

A G E N D A

REGULAR MEETING OF MAYOR AND COUNCIL OF JUNE 1, 2015

6:00 P.M. Work Session

- Discussion of Agenda Items

I. Call to Order – 7:00 p.m. – Mayor David Lockhart

II. Invocation

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Minutes

1. Work Session of Mayor and Council of May 18, 2015
2. Regular Meeting of Mayor and Council of May 18, 2015

VI. Comment Period

VII. Recess for a Public Hearing

VIII. Open Public Hearing to receive comments on the request to rezone a parcel of property which is 0.7382 acre tract, lying and being in Land Lots 20 and 45 of the 18th District of unincorporated Clayton County. The current zoning classification assigned by Clayton County is LI (Light Industrial). The proposed municipal zoning is LI (Light Industrial).

IX. Close Public Hearing and reconvene meeting

X. Agenda Items

1. Consider new retail alcohol license for beer and wine from Tara & Son, LLC, Z Food Mart, 5067 Ash Street, no exceptions noted
2. Consider rezoning of property located in Land Lots 20 and 45 of the 18th District of unincorporated Clayton County to LI (Light Industrial)

3. Consider an Ordinance to amend the Code of Ordinances, City of Forest Park, Georgia; to amend the City's definition of "Billiard Room"; to amend requirements of Billiard Room applicants; to amend the classification of Alcoholic Beverage Licenses; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law
4. Consideration of proposals for City Solicitor and Environmental Court Judge

XI. Legal Matters

XII. Comments by Governing Body

XIII. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF MAY 18, 2015

- Call to Order: The Work Session of Mayor and Council of May 18, 2015 was called to order by Mayor David Lockhart at 5:00 p.m.
- Present: Mayor David Lockhart and Councilmembers Latresa Akins, Dabouze Antoine, Maudie McCord, Linda Lord and Tommy Smith.
- Also present were City Manager Frank Brandon, Director of Finance Mike Blandenburg, Director of Support Services Christine Terrell, Director of Public Works Jeff Eady, Management Analyst Angela Redding, Chief Dwayne Hobbs, Chief Eddie Buckholts, and City Attorney William Denmark.
- Agenda Items: Voting Delegate at GMA Convention: It was the consensus of Council to appoint Councilman Dabouze Antoine as the voting delegate at the GMA Annual Convention.
- Adjournment: Ms. Lord made a motion to adjourn, seconded by Mr. Smith. Voting for the motion was unanimous.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF MAY 18, 2015

- Call to Order: The Regular Meeting of Mayor and Council of May 18, 2015 was called to order by Mayor David Lockhart at 7:00 p.m.
- Invocation: The invocation was given by Rev. Leon Beeler followed by the Pledge of Allegiance to the American Flag.
- Roll Call: Mayor David Lockhart and Councilmembers Latresa Akins, Dabouze Antoine, Maudie McCord, Linda Lord and Tommy Smith.
- Also present were City Manager Frank Brandon, Director of Finance Mike Blandenburg, Director of Support Services Christine Terrell, Director of Public Works Jeff Eady, Chief Dwayne Hobbs, Management Analyst Angela Redding, Chief Eddie Buckholts, and City Attorney William Denmark.
- Approval of Minutes: Ms. Akins made a motion to approve the minutes of the Work Session and Regular Meeting of May 4, 2015 and the meetings of May 11 and May 13, 2015, seconded by Mr. Smith. Voting for the motion was unanimous.
- Comment Period: Sandra Bagley – reminded everyone to appreciate the officers. She stated while living here, she has had to call upon all the departments and always has gotten really good results. She stated we shouldn't get into a squabble who is worth more and everyone is valuable. She also asked if there could be mosquito spraying on her street and also look at the property in the 1300 block of Waverly Drive and clean that up.
- Pamela Lake – stated she is happy to see the Mayor has given his support to the full staff in terms of a raise. She also stated the Police Departments doing a good job, but as opposed to them getting a raise, that we should consider a raise for all city employees, in particular in the Sanitation Department. She stated we should think about them all getting one raise, and a 4% across the board raise is an equitable way to do that.

