

Final

A G E N D A

REGULAR MEETING OF MAYOR AND COUNCIL OF April 4, 2016

6:00 P.M. Work Session

- Discussion of offsite work session
- City Manager's report

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

II. Invocation

III. Pledge of Allegiance

IV. Roll Call

V. Comment Period

VI. Approval of Minutes

1. Work Session of Mayor and Council of March 21, 2016
2. Regular Meeting of Mayor and Council of March 21, 2016

VII. Agenda Items

1. Consider a new Alcohol License for Beer & Wine from Royal Mobil Investment Inc. 4209 Jonesboro Rd Forest Park, GA 30297 No Exceptions noted.
2. Consider an ordinance amending article A, general provisions, of chapter 2, alcoholic beverages, of title 9, licensing and regulation, of the code of ordinances of The City of Forest Park, to provide for the approval by the chief of police of licenses to sell alcoholic beverages; to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other purposes

VIII. Legal Matters

IX. Comments by Governing Body

X. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF MARCH 21, 2016

Call to Order: The Work Session of Mayor and Council of March 21, 2016 was called to order by Mayor David Lockhart at 6:00 p.m.

Present: Mayor David Lockhart and Councilmembers Latresa Akins, Dabouze Antoine, Sandra Bagley and Allan Mears.

Also present were City Manager Al Wiggins, Director of Finance Mike Blandenburg, Director of Public Works Jeff Eady, Major Chris Matson, Asst. Fire Chief Matt Jackson, Director of Support Services Christine Terrell, Director of Planning and Zoning Jonathan Jones, Angela Redding, Management Analyst and City Attorney Winston Denmark.

Agenda Items: Mayor Lockhart asked if the Council would amend the agenda during the regular meeting to add a proclamation to be presented to the family of Mayor Corine Dayton.

Public Hearing – rezoning request: Mr. Jones stated this property is located at 5163-5171 Springdale Road. He stated this property is almost completely surrounded by other residential parcels. The request is to rezone this property from Commercial back to residential.

Presentation – Mr. Winston Eason of the Clayton County Extension Office was present. Mr. Eason stated as part of the University of Georgia, he was present to bring awareness of this resource that is available in the County. He explained what it is, what they do and current projects and outreach programs they are currently involved in. They focus on three major research areas, Agriculture and Natural Resources, Family Consumer Science and 4-H.

Teen Council – Ms. Sparkle Adams, along with the President and Vice-President of the Teen Council were present to ask permission for the Teen Council to hold a political forum for candidates at City Hall, either April 26th, May 2nd or May 10th. She is requesting two dates since there are so many candidates.

Off-Site Work Session - Mr. Wiggins stated he was able to get a consensus from all council members as far as their availability to attend. He asked consideration to have the directors to give presentations from each department before Council before the off-site work session. This will give a complete understanding of the goals and the mission of each department and some of our challenges and successes going into the work session. He stated we are presently working on finding a venue and date.

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

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF MARCH 21, 2016

Call to Order: The Regular Meeting of Mayor and Council of March 21, 2016 was called to order by Mayor David Lockhart at 7:00 p.m.

Invocation: The invocation was given by Pastor Mike Klingscale followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor David Lockhart and Councilmembers Latresa Akins, Dabouze Antoine, Tommy Smith, Sandra Bagley and Allan Mears.

Also present were City Manager Al Wiggins, Director of Finance Mike Blandenburg, Director of Public Works Jeff Eady, Major Chris Matson, Asst. Fire Chief Matt Jackson, Director of Support Services Christine Terrell, Director of Planning and Zoning Jonathan Jones, Angela Redding, Management Analyst and City Attorney Winston Denmark.

Approval of minutes: Ms. Akins made a motion to approve the minutes of the Work Session and Regular Meeting of February 15, 2016 and the Work Session and Regular Meeting of March 7, 2016, seconded by Mr. Antoine. Voting for the motion was unanimous.

