

## A G E N D A

### REGULAR MEETING OF MAYOR AND COUNCIL OF May 2, 2016

6:00 P.M. Work Session

- The City of Forest Park presents Giving Back to Forest Park Kids - Bruce Robinson
- City Manager 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 April 18 2016
2. Regular Meeting of Mayor and Council of April 18, 2016

VII. Agenda Items

1. Consider an Ordinance amending Sections 8-2-2 and 8-2-5 of Article A (“General Provisions”) of Chapter 2 (“Building Regulation and Code Enforcement”) of Title 8 (“Planning and Development”) of the Code of Ordinances, City of Forest Park, Georgia, to remove exemptions from the required payment of certain fees; to provide for severability; to repeal conflicting Ordinances; to provide an effective date; and for other purposes

**SUMMARY AND BACKGROUND:** At some point in the past, the city performed building inspections in-house and thus it was found to be acceptable for the costs of building permits (inclusive of inspection fees) to be waived/exempted for churches or religious institutions. Currently and for some time, the city has contracted out these services; therefore, this is not a cost that the city can afford to exempt

because it would become/is a cost to the city. The proposed ordinance revision removes this exemption.

Additionally, though the city does not routinely inspect private rental properties, other than upon a complaint for various building code violations, there was language in our ordinances stating that if the city did inspect rental properties for a fee, likewise, any rental properties owned by religious institutions would be exempted from paying the required inspection fees. The revision removes this exemption as well.

2. 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

VIII. Legal Matters

IX. Comments by Governing Body

X. Adjournment

## MINUTES

### WORK SESSION OF MAYOR AND COUNCIL OF APRIL 18, 2016

Call to Order: The Work Session of Mayor and Council of April 18, 2016 was called to order by Mayor David Lockhart at 6:00 p.m.

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

Also present were City Manager Al Wiggins, Director of Finance Mike Blandenburg, Director of Public Works Jeff Eady, Chief Eddie Buckholts, Director of Planning and Zoning Jonathan Jones, Major Chris Matson, Executive Director of the URA Fred Bryant and Management Analyst Angela Redding.

Agenda Items: *Financial Services Agreement, Piper Jaffray and City of Forest Park:* Mayor Lockhart explained this is an extension of a contract previously entered into. They have been involved with the structure of the financial deal with Kroger and Fort Gillem. He indicated the rate will not change with this contract.

*Ordinance – amending charges for sanitary services -* Mayor Lockhart stated the purpose of this ordinance requires the owner of rental property, not being rented, to notify the City by certified mail of such. This will insure the city receives such notice and will not be obligated to pay for sanitation services.

*Ga Cities Week Resolution –* Ms. Redding stated during this week the City will issue a proclamation and also host the Forest Park Business Coalition Meeting.

*Resolution appointing member to the Clayton County Land Bank:* Mayor Lockhart stated the purpose of the land bank is to clear some of the tax delinquent properties off the rolls so they can be developed. Mayor Lockhart stated a vacancy exists on this board and proposed Blake Bloomquist to serve on this Board.

*URA Annual Report* - Mr. Fred Bryant stated Georgia Law requires the Urban Redevelopment Agency to submit an annual report and provide a financial report. He stated no action is required but this report will be available at City Hall.

*Samuel Ibanez* - asked to speak at the Regular Meeting. Mayor Lockhart stated he would ask Council if they would amend the agenda to allow him to speak at that time.

*Kenyatta Mitchell* - Ms. Mitchell stated we have an industry wide issue with glass. Recycling companies are no longer accepting glass in single stream recycling.

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

## MINUTES

### REGULAR MEETING OF MAYOR AND COUNCIL OF APRIL 18, 2016

Call to Order: The Regular Meeting of Mayor and Council of April 18, 2016 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.

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

Also present were City Manager Al Wiggins, Director of Finance Mike Blandenburg, Director of Public Works Jeff Eady, Chief Eddie Buckholts, Director of Planning and Zoning Jonathan Jones, Major Chris Matson, Management Analyst Angela Redding and City Attorney Winston Denmark.

Comment Period: Kimberly James – stated the Gillem Logistics Center Meeting will be held at City Hall next Monday beginning at 5 pm.

