City Attorney shall provide legal support for the URA unless an actual conflict prevents the City Attorney from doing so.

Included within the assignments herein, the URA expressly authorizes the City, and the City pledges, to perform the following duties, including, but not limited to:

- i. Keep all official documents and records of the URA with the same solemnity as it keeps such documents for the City, and serve as the custodian thereof;

- ii. Provide for the lawful assembly of the URA as called for by State law, its bylaws, and the Chairman thereof, including all necessary pre-meeting notices and arrangements, adequate circulation of agenda and related documents as directed by the URA, sufficient places for assembly, appropriate security therefor, post-meeting formalities and all other lawful and necessary duties attendant for lawful assembly of the URA;
  - iii. Properly oversee the management of all URA assets, both tangible and intangible, and maintain all funds in appropriately, separately accounted for and secured accounts, and to manage, or arrange for the management of all real property assets of the URA, including assisting the URA with the negotiation of sales and leases, collection of rents and proceeds, the daily and regular maintenance and upkeep thereof, ensuring that all properties are appropriately insured, and paying all properly assessed invoices related thereto;
  - iv. Arrange for the acquisition of officers' error and omissions insurance in appropriate amounts for URA members.
- b. As Except as provided in subsection c below, as part of City staff functions, the Executive Director will take charge of all URA assets and property, and on behalf of the URA manage the day-to-day operation and maintenance of all such sites. Where appropriate, the Executive Director, or its assignee, shall market for sale or lease, such properties as is deemed in the best interest of the City and the URA. All such transfer of title or leasehold interest shall be approved by the URA board. The URA appoints the Executive Director as an agent of the URA who is hereby authorized to take administrative actions in this regard on behalf of the URA. The URA shall be allowed to provide reasonable input into the selection of any brokers or consultants engaged for the URA's benefit. The Executive Director shall deliver, at least quarterly, a report of activity of URA property. No individual board member shall interfere with the duties and assignments tasked to the Executive Director unless authorized to do so by the URA board.
- c. The URA agrees that, except as expressly provided in any other agreement between the City and, the URA, ~~the Executive Director, with such City staff support as directed by the City Manager,~~ shall perform the day-to-day be responsible for its own financial management, including budgeting ~~and,~~ annual audit review, of all funds, operation of bank accounts and the fiscal management of all assets of the URA.
- d. If the City has pledged its full, faith and credit for the repayment of any (i) outstanding bonds of the URA or (ii) any other debt for which funds to pay such debt are obtained from income of the URA derived from its bond transactions, the URA hereby delegates to the City the right to make any decisions with respect to those bonds.
- f. The URA acknowledges that this Agreement is not an exclusive agreement and that the City may contract with other governmental entities for the provision of similar services.

## ARTICLE V: GENERAL PROVISIONS

- a. **ASSIGNMENT.** This Agreement may not be assigned without the express written consent of all other parties to this Agreement.
- b. **NOTICE.** Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States certified mail, return receipt requested, or statutory overnight delivery, at the addresses set forth below:

City of Forest Park, Georgia  
 City Hall  
 745 Forest Parkway  
 Forest Park, Georgia 30297  
 Attention: City Manager

Urban Redevelopment Agency of the City of Forest Park  
 745 Forest Parkway  
 Forest Park, Georgia 30297  
 Attention: Chair

- c. **STATE LAW TO APPLY.** This contract shall be construed under and in accordance with the laws of the State of Georgia.
- d. **PARTIES BOUND.** The contract shall be binding upon and inure to the benefit of the Parties hereto and their respective legal representatives, successors, and assigns where permitted by this Agreement.
- e. **SEVERABILITY.** In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this contract shall be construed as is such invalid, illegal, or unenforceable provision had never been contained herein.
- f. **PRIOR AGREEMENTS SUPERSEDED.** Except as expressly provided for herein, this Agreement constitutes the sole and only Agreement of the Parties hereto with respect to the subject matter described herein, and supersedes any prior understandings or written or oral Agreements between the parties respecting the within subject matter. This provision shall not apply to the following agreements or transactions:
- i. Any agreements pertaining to any outstanding bonds of the URA.
  - ii. Any security agreements between the URA and the City.
  - iii. Any outstanding notes evidencing loans of funds from the City to the URA.
- g. **TIME OF ESSENCE.** Time is of the essence of this contract.



- h. AMENDMENT. This Agreement may not be modified, amended or terminated in whole or in part in any manner other than by an agreement in writing duly signed and appropriately approved by all parties hereto.
- i. GENDER. Words of any gender used in this contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.
- j. HEADINGS. The headings for each paragraph or section of this Agreement are for convenience of reference only and shall not be deemed a part of this. Agreement for the purposes of interpreting any provision of said Agreement.
- k. COUNTERPARTS. This Agreement may be executed in any number of identical counterparts, and each counterpart hereof shall be deemed to be an original instrument, but all counterparts hereof taken together shall constitute but a single instrument.
- l. CONSTRUCTION OF AGREEMENT. This Agreement shall not be construed more strongly against any party regardless of which party is responsible for its preparation.
- m. DATES. If the final date of any time period or the date for the performance of any obligation hereunder falls upon a Saturday, Sunday, or a bank or government holiday under the laws of the State of Georgia, then the time of such period or the time for the performance of such obligation shall be extended to the next day which is not a Saturday, Sunday, or a bank or government holiday under the laws of the State of Georgia.
- n. EFFECTIVE DATE AND TERM OF AGREEMENT. The Effective Date of this Agreement shall be the date on which the last party fully executed this Agreement, and the term of this Agreement shall extend for a period of 10 years.