Mayor Lockhart asked for a motion to amend the agenda to add presentation of a proclamation.

Ms. Akins made a motion to amend the agenda to add a presentation of a proclamation, seconded by Ms. Bagley. Voting for the motion was unanimous.

Proclamation: Mayo Lockhart presented Mr. Tim Deyton with a proclamation honoring previous Mayor Corine Deyton for her accomplishments and dedication to the City.

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

Public Hearing: Ms. Akins made a motion to open a public hearing to receive comments on the rezoning request to rezone a portion of a parcel of property which is a 4.670 acre tract, lying and being in Land Lot 78 of the 13th District of Clayton County, I.D. #13078B A051/A050, known as 5163-5171 Springdale Road, from C-1 Commercial to R-80 Residential, seconded by Mr. Antoine. Voting for the motion was unanimous.

Mayor Lockhart asked if there was anyone present to speak about this rezoning request. No comments were made.

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

Presentation: Ms. Ryland McClendon, Asst. General Manager and Mr. Don Williams from Marta were present. She said there is a concern about trash collection. She stated trash receptacles are a part of our bus shelters, but they are not at bus stops. She stated Outfront Media provides advertising on our shelters along with other elements of the system. She stated in their agreement, Outfront Media is responsible for the collection of trash at those shelters. But unfortunately they were not able to reach an agreement with Outfront Media that would permit advertising shelters in certain areas in Clayton County. They did agree to the collection of trash at those shelters where there are receptacles. She stated historically, trash collection at bus stops has been the responsibility of the local jurisdiction.

She stated when Marta enters into an agreement with a local jurisdiction to provide an advertising shelter, those dollars received, are shared with the local jurisdiction. This requires an intergovernmental agreement with the local jurisdiction. For the non-advertising bus shelters, we go through the permitting process.

She stated they are now looking at working with each entity to purchase trash receptacles to go at the bus stops. It will be the responsibility of the local jurisdiction to collect that trash.

Mr. Williams updated the Council on their service routes and ridership numbers.

Mr. Wiggins stated there have been some discussion with Marta about the trash bags hanging from the bus stops and it has been very productive. He said the proposal should be considered. He said an agreement for bus shelters has not been reached yet due to the pending issue involving the trash cans.

Ms. Robert Abdul-Salaam, a Marta Board Member, spoke. She stated they are proud to have Marta here. Although it is a troublesome problem dealing with trash, she is hoping to present more positive effects in the future. She stated with the new authorization for Federal Transit Authority Funds, the City will benefit from the millions of dollars in transit oriented development.

Alcohol License: Request was made to consider a new On-Premises Consumption Alcohol License for Liquor, Beer and Wine from First Class Ultra Lounge & Restaurant, 4095 Jonesboro Road, Suite K, no exceptions noted.

Ms. Akins made a motion to approve the new on-premises consumption alcohol license for liquor, beer and wine, seconded by Mr. Smith. Voting for the motion was unanimous.

Rezoning:
5163-5171
Springdale Rd.: Request was made to rezone a portion of a parcel of property which is a 4.670 acre tract, lying and being in Land Lot 78 of the 13th District of Clayton County, I. D. #13078B A051/A050, known as 5163-5171 Springdale Road, from C-1 Commercial to R-80 Residential.

Mr. Antoine made a motion to approve this rezoning, seconded by Ms. Akins. Voting for the motion was unanimous.

Adjournment: Ms. Akins 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: February 22, 2016
NO: #284-2016

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



*****NEW*****

RE: Royal Mobil Investment Inc
Royal Mobil
4209 Jonesboro Rd
Forest Park, GA 30297

Tushar Narendrabhai Patel

NO EXCEPTIONS NOTED

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE 2016-_____

AN ORDINANCE AMENDING ARTICLE A, GENERAL PROVISIONS, OF CHAPTER 2, ALCOHOLIC BEVERAGES, OF TITLE 9, LICENSING AND REGULATION, OF THE CODE OF ORDINANCES OF THE CITY OF FOREST PARK, TO PROVIDE FOR THE APPROVAL BY THE CHIEF OF POLICE OF LICENSES TO SELL ALCOHOLIC BEVERAGES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