Samuel Ibanez – asked Council for their support of the next Celebration Walk. He also stated he is working on a fountain for the park and will present this information at a later date. He also presented a Certificate of Appreciation to the City for their previous Celebration Walk on Old Dixie.

Lawanda Folomi - asked what the City is planning to do about their youth once school is out. She would like to see a free program for at least an hour or two with the Recreation Department. She would also like to partner with businesses to get free lunches for students during the summer. She also suggested more senior center activity.

Approval of Minutes: Ms. Wells made a motion to approve the minutes of the Work Session and Regular Meeting of April 4, 2016, seconded by Mr. Smith. Voting for the motion was unanimous.

Proclamation: Mayor Lockhart presented Attorney Stephen Knights with a proclamation for his involvement in the community.

Mr. Smith made a motion to amend the agenda to allow Mr. Samuel Ibanez to make his presentation, seconded by Ms. Bagley. Voting for the motion was unanimous.

Mr. Samuel Ibanez presented a Certificate of Appreciation to the City for their support of the Celebration Walk held on January 30<sup>th</sup>.

Financial  
Services  
Agreement:

Request was made to consider a Financial Services Agreement between Piper Jaffray and Company and the City of Forest Park.

Mr. Smith made a motion to approve the Financial Services Agreement, seconded by Ms. Bagley. Voting for the motion was unanimous.

Ordinance-  
Charges for  
Sanitary  
Services:

Request was made to consider an Ordinance amending Section 5-2-14(1)(B), Charges for Sanitary Services, Title Five (5), of the Code of the City of Forest Park, to amend the current procedure for property owners to notify the City of Forest Park Department of Public Works when properties are no longer available for rent; to provide for a method of delivery of such notification; to provide for severability; to repeal conflicting Ordinances; to provide an effective date; and for other purposes.

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

Surplus  
Resolution:

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.

Mr. Mears made a motion to approve the Resolution, seconded by Mr. Smith. Voting for the motion was unanimous.

Resolution-  
Ga. Cities Week:

Request was made to consider a Resolution of the City of Forest Park recognizing Georgia Cities Week, April 17-23, 2016 and encouraging all citizens to support the celebration and corresponding activities.

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

Resolution- Request was made to consider a Resolution appointing member to the Clayton County Land Bank.

Ms. Wells made a motion to appoint Blake Bloomquist to the Clayton County Land Bank Board, seconded by Mr. Mears. Voting for the motion was unanimous.

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

STATE OF GEORGIA

**CITY OF FOREST PARK**

ORDINANCE 2016-\_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 8-2-2 AND 8-2-5 OF ARTICLE A ("GENERAL PROVISIONS") OF CHAPTER 2 ("BUILDING REGULATION AND CODE ENFORCEMENT") OF TITLE 8 ("PLANNING AND DEVELOPMENT") OF THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA, TO REMOVE EXEMPTIONS FROM THE REQUIRED PAYMENT OF CERTAIN FEES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the duly elected governing body of the City of Forest Park (the "City") is the Mayor and Council thereof; and

**WHEREAS**, the City has the power to adopt ordinances relating to its property, affairs and local government pursuant to the authority granted by the 1983 Constitution of the State of Georgia, including but not limited to Article IX, Section II, Paragraph III; the authority granted by the General Assembly of the State of Georgia, including but not limited to O.C.G.A. § 36-35-3; and the authority granted under the Charter of the City of Forest Park, including but not limited to, Sections 1.13(5) and (11); and

**WHEREAS**, Section 8-2-2 of the Code of Ordinances, City of Forest Park, Georgia (the "Code") exempts certain organizations and entities from the fee requirement for the issuance of a permit for the construction, repair or demolition of any structure, and Section 8-2-5(c) of the Code exempts these organizations and entities from the fee requirement for certain inspections of rental property; and

**WHEREAS**, the governing body desires to remove these exemptions in order to improve the administration of building oversight and to manage more effectively the revenue arising from such oversight

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



**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA,** and by the authority thereof:

**Section 1:** The Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking, in its entirety, the existing text of Subsections (e) and (f) of Section 8-2-2 ("Permits") of Article A ("General Provisions") of Chapter 2 ("Building Regulation and Code Enforcement") of Title 8 ("Planning and Development") and inserting the following text in lieu thereof:

"(e) For all permits as set forth in this article, a fee or fees shall be charged, which fee or fees shall be determined by a resolution of the mayor and council that shall be maintained on file in the office of the city clerk. No individual, association, corporation, firm, organization, partnership, trust or any other entity shall be exempt from the charging of said fee or fees."