Lawanda Folomi – stated one reason she moved to Forest Park was because of public safety. She stated she is supporting what the Mayor is doing for the officers and that would bring a better class of officers to serve and protect. She felt they are not getting the substantial pay they should be, because they have a high risk position. She also stated she felt not everyone should get a raise, but those who have put in the time and had evaluations should qualify for the raise.

Jasmine Hulio – invited everyone to the Forest Park Kiwanis Club for the annual spaghetti dinner on June 5th.

Recess: Ms. Lord made a motion to recess for a public hearing, seconded by Mr. Smith. Voting for the motion was unanimous.

Public Hearing: Ms. Akins made a motion to open the Public Hearing, seconded by Ms. Lord. Voting for the motion was unanimous.

Mayor Lockhart opened the Public Hearing to receive comments on proposed budget for fiscal year 2015-2016.

Dianne Lunsford – she asked wasn't the \$750 bonus enough that was given several months ago. She felt it was extravagant and others thought so too. Now a few feel Public Works should have more of a raise than other departments. She stated a pay raise for police officers against a better raise for public works, both are great departments. We don't have enough police officers to keep our streets safe, because they leave after a couple of years because our pay is not in line with other cities. She said we should give the blue collars of the police department a raise and leave management (white collar) alone. In light of the huge bonus, leave all other salaries as is.

Jasmine Hulio – stated there was a study done and nothing ever came from that. Mayor Lockhart stated it showed that we have deficiencies in our pay in every department. Compared to the budget we have, we don't have the income without increasing the tax rate to bring it in line.

Lawanda Folomi – felt the police officers should get an increase because of the public service they do and we want to initiate others to come join our force so our pay needs to

come up and be compatible. She stated they go over and beyond the call of duty. She stated raises should be given by work performance and evaluations. She stated this is why she moved to Forest Park, because of the Police Department.

Sandra Bagley – stated she has called officers on numerous occasions, including Fire and EMT's. She stated she personally doesn't think we can pay the officers enough. She stated raises should be based on merit, but as far as the officers and firefighters, we can't pay them enough.

Roy Lunsford – stated these guys on a daily basis put their lives on the line for us, and you can't pay them enough to put their life on the line. He stated we should reward them with a raise. He stated if anyone gets anything extra, it should be public safety.

Keisha Crockett – asked if the raises had to be either or. She stated she appreciated the police and also public works. She stated it is sad that we don't have enough to give both raises.

Jasmine Hulio – asked if there was a way to divide the funds up with merit raises and let the Directors choose the percentage the employee gets, then they could both get it. Those that deserve it, would get a higher percentage.

Lawanda Folomi - stated we aren't saying departments aren't needing a raise, but we are saying we want to be more compatible and more in public safety and they need a raise.

Ms. McCord made a motion to close the public hearing and reconvene the meeting, seconded by Mr. Smith. Voting for the motion was unanimous.

Proclamation: Mayor Lockhart presented the Director of Public Works along with Public Works employees, a proclamation for Public Works Week.

Ordinance: Request was made to consider an Ordinance to adopt the Budget for fiscal year 2015-2016.

Ms. Lord made a motion to approve the budget, seconded by Mr. Smith.

Ms. McCord stated when we first looked at the proposal, we talked about giving everybody a 4% raise and 2% for part-

time and then said we couldn't do just one department, but all of them. Now, we come back, and say we can't give a raise to everyone, the police department needs this money. She stated she looked at our budget and suggested that the ward money from each ward be removed and that money go towards a raise for the public works department.

Mayor Lockhart explained before council met on Monday night, the budget was revised. The original budget is what is before you for consideration tonight. Monday before Council met, we had revised figures to give an across the board raise of 4% and that 4% figure came from taking the increase away from the Police Department and defunding several police officer positions that we have, which is obviously not doable.

Ms. McCord made a motion to amend the budget by allocating council's ward money and distributing that into the Public Works Department for an across the board raise, seconded by Ms. Akins.

Ms. Lord stated she felt this was not enough to do them a lot of good and there are other departments who feel they are deserving of raises too.