WHEREAS, the City's Code of Ordinances currently provides that applications for licenses to sell alcohol must obtain the approval of the City's governing authority; and

WHEREAS, in order to streamline and improve the efficiency of the process for rendering decisions upon alcohol license applications, the governing authority desires to authorize the chief of police or his designee to approve or deny such applications; and

WHEREAS, the approval or denial of such applications by the chief of police or his designee remains subject to appeal; and

WHEREAS, the health, safety, and welfare of the citizens of Forest Park, Georgia, will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA, and by the authority thereof:

Section 1: The City's Code of Ordinances is hereby amended by striking through the existing text of Subsection (c) of Section 9-2-8, Standards for issuance or denial of licenses under this chapter, of Article A, General Provisions, of Chapter 2, Alcoholic Beverages, of Title 9, Licensing and Regulation, and inserting the following text in lieu thereof, to read as follows:

"(c) The chief of police or his designee shall cause an appropriate investigation to be made into the persons named and the information given on the application, and shall cause the fingerprinting process as required by O.C.G.A. § 3-3-2 to be completed and

forwarded to the Georgia Bureau of Investigation. Upon completion of the investigation and based upon the criteria specified above, the chief of police or his designee shall approve or deny the application. The chief of police or his designee shall notify the applicant, within ten (10) days, of his decision.

- (1) Upon approval by the chief of police or his designee and upon receipt of payment of the license fee, the director of finance shall issue the applicable license or licenses to the applicant. The amount of the license fee shall be established by the governing body from time to time in a separate ordinance.
- (2) If the application is denied by the chief of police or his designee, such decision is subject to the right of appeal provided in section 9-2-19 of this chapter."

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

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 the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the 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 _____, 2016.

David Lockhart
Mayor

Tommy Smith, Council Ward 1
Mayor Pro-tem

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Akins
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA

Approved as to form:

City Attorney

ALCOHOLIC BEVERAGES ORDINANCE

Issue/Provision	Forest Park Code	Revised Proposed Ordinance
<p>Title 9, Licensing and Regulation, Chapter 2, Alcoholic Beverages, Article A, General Provisions, Section 9-2-8, Standards for issuance or denial of licenses under this chapter</p>	<p>(c) The chief of police or his designee shall cause an appropriate investigation to be made into the persons named and the information given on the application, and shall cause the fingerprinting process as required by O.C.G.A. § 3-3-2 to be completed and forwarded to the Georgia Bureau of Investigations. Upon completion of the investigation, the chief of police or his designee consider the application based on the criteria specified above, and at the conclusion of the investigation, notify the governing body of investigative findings. Upon approval by the governing body, the director of finance shall issue the applicable license or licenses applied for to the applicant, upon receipt of payment of the license fee in an amount established by the governing body from time to time in a separate ordinance. If the applicant does not qualify the criteria specified above, then the license applied for shall be denied, subject to the right of appeal provided for in section 9-2-19 of this chapter.</p>	<p>(c) The chief of police or his designee shall cause an appropriate investigation to be made into the persons named and the information given on the application, and shall cause the fingerprinting process as required by O.C.G.A. § 3-3-2 to be completed and forwarded to the Georgia Bureau of Investigation. Upon completion of the investigation and based upon the criteria specified above, the chief of police or his designee shall approve or deny the application. The chief of police or his designee shall notify the applicant, within ten (10) days, of his decision.</p> <p>(1) Upon approval by the chief of police or his designee and upon receipt of payment of the license fee, the director of finance shall issue the applicable license or licenses to the applicant. The amount of the license fee shall be established by the governing body from time to time in a separate ordinance.</p> <p>(2) If the application is denied by the chief of police or his designee, such decision is subject to the right of appeal provided in section 9-2-19 of this chapter.</p>