**Section 2:** The Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking, in its entirety, the existing text of Subsection (c) of Section 8-2-5 ("Inspection of rental properties") of Article A ("General Provisions") of Chapter 2 ("Building Regulation and Code Enforcement") of Title 8 ("Planning and Development") and inserting the following text in lieu thereof:

"(c) No fee shall be charged for each initial inspection of the rental property made after receipt of the notice required under subsection (a) of this section. If upon inspection it is determined that work must be performed or adjustments made in order to bring the rental property into compliance, then subsequent inspections shall be made to determine if the rental property is brought into compliance. A fee shall be charged to the owner of the property for all inspections subsequent to the initial inspection, which fee or fees shall be determined by a resolution of the mayor and council. A copy of the resolution shall be maintained on file in the office of the city clerk."

**Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 4.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

**Section 5.** (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 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 7.** The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

**ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF FOREST PARK, GEORGIA:**

\_\_\_\_\_  
David Lockhart  
Mayor

\_\_\_\_\_  
Tommy Smith, Council Ward 1  
Mayor Pro-tem

\_\_\_\_\_  
Dabouze Antoine  
Councilmember, Ward Two

\_\_\_\_\_  
Sandra Bagley  
Councilmember, Ward Three

\_\_\_\_\_  
Latresa Wells  
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

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. \_\_\_\_\_

**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.**

**WHEREAS**, City Code Section 3-1-21 permits the Council to determine when it is in the best interest of the city to sell or otherwise dispose of any property belonging to the city, not needed for public use or that may have become unsuited for public use; and

**WHEREAS**, pursuant to City Code Section 3-1-21, it shall be the duty of the governing body to declare when such items should be disposed, and to list or describe the real property to be sold, and all personal property, the estimated resale value of which shall exceed five hundred dollars (\$500.00), to be sold at public auction or by formal written contract to the highest responsible bidder, after reasonable notice inviting proposals and surplus property of the city with an estimated resale value of five hundred dollars (\$500.00) or less may be sold at the discretion of the purchasing agent by negotiated sale without advertisement and the acceptance of bids; and

**WHEREAS**, various City Departments have provided a list of City surplus items to the City Manager, attached as exhibit A to this resolution; and

**WHEREAS**, the City Manager has determined that it is in the best interest of the City to surplus such items, and has requested that such items become surplus and disposed of in the most appropriate manner.

**NOW THEREFORE**, be it resolved by the Mayor and Council of the City of Forest Park that the items listed on Exhibit A, attached to this resolution, be declared surplus and be disposed of in the most appropriate manner.

**Section 1.** That the City Manager cause the items to be disposed of either by auction or pursuant to City Ordinances.

**Section 2.** If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional for any reason by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution and such remainder shall remain in full force and effect.

**Section 3.** This Resolution shall be in full force and effect immediately upon and after its final passage.

Resolved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**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.**

PAGE 2

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DAVID N. LOCKHART, MAYOR

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TOMMY SMITH, MAYOR PRO-TEM  
COUNCILMEMBER ( WARD ONE)

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DABOUZE ANTOINE  
COUNCILMEMBER (WARD TWO)

---

SANDRA BAGLEY  
COUNCILMEMBER (WARD THREE)

---

LATRESA WELLS  
COUNCILMEMBER (WARD FOUR)

---

ALLAN MEARS  
COUNCILMEMBER (WARD FIVE)

ATTEST:

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CITY CLERK

(THE SEAL OF THE CITY OF  
FOREST PARK, GEORGIA)

Approved as to form:

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City Attorney

# SURPLUS EQUIPMENT

DEPARTMENT - City Managers Office

DATE: April 25, 2016

ITEM	QUANTITY	CITY ID NO.	SERIAL NO.	CONDITION
Dry Erase Board	1	10020		good
Entertainment Center	1	10010		poor

ITEM	QUANTITY	CITY ID NO.	VIN #	CONDITION
2014 Chevrolet Impala/Silver	1		2G1155S5E9282944	Excellent