Ms. Akins stated this could have been prevented if we had done the managerial assessment in the first place and you cannot say police officers are leaving only because of salaries. She stated with a managerial assessment, you will really see why some of the officers are leaving. She stated both departments need a raise and it shouldn't just go to one department.

Mayor Lockhart clarified this amendment is an on-going pay rate increase.

Voting for the amended proposed ordinance by allocating Mayor and Council's ward money to the public works department to be divided equally and increasing their pay rate were Ms. McCord and Mr. Smith. Voting against the motion were Ms. Lord, Mr. Antoine and Ms. Akins. The motion failed.

Ms. Lord stated we have other employees that deserve a raise just as much and this shows favoritism.

Mayor Lockhart called for a vote on the original motion to adopt the budget as presented. Voting for the motion were Mr. Smith, Ms. Lord and Ms. McCord. Voting against the motion were Ms. Akins and Mr. Antoine. The motion passed.

Ms. McCord stated she thought she was voting on the amendment and not the budget as it is stated on the agenda.

Ms. McCord made a motion to reconsider the vote, seconded by Ms. Akins. Voting for the motion were Mr. Antoine, Ms. Akins and Ms. McCord. Voting against the motion were Mr. Smith and Ms. Lord. The motion carried.

Ms. McCord stated she is not in agreement to voting yes on the budget as written.

Mayor Lockhart called for a vote to adopt the original budget as presented. Voting for the motion were Ms. Lord and Mr. Smith. Voting against the motion were Ms. Akins, Mr. Antoine and Ms. McCord. The motion failed.

Resolution:
Surplus: Request was made to consider a Resolution by the City Council of the City of Forest Park declaring certain city property, listed on Exhibit A, to be surplus property and to provide for its proper disposal either by auction or other methods pursuant to the City's Ordinances; and for other purposes.

Ms. Lord made a motion to adjourn, seconded by Mr. Smith. Voting for the motion was unanimous.

Voting Delegate: Ms. Akins made a motion to appoint Dabouze Antoine as the voting delegate to the Georgia Municipal Association Annual Convention, seconded by Mr. Antoine. Voting for the motion was unanimous.

Adjournment: Mr. Smith made a motion to adjourn, seconded by Ms. Akins. Voting for the motion was unanimous.

DEPARTMENT OF POLICE SERVICES
Forest Park, Georgia

INTEROFFICE MEMO

DATE: May 15, 2015
NO: 279-2015

TO: Frank Brandon, City Manager
FROM: L. Dwayne Hobbs, Director, Dept. of Police Services 
SUBJECT: Retail Alcohol License (Beer & Wine)

*****NEW*****

RE: Tara & Son, LLC
Z Food Mart
5067 Ash Street
Forest Park, GA 30297

Tara P. Poonmagar

NO EXCEPTIONS NOTED

Sec. 9-2-3. - License required; violations; classes of licenses.

- (a) It shall be unlawful for any person to manufacture, serve, furnish, purvey, sell or offer for sale, at retail or wholesale, by the package or for consumption on the premises, any alcoholic beverage within the corporate limits of the city without having an applicable license issued by the city under this chapter.
- (b) It shall be unlawful for any person to manufacture, serve, furnish, purvey, sell or offer for sale, at retail or wholesale, by the package or for consumption on the premises, any alcoholic beverage within the corporate limits of the city in violation of the terms of this chapter.
- (c) There shall be the following classes of licenses in the city:
 - (1) Retail dealers of alcoholic beverages by the package (which includes distilled spirits, malt beverages, and wine by the package);
 - (2) Retail dealers of distilled spirits by the package ~~(which includes malt beverages and wine by the package);~~;
 - (3) Retail dealers of malt beverages and wine by the package;
 - (4) Retail dealers of malt beverages by the package;
 - (5) Retail dealers of wine by the package;
 - (6) Retail dealers of alcoholic beverages by the drink for consumption on the premises (which includes distilled spirits, malt beverages, and wine by the drink for consumption on the premises);
 - (7) Retail dealers of distilled spirits by the drink for consumption on the premises ~~(which includes malt beverages and wine by the drink for consumption on the premises);~~
 - (8) Retail dealers of malt beverages and wine by the drink for consumption on the premises;
 - (9) Retail dealers of malt beverages by the drink for consumption on the premises;
 - (10) Retail dealers of wine by the drink for consumption on the premises;
 - (11) Wholesale dealers of alcoholic beverages (which includes distilled spirits, malt beverages, and wine);
 - (12) Wholesale dealers of distilled spirits (which includes malt beverages and wine);
 - (13) Wholesale dealers of malt beverages and wine;
 - (14) Wholesale dealers of malt beverages;
 - (15) Wholesale dealers of wine;
 - (16) Private club;
 - (17) Hotel/motel "in-room service";
 - (18) Alcoholic beverages caterer;
 - (19) Banquet hall;
 - (20) Importer dealer license.

