

A G E N D A

REGULAR MEETING OF MAYOR AND COUNCIL OF JUNE 15, 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 June 1, 2015
2. Regular Meeting of Mayor and Council of June 1, 2015

VI. Comment Period

VII. Agenda Items

1. Presentation of Beautification Awards by Keep Forest Park Beautiful
 - Business Award – Blankenship & Walker
 - Residential Award – Mr. & Mrs. John Parker
2. New On-Premises Consumption Alcohol License for Liquor, Beer and Wine from Red Eyed, Inc. Crazy Horse, 4730 Frontage Road, no exceptions noted
3. Consider a Resolution to approve a Moratorium of Ninety (90) days for the acceptance of any business license application, zoning application, application for sign permits, use permits or other applications involving or addressing the retail sale of consumer fireworks or fireworks within the territorial limits of the City of Forest Park, GA

SUMMARY AND BACKGROUND: Due to a recent change in State Law regarding the legalization of fireworks which creates a conflict with a current City Ordinance, a 90 day moratorium on retail sales of fireworks in the City is being requested. This moratorium will provide

time to develop and establish appropriate zoning modifications covering classification and uses related to such sales and to have the changes appropriately adopted.

4. Discussion of plaque for Rev. Charles Grant

5. Consideration of RFP's for City Attorney

VIII. Legal Matters

IX. Comments by Governing Body

X. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF JUNE 1, 2015

Call to Order: The Work Session of Mayor and Council of June 1, 2015 was called to order by Mayor David Lockhart at 6:00 p.m.

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

Also present were City Manager Frank Brandon, Director of Public Works Jeff Eady, Chief Eddie Buckholts, Director of Support Services Christine Terrell, Director of Planning and Zoning Al Wiggins, Director of Recreation and Leisure Services Elaine Corley, Major Jamie Reynolds, Management Analyst Angela Redding and City Attorney Winston Denmark.

Agenda Items: *Rezoning of property in unincorporated Clayton County:* Mr. Wiggins stated this rezoning is attached to an annexation request. The property is located just north of the City limits on Old Dixie Road, west of I-285. He stated it is not a buildable lot, the staff is in favor of the annexation and Title 36 requires we submit the rezoning request prior to the annexation taking place. He stated the County has contested the annexation and due to this the City will have to go into arbitration with a panel assigned by the Department of Community Affairs. Mayor Lockhart clarified that it was the recommendation of Mr. Wiggins to continue with the public hearing but then table the agenda item to reconsider the rezoning request.

Ordinance to amend Billiard Room requirements: Mayor Lockhart stated the Police Department determined our ordinance needs to be amended. Major Reynolds explained the change requires that there be more than 2 tables to be considered a Billiard Room.

Mayor Lockhart stated we will be dedicating the fountain/clock tower area in memorial of Rev. Charles Grant. He stated the Forest Park Ministers Association has purchased a plaque and asked that the agenda be amended

to add discussion of the Memorial plaque and use of ward funds. He would like to use a portion of his discretionary funds to cover the cost of the plaque.

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

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF JUNE 1, 2015

Call to Order: The Regular Meeting of Mayor and Council of June 1, 2015 was called to order by Mayor David Lockhart at 7:00 p.m.

Invocation: The invocation was given by Mr. Roy Lunsford followed by the Pledge of Allegiance to the American Flag.

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

Also present were City Manager Frank Brandon, Director of Public Works Jeff Eady, Chief Eddie Buckholts, Director of Support Services Christine Terrell, Director of Planning and Zoning Al Wiggins, Director of Recreation and Leisure Services Elaine Corley, Major Jamie Reynolds, Management Analyst Angela Redding and City Attorney Winston Denmark.

Approval of Minutes: Ms. McCord made a motion to approve the minutes of the Work Session and Regular Meeting of May 18, 2015, seconded by Mr. Smith. Voting for the motion were Ms. Lord and Mr. Smith. Voting against the motion were Mr. Dabouze and Ms. Akins. Ms. McCord abstained. Mayor Lockhart voted in favor of the motion. The motion passed.

Comment Period: Sandra Bagley – stated she attended a Neighborhood Watch Program and encouraged everyone to attend. She asked again if someone could clean up the lot on Waverly and mosquito spraying on her street.

Keisha Crockett – stated at 755 Main Street, Pure Shape Store is opening and offering all natural soaps.

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

Public Hearing: Mayor Lockhart opened the 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).

Mr. Wiggins stated currently it is not buildable and is situated on the railroad right of way and based upon our zoning requirements and setbacks, it will not allow for a structure or building. He stated the zoning request is due to an annexation request. He stated it could be used as an assemblage, and could be connected to privately held property. He stated we are in arbitration with the County on the annexation request. He stated he would be better able to explain this request, once the arbitration is complete.

Ms. Folomi asked if this is the only property being considered. Mr. Wiggins stated he had received annexation requests from other property owners but this is the only applicant that has actively submitted an application.

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

New Retail
Alcohol License:

Request was made to consider a new retail alcohol license for beer and wine from Tara & Son, LLC, Z Food Mart, 5067 Ash Street, no exceptions noted.

Ms. Akins made a motion to approve the request for a new retail alcohol license from Tara & Son, seconded by Ms. Lord. Voting for the motion was unanimous.

Ms. Akins made a motion to amend the agenda to direct our City Attorney to investigate a matter in reference to our home rule, seconded by Mr. Dabouze.

Ms. Akins clarified the matter is in reference to the Mayor's veto powers and investigate to find out if this falls under the Home Rule instead of going through the Assembly.

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. Akins made a motion to direct our City Attorney to investigate a matter for the Council, seconded by Mr. Antoine.

