



CITY OF FOREST PARK
MAYOR & COUNCIL
REGULAR MEETING MINUTES
November 5, 2018 7:00PM

Call to Order: The Regular Meeting of Mayor and Council of November 5, 2018 was called to order by Mayor Angelyne Butler at 7:00 p.m.

Invocation: The invocation was given by Rev. Clinkscales followed by the Pledge of Allegiance to the American Flag.

Roll Call: Present were: Mayor Angelyne Butler and Councilmembers Kimberly James, Dabouze Antoine, Latresa Wells and Allan Mears. Councilwoman Bagley was absent.

Also present were City Manager Angela Redding, Director of IT Darren Duke, Director of Public Works Jeff Eady, Interim Director of Planning and Zoning Fredalyn Frasier, Director of Support Services Christine Terrell, Director of Recreation and Leisure Services Elaine Corley, Interim Police Chief Jason Armstrong, Deputy Fire Chief Matt Jackson, Finance Director Ken Thompson, and City Attorney Mike Williams

Comment Period: Carl Evans – stated he would like to say how wonderful it was to see so many members of the governing body on stage at Karaoke Night. He stated it was a nice event and he would love to see a Gospel Music Event. He wanted to apologize to Ms. Virginia Ford for not being able to assist with the event for Public Works. He stated he was sick and not able to make it. The concession stand issue should not have had to come up in the council meeting; it should have been taken care of by the City Manager and Department Heads.

Ms. Davis – Stated that she wanted to support two items that were presented tonight. That is Forest Park making a commitment to clean and renewable energy by the year 2050. It is the kind of signal that is sent to the world that Forest Park is leading by example. She stated there are innovative ways to cut the cost. She



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stated she is very knowledgeable about the subject matter and reaching for a goal doesn't cost anything it just requires that you are educated and ambitious.

Samuel Ibanez – Mr. Ibanez stated asked what the responsibility of the council is when it comes to phone calls. Do they have to respond to phone calls? Can citizens call them personally? He stated for the past 5 years he has had the problem and he has offered phones to each governing body member. He stated the governing body has a responsibility to the citizens and the citizens have responsibility to the council as well. Councilman Antoine stated every time he gets a call from Mr. Ibanez he answers. Mr. Ibanez stated he is speaking for not only himself but all residents.

Mrs. Duke – stated in regard to the Aerotropolis Presentation, she suggests it be posted online or a link be posted in order to have access to the information before the council meeting. As far as the solar panels she suggests the city be open and look into it more deeply. She has a friend in NC that has the panels and they saved. She wanted to recognize and thank Matt Jackson who has been with the city for 25 years and will be leaving.

***Amendment
To Agenda:***

Councilman Antoine made a motion to amend the agenda to add the Resolution regarding E911 fees. It was seconded by Councilwoman James. Voting for the motion was unanimous.

***Approval
Minutes:***

Councilman Mears made a motion to approve the Work Session Minutes and Regular Meeting Minutes of October 15, 2018. It was seconded by Councilwoman James. Voting for the motion was unanimous.

Presentation:

Mayor Butler presented a Proclamation to Michelle Copeland by the Forest Park Police Department.

Councilwoman Wells made a motion to table the Proclamation for NOPI Auto Parts. It was seconded by



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Councilman Mears. Voting for the motion was unanimous.

***Recess for
A Public
Hearing:***

Councilwoman James made a motion to recess the regular meeting and open up Public Hearing to discuss the continued service of Mr. Naeem Thobhani to serve on the Urban Redevelopment Agency. It was seconded by Councilwoman Wells. Voting for the motion was unanimous.

Public Hearing:

Mr. Williams stated that Mr. Thobhani stepped down as the Chairman of the Development Authority. At the time he indicated that he was looking for property outside of the city. Mr. Williams stated when a member of the URA is found to be neglecting his/her duties that shall be considered grounds for removal from the board. The person is entitled to a hearing with a 10 days' notice. The notice went out to the address that Mr. Thobhani has on file via certified return receipt. The green card has yet to be returned to the city. Mr. Williams stated it was also emailed to him via the email on file for URA and Development Authority business. Mr. Williams stated he spoke with Mr. Thobhani on last Thursday with the intent of seeing would he have counsel with him today. He stated Mr. Thobhani requested the hearing be postponed a couple weeks. Mr. Williams stated during the call Mr. Thobhani indicated he would be resigning, however by the end of the call it was clear he suggested he was going to resign from both boards. Mr. Williams stated he has tried to reach out to Mr. Thobhani several times today and has not been able to get in touch with him.