**[Signatures appear on following page.]**

IN WITNESS WHEREOF, the City and the URA as Parties hereto have caused this Agreement to be executed by their duly authorized representatives and delivered as their act and deed, intending to be legally bound by the terms and provisions of this Agreement.

**CITY OF FOREST PARK**

**URBAN REDEVELOPMENT AGENCY OF  
THE CITY OF FOREST PARK**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chair

ATTEST:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

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

**File Attachments for Item:**

**4. Council Approval on Heritage Park Veterans Museum requesting donation of two military vehicles to restore for museum display – Economic Development and Police Department**

# The United States Government

## Certificate to Obtain Title to a Vehicle

(Must Be Machine Prepared. See Instructions on reverse.)  Duplicate if Checked

The undersigned Department or Agency of the United States Government certifies that the vehicle described herein, the property of the United States Government, has been transferred this 25 day of September 20 18, to the Transferee designated herein; and that this is the first transfer of such vehicle in ordinary trade and commerce subsequent to acquisition thereof by the United States Government.

Vehicle Identification No. 156651		Certificate No. 13344GA104			
Year 1994	Make of Vehicle AM GENERAL	Series or Model M998A1		Body Style TRUCK, UTILITY	
Fuel DIESEL	No. of Cylinders 8	Weight (Shipping) 5,380 LBS	GVWR 7,800 LBS	Purchase Price N/A	
Transferor (Accountable office, i.e., department or agency, subunit and address, ZIP Code) Defense Logistics Agency Disposition Services 74 Washington Avenue North Battle Creek MI 49037-3092  W907JH20931602 / H9DEB121430300			Transferee (Name of dealer, individual, etc, and address including ZIP Code) FOREST PARK POLICE DEPT 320 CASH MEMORIAL BOULEVARD FOREST PARK GA 30297		

<b>Odometer Disclosure Statement</b>	Date of Statement Sep 25, 2018
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Federal Law (and State law, if applicable) requires that you state the mileage upon transfer of ownership; failure to complete or providing a false statement may result in fines and/or imprisonment.

I, DAVID E. LORENCZ state that  
 the odometer now reads 49,384 miles and to the  
 best of my knowledge that it reflects the actual mileage of the vehicle described above, unless one of the following statements is checked.

- (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.
- (2) I hereby certify that the odometer reading is not the actual mileage:  
**WARNING - ODOMETER DISCREPANCY.**

Transferor's Signature (Seller) <i>[Signature]</i>	Printed Name (Not Typed) and Title DAVID E. LORENCZ, TS	Date Sep 25, 2018
Transferee's Signature (Buyer) <i>[Signature]</i>	Printed Name (Not Typed) and Title	Date

E064529

ANY ALTERATION OR ERASURE  
VOIDS THIS CERTIFICATE

STANDARD FORM 97-1 (Rev. 4-2012)  
Prescribed by GSA FPMR (41 CFR) 102-38.285  
Previous Edition Not Useable NSN 7540-01-509-5208

ANY ALTERATIONS OR ERASURE VOIDS THIS CERTIFICATE

# The United States Government

## Certificate to Obtain Title to a Vehicle

(Must Be Machine Prepared. See Instructions on reverse.)  Duplicate if Checked

The undersigned Department or Agency of the United States Government certifies that the vehicle described herein, the property of the United States Government, has been transferred this 25 day of September 20 18, to the Transferee designated herein; and that this is the first transfer of such vehicle in ordinary trade and commerce subsequent to acquisition thereof by the United States Government.

Vehicle Identification No. 071506		Certificate No. 14258GA00013			
Year 1989	Make of Vehicle AM GENERAL	Series or Model M998		Body Style TRUCK, UTILITY	
Fuel DIESEL	No. of Cylinders 8	Weight (Shipping) 5,200 LBS	GVWR 7,700 LBS	Purchase Price N/A	
Transferor (Accountable office, i.e., department or agency, subunit and address, ZIP Code) Defense Logistics Agency Disposition Services 74 Washington Avenue North Battle Creek MI 49037-3092  W32RRX40410002B / 2YTD6V42173559			Transferee (Name of dealer, individual, etc, and address including ZIP Code) FOREST PARK POLICE DEPT 320 CASH MEMORIAL BOULEVARD FOREST PARK GA 30297		

<b>Odometer Disclosure Statement</b>	Date of Statement Sep 25, 2018
--------------------------------------	-----------------------------------

Federal Law (and State law, if applicable) requires that you state the mileage upon transfer of ownership; failure to complete or providing a false statement may result in fines and/or imprisonment.

I, DAVID E. LORENCZ state that  
Transferor's Name (Seller)  
58,126  
the odometer now reads \_\_\_\_\_ miles and to the  
Odometer Reading (No Tenths)

best of my knowledge that it reflects the actual mileage of the vehicle described above, unless one of the following statements is checked.

- (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.
- (2) I hereby certify that the odometer reading is not the actual mileage:  
**WARNING - ODOMETER DISCREPANCY.**

Transferor's Signature (Seller) <u>David E Lorencz</u>	Printed Name (Not Typed) and Title <u>DAVID E LORENCZ TUS</u>	Date Sep 25, 2018
Transferee's Signature (Buyer) <u>X</u>	Printed Name (Not Typed) and Title	Date

E064444

ANY ALTERATION OR ERASURE  
VOIDS THIS CERTIFICATE

STANDARD FORM 97-1 (Rev. 4-2012)  
Prescribed by GSA FPMR (41 CFR) 102-38.285  
Previous Edition Not Useable NSN 7540-01-509-5208

ANY ALTERATIONS OR ERASURE VOID THIS CERTIFICATE