Mr. Denmark asked Ms. Akins to specify in her motion the matter she would like the City Attorney to investigate.

Ms. Akins made a motion to amend her present motion to direct our city attorney to investigate a matter for the council in reference to the Mayor's veto powers under the Home Rule, seconded by Mr. Antoine. 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.

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

Rezoning
Property:

Request was made to consider rezoning of property located in Land Lot 20 and 45 of the 18th District of unincorporated Clayton County to LI (Light Industrial).

Ms. Lord made a motion to table this item until Council receives further direction from Mr. Wiggins, seconded by Ms. McCord. Voting for the motion was unanimous.

Ordinance
(Billiard Room)

Request was made to 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.

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

City Solicitor/
Env. Court
Judge:

Request was made to consider proposals for City Solicitor and Environmental Court Judge.

Ms. Lord made a motion to leave Jerry Patrick as City Solicitor, seconded by Mr. Smith. Voting for the motion were Mr. Smith and Ms. Lord. Voting against the motion were Mr. Antoine, Ms. McCord and Ms. Akins. The motion failed.

Memorial Plaque: Mayor Lockhart asked if someone would amend the agenda to discuss the Mayor using allocated funds to cover the cost of the memorial plaque for Rev. Grant.

Mr. Antoine made a motion to amend the agenda to discuss the Mayor using ward funds for the C W Grant Memorial, seconded by Mr. Smith. Voting for the motion was unanimous.

Mr. Antoine stated he would like to donate also from his ward funds. Mayor Lockhart stated he has not used his this year and doubted he will use it before the end of the fiscal year.

Mayor Lockhart requested that Council authorize the use of the Mayors discretionary fund in the amount of \$1799.00 and that the Council authorize the use of \$100 of Councilman's Antoine's discretionary funds which would cover the full cost of the Memorial plaque.

Ms. Akins requested \$300 of her ward funds be used for this purpose.

Ms. Lord made a motion that the City cover the total cost of \$1899 for the Memorial plaque and it be spent from the discretionary funds of the Mayor in the amount of \$1499.00, from Councilwoman Akins fund in the amount of \$300 and from Councilman Antoine's funds in the amount of \$100, seconded by Mr. Smith. Voting for the motion was unanimous.

Ms. Lord made a motion to appoint L'Erin Barnes as Environmental Court Judge, seconded by Mr. Smith. Voting for the motion were Mr. Smith and Ms. Lord. Voting against the motion were Ms. McCord, Mr. Antoine and Ms. Akins. The motion failed.

Mr. Antoine made a motion to reconsider the vote to appoint Ms. Barnes as Environmental Court Judge, seconded by Ms. Lord. Voting for the motion was unanimous.

Mayor Lockhart called for the vote on the original motion to appoint Ms. Barnes as the Environmental Court Judge. Voting for the motion was unanimous.

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

DEPARTMENT OF POLICE SERVICES
Forest Park, Georgia

INTEROFFICE MEMO

DATE: May 26, 2015
CONTROL NO: CA152-2015

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

*****NEW*****

RE: Red Eyed Inc
Crazy Horse
4730 Frontage Rd
Forest Park, Georgia 30297

Teri G. Galardi

NO EXCEPTIONS NOTED

STATE OF GEORGIA
COUNTY CLAYTON
CITY OF FOREST PARK

RESOLUTION NO. _____

RESOLUTION TO APPROVE A MORATORIUM OF NINETY (90) DAYS FOR THE ACCEPTANCE OF ANY BUSINESS LICENSE APPLICATION, ZONING APPLICATION, APPLICATION FOR SIGN PERMITS, USE PERMITS OR OTHER APPLICATIONS INVOLVING OR ADDRESSING THE RETAIL SALE OF CONSUMER FIREWORKS OR FIREWORKS WITHIN THE TERRITORIAL LIMITS OF THE CITY OF FOREST PARK, GEORGIA.

WHEREAS, on May 5, 2015, the Governor of the State of Georgia signed into law House Bill 110 to become effective on July 1, 2015, amending applicable Chapters of the Georgia Code relating to the regulation of consumer fireworks and the role of local governments in regulating and prohibiting the sale and use of consumer fireworks; and

WHEREAS, the City Council for the City of Forest Park, the governing authority for the City, recognizes that the retail sale of consumer fireworks and fireworks, as defined and regulated by House Bill 110, is not currently listed as an approved type of business in the City's Code of Ordinances; and

WHEREAS, the City Council finds it necessary to enact a temporary moratorium to allow the governing authority of the City time to review and establish an appropriate zoning classification, use and location determination for the retail sale of consumer fireworks and fireworks, as defined and regulated by House Bill 110;

BE IT RESOLVED, the City Council does hereby impose a moratorium of ninety (90) days for the acceptance of any business license application, zoning application, application for sign permits, use permits or other applications involving or addressing the retail sale of consumer fireworks or fireworks within the territorial limits of the City of Forest Park in order to allow for the consideration and adoption of appropriate zoning ordinances covering same, as defined and required by the Georgia Zoning Procedures Law.

BE IT FURTHER RESOLVED, said moratorium shall begin at 11:59 p.m. on June 15, 2015 and end at 11:59 p.m. on September 14, 2015, unless sooner terminated by action of the City Council.

SO RESOLVED this the _____ day of June, 2015.

David Lockhart, Mayor

Latresa Akins, Mayor Pro-Tempore
Ward Four

Tommy Smith, Councilmember
Ward One

Dabouze Antoine, Councilmember
Ward Two

Maudie McCord, Councilmember
Ward Three

Linda Lord, Councilmember
Ward Five

ATTEST:

City Clerk

Approved as to form:

City Attorney