In an opening statement Mr. Williams stated: Mr. Thobhani has neglected his duties as a URA Board member by failing to submit the residency affidavit by the City's Ordinance 2-3-31 and failing to maintain residency within the City of Forest Park. The Ordinance 2-3-31 requires every board member to annually execute an affidavit stating the board



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member is a resident of the city and has maintained their residency during their term of office. Failure to provide the affidavit within 5 days of the request shall constitute grounds for removal.

Mr. Williams stated the evidence tonight will show that Mr. Thobhani failed to return the affidavit and no longer resides in Forest Park. Under the ordinance he had a duty to submit the affidavit and under O.C.G.A 36-61-18 (d) he had a duty to maintain residency within the city. Both matters demonstrate that Mr. Thobhani neglected duty and are grounds for removal from the URA Board under O.C.G.A 36-61-18 (f).

Mr. Williams called Mrs. Angela Redding as his witness. Mrs. Redding was sworn in by Mr. Williams.

Mr. Williams asked Mrs. Redding did the city send Mr. Thobhani's notification via certified return receipt; Mrs. Redding responded "YES"

Mr. Williams asked Mrs. Redding has the city received anything back return receipt. Mrs. Redding responded "No we have not"

Mr. Williams asked Mrs. Redding did Mr. Thobhani sign the affidavit for URA or Development Authority Boards. Mrs. Redding responded "NO"

Mr. Williams asked Mrs. Redding did all of the other board members sign the affidavit for the URA and Development Authority that was required of them. Mrs. Redding answered "YES"

Mr. Williams asked Mrs. Redding is she aware of any investigation of residency of Mr. Thobhani by the city. Mrs. Redding responded "Yes"

Mr. Williams asked Mrs. Redding to elaborate on the investigation. Mrs. Redding stated based on the address that Mr. Thobhani had on file an investigator



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visited the home several times. Each time the home was either being renovated or the person who was there which was a relative indicated the home was being renovated in order to be rented out.

Mr. Williams stated is it safe to say that according to the investigator there was no one residing at the house. Mrs. Redding responded "that is correct"

Mr. Williams closing statement: It is clear that Mr. Thobhani has neglected his duties according to the ordinance and does not reside in the city. Under those circumstances the city is within its right to remove Mr. Thobhani from the URA Board but this does not apply to the Development Authority.

Councilwoman James asked since the return receipt was never received by the city is it safe to say did, he actually receive the notice. Mr. Williams stated the notice was also sent via email and upon their conversation he asked that the notice be sent again. Mr. Williams stated he forwarded the notice to the exact same email the original notice was sent to. Therefore, he doesn't know what more notification could have been given.

***Close Public Hearing
and reconvene
Meeting:***

Councilwoman Wells made a motion to close the public hearing and reconvene the regular meeting. It was seconded by Councilman Mears. Voting for the motion was unanimous.

Agenda Items:

***Consider
continued
service of Mr.
Thobhani on
URA Board:***

Councilwoman James made a motion to remove Naeem Thobhani from the Urban Redevelopment Agency pursuant to O.C.G.A. 36-61-18 (f). It was seconded by Councilman Antoine. Voting for the motion were: Councilman Antoine, Councilwoman James, Councilwoman Wells. Councilman Mears abstained. The motion carried.



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**Resolution -
ORDAZ
Soccer
Academy:**

Request was made to consider a Resolution by the City Council of the City of Forest Park authorizing the Mayor to execute a License Agreement with ORDAZ Soccer Academy for the use of Kiwanis Field for the dates specified.

Councilwoman Wells made a motion to approve the Resolution. It was seconded by Councilwoman James. Voting for the motion was unanimous.