Sec. 9-8-102. - Definitions.

(a) For purposes of this article, a "billiard room" or "pool hall" shall be defined as the following:

(1) any public place where a person is permitted to play the game of billiards or pool; and

(2) more than four (4) billiard or pool tables are made available for use;
and

~~(1)~~(3) for which a charge is made for use of the equipment.

(b) For purposes of this article, the term "billiards" shall mean any of several games played on a table surrounded by an elastic ledge of cushions with balls which are impelled by a cue and shall include all forms of the game commonly known as carom billiards, pocket billiards, and English billiards.

Sec. 9-8-103. - Licensing procedure and requirements.

(a) Application. Any person desiring to operate a billiard room or pool hall within the city shall make application to the director of finance or his/her designated representative and shall show:

~~(1)~~ Reserved;

(1) ~~(2)~~ That applicant has never been convicted of a felony;

(2) ~~(3)~~ That he will not permit ~~vagrants~~ any person who is in a state of noticeable intoxication or persons who is visibly under the influence of intoxicating liquors alcohol or other drugs to enter or play in his place of business;

(3) ~~(4)~~ That applicant will have personal charge and management of the business;

(4) ~~(5)~~ That he will not permit gambling within his establishment.

(b) Applicant shall post a bond in the penal sum of five hundred dollars (\$500.00) payable to the city and conditioned upon his faithful compliance of the rules and regulations promulgated herein; the bond shall be signed by applicant as principal and provide a surety company as securities therefor.

(c) Upon applicant meeting the requirements hereinabove set forth, a license shall be issued by the city for the fee as shall be contained in the licensing chapter of the Code of Ordinances [chapter 1 of this title].

**CITY OF FOREST PARK
STATE OF GEORGIA**

ORDINANCE NO. _____

CITY OF FOREST PARK, GEORGIA

PREAMBLE AND FINDINGS

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA; TO AMEND THE CITY'S DEFINITION OF "BILLIARD ROOM"; TO AMEND REQUIREMENTS OF BILLIARD ROOM APPLICANTS; TO AMEND THE CLASSIFICATIONS OF ALCOHOLIC BEVERAGE LICENSES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the governing authority of the City of Forest Park, Georgia (the "City") are the Mayor and Council thereof; and

WHEREAS, the City has reviewed the Licensing and Regulation Code and determined that certain amendments are required, particularly to the regulations regarding billiard rooms and alcoholic beverage licenses; and

WHEREAS, the City desires to amend the definition of "billiard hall," amend the requirements of billiard room applicants and amend the particularities of alcoholic beverage licenses.

WHEREAS, the City finds that the health, safety, and welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, be it ordained by the Governing Body of the City of Forest Park, Georgia:

Section 1. Title 9, Licensing and Regulation, Chapter 8, Miscellaneous Regulations, Article G, Billiard Rooms, of the City's Code of Ordinances is hereby amended by deleting the text of existing Section 9-8-102 and replacing it with new text to read as follows:

“Sec. 9-8-102. – Definitions.

(a) For purposes of this article, a “billiard room” or “pool hall” shall be defined as the following:

- (1) any public place where a person is permitted to play the game of billiards or pool; and
- (2) more than four (4) billiard or pool tables are made available for use; and
- (3) for which a charge is made for use of the equipment.

