

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF OCTOBER 5, 2015

Call to Order: The Regular Meeting of Mayor and Council of October 4, 2015 was called to order by Mayor David Lockhart at 7:15 p.m.

Invocation: The invocation was given by Dr. Leon Beeler followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor David Lockhart and Councilmembers Latresa Akins, Maudie McCord, Tommy Smith, Dabouze Antoine and Linda Lord.

Also present were Interim City Manager Al Wiggins, Director of Finance Mike Blandenburg, Major Tommy Orr, Deputy Director of Planning and Zoning Johnathan Jones, Deputy Director of Recreation and Leisure Services Sharon Smith, Management Analyst Angela Redding, Chief Eddie Buckholts, Director of Support Services Christine Terrell and City Attorney Winston Denmark.

Approval of Minutes: Request was made to consider approval of the following minutes:

1. Work Session of Mayor and Council of August 3, 2015
2. Regular Meeting of Mayor and Council August 3, 2015
3. Special Called Meeting of Mayor and Council of August 6, 2015
4. Work Session of Mayor and Council of August 17, 2015
5. Regular Meeting of Mayor and Council of August 17, 2015
6. Work Session of Mayor and Council of September 8, 2015
7. Special Called Meeting of Mayor and Council of September 8, 2015
8. Regular Meeting of Mayor and Council of September 8, 2015
9. Work Session of Mayor and Council of September 21, 2015
10. Special Called Meeting of Mayor & Council of September 21, 2015

11. Regular Meeting of Mayor and Council of September 21, 2015
12. Special Called Meeting of Mayor & Council of September 29, 2015

Ms. Akins made a motion to approve the minutes, seconded by Mr. Smith. Voting for the motion was unanimous.

Comment
Period:

Carl Evans – asked that the City look into the street paving program because he was told those streets were going to be repaved after Atlanta Gas had finished installing their lines.

Lawanda Folomi – thanked Public Works for the outstanding job they did on Jonesboro Road near the bank and said they really enjoyed National Night Out. She also asked if the City could look into the costs associated with parks and recreation so parents that have 4 or 5 children can participate.

Ralph Nobles – asked the City to nullify the seatbelt law in Forest Park

Shelly Gaywell – stated Main Street has been looking great this summer. She also informed the citizens there is an abortion clinic at 531 Forest Parkway. Also, she stated there is a large amount of litter on the Forest Parkway exit.

Wanda Miller Curry – stated she has opened a business at 972 Main Street, which addresses the needs of women and children who are victims of domestic violence and wanted to let citizens know they are a new resource here in the City.

Dr. Beeler – informed everyone there will be a political forum for all candidates at the Community Recreation Building on October 12 from 6:00 p.m. – 9:00 p.m.

Public Hearing:

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

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

Mayor Lockhart opened the public hearing to receive comments on the Ordinance to amend Title 4, Police and Fire Services of the Code of Ordinances of the City by

repealing prohibitions against the use and sale of fireworks; to amend Title 8 Planning and Development, Chapter 8, Zoning, by creating definitions regarding fireworks; to amend the permitted uses in the light industrial and Gillem zoning district; to prohibit the manufacture of explosives and fireworks.

Mayor Lockhart stated this ordinance provides for a place for fireworks to be sold as required by State law.

Ms. Lord made a motion to close the Public Hearing and reconvene the meeting, seconded by Ms. McCord. Voting for the motion was unanimous.

Ordinance-
Special
Revenue Funds:

Request was made to consider an Ordinance by the Governing Body of the City of Forest Park, Georgia establishing the Budgets for Special Revenue Funds for the Fiscal Year 2015-2016.

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

Ordinance-
Fireworks:

Request was made to consider an Ordinance to Amend Title 4, Police and Fire Services of the Code of Ordinances of the City of Forest Park, Georgia by repealing prohibitions against the use and sale of fireworks; to amend Title 8, Planning and Development, Chapter 8, Zoning, by creating definitions regarding fireworks; to amend the permitted uses in the light industrial and Gillem zoning districts; to prohibit the manufacture of explosives and fireworks; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other purposes.

Chief Buckholts stated this ordinance puts us in line with State law and gives them a place to sell fireworks.

Ms. McCord made a motion to approve the Ordinance, seconded by Mr. Smith. Voting for the motion was unanimous.

Ordinance -
Solid Waste:

Request was made to consider an Ordinance to amend Chapter 2 (Solid Waste) of Title 5, (Public Works) of the Code of Ordinances, City of Forest Park, Georgia; to amend the Definitions, a Provision regarding preparation and storage of residential refuse for Collection, and a provision regarding

container and compactor services; 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.

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

Resolution:
Comcast:

Request was made to consider a Resolution of the City of Forest Park finding Comcast in Default of Cable Television Franchise Agreement for failure to remit franchise fees in accordance with Cable Television Franchise Agreement and discuss pending settlement negotiations and authorization for Mayor to execute Settlement Agreement after approval by City Attorney.

Mr. Antoine made a motion to table this item, seconded by Ms. Akins.

Ms. Akins asked for a copy of the settlement agreement before voting on this item.

Mayor Lockhart explained the Resolution, if adopted, would give our attorneys the authority to file suit, but have asked, even if this Resolution is adopted, that we leave the door open in the case that Comcast wants to sign the settlement agreement that our attorneys have presented.

Voting for the motion were Mr. Antoine, Ms. McCord and Ms. Akins. Voting against the motion were Mr. Smith and Ms. Lord. The motion carried.

Ethics Brd:

Ms. Akins made a motion to appoint John Finch to the Ethics Board for Ward 4, seconded by Mr. Antoine. Voting for the motion was unanimous.

Mr. Smith and Ms. McCord stated they will address their appointments at the next meeting.

Discussion of
Used Car Lots:

Discussion was held on Ordinance prohibiting used car sales in the C-3 District.

Mr. Wiggins stated he needed clear guidelines on what the Council is trying to accomplish. He asked specifically, if we are trying to allow Round Up Motors to go back into operation, do we want to eradicate the Ordinance or do we

want Round Up Motors to come back into operation with the conditions that Council believes to be acceptable.

Mayor Lockhart stated there are several ways under which Round Up Motors could exist and operate as a used car dealership at that proposed location. He would like to know which way he should investigate.

- Remove all restrictions on the operation of used car lots
- Try to limit the ordinance drafting only to this location and only to Round Up Motors
- Discuss directly with Mr. Christopher about pursuing a variance

Mr. Wiggins stated in terms of negotiations with Mr. Christopher, he asked for guidelines on the direction the Council would like to go in.

Ms. Akins stated he should be held to his prior commitment of fencing and lighting. Ms. Lord stated it should be considered a new business and it would be easier on traffic if he exited from East Street, and not entering on the Parkway and that he does not overload the lot.

Mr. Wiggins stated if the Council would like to move forward with the applicants request, he could apply for a Conditional Rezoning and retain the C-3 zoning and put a conditional rezoning on the lot based upon the stipulations that the Council agrees to. He stated he felt he could now draft a proposal to come back before Council at the next meeting for approval or he could move forward with the rezoning process, through the Planning Commission. Their recommendation requires it come back before Council.

Mr. Wiggins stated he has enough information to put an application together based upon the Council's guidelines.

Managerial
Assessment:

Mayor Lockhart stated during the Work Session, Council requested copies of the proposals received for the Managerial Assessment.

Adjournment:

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