**Intergovernmental
Agreement with
Development Auth.:**

Request was made to consider approval of the Intergovernmental Agreement with the Development Authority.

Councilwoman Wells made a motion to approve the IGA with the Development Authority. It was seconded by Councilman Antoine. Voting for the motion was unanimous.

**Request to demolish
Concession Stand:**

Request was made to consider the request to demolish the concession stand at T-ball field.

Councilwoman James made a motion to approve this item. It was seconded by Councilwoman Wells. Voting for the motion was unanimous.

**Adoption
of Comprehensive
Plan Update:**

Request was made to consider a Resolution of Mayor and Council of the City of Forest Park to adopt the City of Forest Park Comprehensive Plan Update Study.

Councilwoman James made a motion to approve the Resolution. It was seconded by Councilwoman Wells.

Councilman Antoine asked would it be best to table this item so they can have the public input. Mrs. Redding stated the comprehensive plan is different from the ATL plan. For clarification, both plans have had public meetings for public input. Councilman Antoine asked is it on the website. Mrs. Redding stated no, because it had not been approved. Fredalyn Frasier stated a couple of months ago when the plan



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was presented that was for public input. What's before you now is the final plan approved by DCA with their comments. Mrs. Redding stated to Councilman Antoine the old Comprehensive plan is on the website and once this one is approved it will be on the website.

Voting for the motion was unanimous.

***Aero ATL
Greenway Plan:***

Request was made to consider a Resolution to adopt the Aero ATL Greenway Plan.

Councilwoman James made a motion to adopt the Plan. It was seconded by Councilwoman Wells. Voting for the motion was unanimous.

911 Charges:

Request was made to consider a Resolution authorizing a 9-1-1 charge on prepaid wireless telephone service within the City of Forest Park and a Resolution authorizing a 9-1-1 charge on postpaid wireline, wireless and voice over internet protocol ("V.O.I.P.") telephone service within the City of Forest Park.

Councilwoman Wells made a motion to approve the Resolution. It was seconded by Councilwoman James. Voting for the motion was unanimous.

Executive Session:

Councilwoman James made a motion to recess the regular meeting and convene into Executive Session to discuss personnel, real estate and litigation matters. It was seconded by Councilwoman Wells. Voting for the motion was unanimous.

The governing body entered into Executive Session at 7:35 PM.

***Reconvene regular
Meeting:***

Councilman Antoine made a motion to adjourn the Executive Session at 8:24 p.m. and reconvene the regular meeting. It was seconded by Councilwoman Wells. Voting for the motion was unanimous.



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**Governing Body
Comments:**

Councilman Mears thanked everyone for showing up and hopes citizens are pleased with council getting along and working together.

Councilwoman Wells thanked all those that stayed and waited on the governing body since it can get lengthy at times.

Councilwoman James stated on November 7th, at Chick-fil-A on Tara Blvd. between 5 p.m. and 8 p.m., a portion of their proceeds will go to Officer Sterrett. She also commented in defense of her fellow councilmembers, comments were made about not picking up the phone and not being responsive. She felt it was not fair to use public comments for that. She stated her fellow colleagues are very responsive to the public and are doing what is in the best interest of the City.

Councilman Antoine encouraged everyone to put the fundraiser for Officer Sterrett at Chick-fil-a, on their Facebook page if they have one to get the word out. He thanked Rock Church of Atlanta for being here tonight. He also encouraged everyone to vote tomorrow.

Ms. Redding thanked Sgt. Flanigan and Nekeeta Davis for coordinating and spearheading the cancer awareness fundraiser and walk. She also thanked Deputy Chief Matt Jackson for his years of dedicated service to the City. She also encouraged everyone to vote tomorrow. She also recognized Nachae' Jones who was selected for the 2018-19 Class of Leadership Clayton.

Mayor Butler stated "the truth is like a lion, you do not have to defend it. Let it loose and it will defend itself."

Adjournment:

Councilman Mears made a motion to adjourn. It was seconded by Councilwoman Wells. Voting for the motion was unanimous.