(b) For purposes of this article, the term "billiards" shall mean any of several games played on a table surrounded by an elastic ledge of cushions with balls which are impelled by a cue and shall include all forms of the game commonly known as carom billiards, pocket billiards, and English billiards.”

Section 2. Title 9, Licensing and Regulation, Chapter 8, Miscellaneous Regulations, Article G, Billiard Rooms, of the City’s Code of Ordinances is hereby amended by deleting the text of existing Section 9-8-103 and replacing it with new text to read as follows:

“Sec. 9-8-103. - Licensing procedure and requirements.

(a) Application. Any person desiring to operate a billiard room or pool hall within the city shall make application to the director of finance or his/her designated representative and shall show:

- (1) That applicant has never been convicted of a felony;
- (2) That he will not permit any person who is in a state of noticeable intoxication or who is visibly under the influence of alcohol or other drugs to enter or play in his place of business;
- (3) That applicant will have personal charge and management of the business;
- (4) That he will not permit gambling within his establishment.

(b) Applicant shall post a bond in the penal sum of five hundred dollars (\$500.00) payable to the city and conditioned upon his faithful compliance of the rules and regulations promulgated herein; the bond shall be signed by applicant as principal and provide a surety company as securities therefor.

(c) Upon applicant meeting the requirements hereinabove set forth, a license shall be issued by the city for the fee as shall be contained in the licensing chapter of the Code of Ordinances [chapter 1 of this title].”

Section 3. Title 9, Licensing and Regulation, Chapter 2, Alcoholic Beverages, Article A, General Provisions, of the City’s Code of Ordinances is hereby amended by deleting the text of existing Section 9-2-3 and replacing it with new text to read as follows:

“Sec. 9-2-3. - License required; violations; classes of licenses.

(a) It shall be unlawful for any person to manufacture, serve, furnish, purvey, sell or offer for sale, at retail or wholesale, by the package or for consumption on the premises, any alcoholic beverage within the corporate limits of the city without having an applicable license issued by the city under this chapter.

(b) It shall be unlawful for any person to manufacture, serve, furnish, purvey, sell or offer for sale, at retail or wholesale, by the package or for consumption on the

premises, any alcoholic beverage within the corporate limits of the city in violation of the terms of this chapter.

- (c) There shall be the following classes of licenses in the city:
- (1) Retail dealers of alcoholic beverages by the package (which includes distilled spirits, malt beverages, and wine by the package);
 - (2) Retail dealers of distilled spirits by the package;
 - (3) Retail dealers of malt beverages and wine by the package;
 - (4) Retail dealers of malt beverages by the package;
 - (5) Retail dealers of wine by the package;
 - (6) Retail dealers of alcoholic beverages by the drink for consumption on the premises (which includes distilled spirits, malt beverages, and wine by the drink for consumption on the premises);
 - (7) Retail dealers of distilled spirits by the drink for consumption on the premises;
 - (8) Retail dealers of malt beverages and wine by the drink for consumption on the premises;
 - (9) Retail dealers of malt beverages by the drink for consumption on the premises;
 - (10) Retail dealers of wine by the drink for consumption on the premises;
 - (11) Wholesale dealers of alcoholic beverages (which includes distilled spirits, malt beverages, and wine);
 - (12) Wholesale dealers of distilled spirits (which includes malt beverages and wine);
 - (13) Wholesale dealers of malt beverages and wine;
 - (14) Wholesale dealers of malt beverages;
 - (15) Wholesale dealers of wine;
 - (16) Private club;
 - (17) Hotel/motel in-room service";
 - (18) Alcoholic beverages caterer;
 - (19) Banquet hall;
 - (20) Importer dealer license."

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent

jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2015.

CITY OF FOREST PARK, GEORGIA

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Councilmember, Ward Two

Maudie McCord
Councilmember, Ward Three

Latresa Akins, Mayor Pro-tem
Councilmember, Ward Four

Linda Lord
Councilmember, Ward Five

ATTEST:

City Clerk

THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA

Approved as to form:

City Attorney