



CITY COUNCIL SPECIAL CALLED MEETING

Wednesday, September 25, 2024 at 6:00 PM
Council Chambers and YouTube Livestream

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.4720

FOREST PARK CITY HALL
745 Forest Parkway
Forest Park, GA 30297

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James
The Honorable Hector Gutierrez

The Honorable Latresa Akins-Wells
The Honorable Allan Mears

Ricky L. Clark Jr, City Manager
Randi Rainey, City Clerk
Danielle Matricardi, City Attorney

DRAFT MINUTES

CALL TO ORDER/WELCOME:

ROLL CALL - CITY CLERK: A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Vacant	Council Member, Ward 2		
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

John Wiggins, Finance Director; Shalonda Brown, HR Director; Diane Lewis, Deputy HR Director; Bobby Jinks, Public Works Director; Fire Chief Latosha Clemons; Josh Cox, IT Director; Javon Lloyd, PIO; Derry Walker, Code Enforcement Director; Marselles Williams, Economic Director; Brandon Criss, Police Dept.; Dorothy Roper-Jackson, Court Director, and Winston Denmark, City Attorney.

NEW BUSINESS:

- Council Discussion Regarding the Resignation of Councilmember Dabouze Antoine, Ward 2, and Requirements for a Special Election- Executive Offices**

Background/History:

In response to the unforeseen and immediate resignation of Councilman Dabouze Antoine, a Special Called Meeting has been scheduled for tomorrow at 6:00 p.m. This meeting is of critical importance, as the governing body must decide whether to initiate a Special Election to fill the vacancy created by Councilman Antoine's departure. The term for this vacant seat is set to expire on December 31, 2025. The decision at hand is whether to hold the Special Election in November of this year or defer it until March 2025.

City Manager Mr. Clark Jr., - explained the need to decide between holding a special election in November or March 2025 and referenced Section 5.17-Special Elections-Vacancies, noting, "In the event that the office of mayor or council member shall become vacant for any cause whatsoever, the city council or those remaining shall order a special election to fill the balance of the unexpired term of such official." Mr. Clark Jr. recommended allowing the County to handle the special election as they handled the last election, with the city clerk serving as the qualifying officer.

Comments/Discussion from Governing Body:

Councilmember James- inquired if there would be qualifying fees and if they would be pro-rated, seeing there is an election in November 2025. Mr. Clark Jr. noted that the qualifying fees are statutory and offer 3% of the annual salary, with the salary staying the same.

Councilmember James- expressed that she is concerned that moving the election to March would require candidates to pay another qualifying fee to run again in November, so she prefers to keep it in November. Mr. Clark Jr. expressed that holding the election in November will give those campaigning a shorter period to collect funds. City Attorney Mr. Denmark included the deadline for a special election is October 7th. Mayor Butler noted she thought there was a 90-day requirement. Mr. Denmark pointed out that only 29 days are needed.

Councilmember Gutierrez- noted he hopes Mr. Antoine is well and inquired about having the election in January instead of March. Mr. Clark Jr. noted that the election calendar for the state of Georgia is statutorily established, and each year, the secretary of state elections office establishes an annual calendar of election activity that has to be followed.

Councilmember Gutierrez- asked to hear the reasoning for holding the election in March instead of November and what the preparations would be. Mr. Clark Jr. expressed a November election would give more preparation time for staff and allow coordination with the Clayton County election board, as it would coincide with the presidential election, simplifying logistics; he also noted it would be the will of the governing body to ultimately decide.

Councilmember Akins-Wells- noted going with staff recommendations and not putting a strain on staff within a short period. Mr. Denmark explained the deadline is October 7th, which must be 29 days before the election set for November 5th. Mr. Denmark then explained that the special election would be called, and then a qualifying date would be established. Mr. Clark Jr. added the election notice must be posted in the legal organ within a certain timeframe.

Mr. Clark Jr.- noted that while the city could consider holding its own election, it would place him, as city manager, in a difficult position, as he is the only Certified elections superintendent and would prefer to avoid that scenario. Instead, Mr. Clark Jr. suggested using an outside consultant, and assures that if the governing body chooses a November election, the executive offices will manage it transparently and effectively, presenting all options for informed decision-making.

Councilmember Akins-Wells- noted that she believes holding the election in March will give those who want to run time to prepare.

Councilmember Mears- noted he believes March is ideal because it should be done right; it would be timely and would be done correctly.

Mayor Butler- noted that she agrees with holding the election in March and that holding it in November is feasible within the statutory timeline, allowing candidates sufficient time to run effective campaigns.

Councilmember James- inquired if staff had contacted the county to see if they would conduct the election. Mr. Clark Jr. explained that he believes a March election would be easier, allowing time to transition from the presidential election. He notes that conducting their own election previously cost over \$20,000, while the county would charge around \$11,704 for a similar process, which would still include early voting and qualifying handled by the city clerk.

Councilmember James- inquired if staff sets the qualifying fees, noting she knows there's a minimum and a maximum number of days. Mr. Clark Jr. explained the minimum is three days and the maximum is five days and noted it would be the governing body's discretion.

Mr. Clark Jr.- recommended three (3) motions. The first motion will determine whether to conduct the election in November or March, the second will authorize staff to work with the Clayton County Elections Division on a memorandum of understanding for approval, and the third will establish the number of days for early voting, with a note that the city typically allows three days for qualifying.

It was moved to approve March 2025 as the special election date.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears.

It was moved to approve staff to work with the Clayton County Elections Board to create and bring back an MOU (Memorandum of Understanding) for the March 2025 special election.

Motion made by Councilmember James, Seconded by Councilmember Mears.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears.

It was moved to approve to set the qualifying period for the special election for 5 days.

Motion made by Councilmember Mears, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears.

Mr. Clark Jr.- provided additional details regarding early voting for the special election noting State law allows the city to conduct one or two Saturdays of early voting, which is mandatory. Mr. Clark Jr. stated that if the council establishes all the other details for the special election tonight, the only remaining item would be for the council to approve the MOU, which would include the early voting dates.

CLOSING COMMENTS:

Councilmember Gutierrez- Thanked everyone for coming out and urged the residents to be safe and to look out for updates regarding the storm.

Councilmember Akins-Wells- thanked everyone for coming out and wants everyone to be safe. She also recommended allowing the public to speak at all of meeting.

Councilmember Mears- thanked everyone for coming out in the bad weather and urges everyone to be safe.

Mayor Butler- thanked everyone for coming out.

EXECUTIVE SESSION: (When an Executive Session is required, one will be called for the following issues: Personnel, Litigation, or Real Estate).

It was moved to recess into Executive Session at 6:17p.m. for Personnel, Litigation, or Real Estate matters.

Motion made by Councilmember Mears, Seconded by James.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears.

It was moved to reconvene into the Council Regular Session at 6:45 p.m.

Motion made by Councilmember James, Seconded by Akins-Wells.

Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears.

ADJOURNMENT:

Mayor Butler adjourned the meeting at 6:45 p.m.

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at 404-366-4720 at least 24 hours before the meeting.