



## CITY COUNCIL REGULAR SESSION

Monday, February 20, 2023 at 7:00 PM  
Council Chambers and YouTube Livestream

### MISSION STATEMENT

It is the mission of the City of Forest Park to enhance, strengthen, and grow our city by collaborating with our community to provide the highest level of service. Striving to be recognized as a diverse community that values and respects all members. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

**Website:** [www.forestparkga.gov](http://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 Allan Mears

The Honorable Dabouze Antoine  
The Honorable Latresa Akins-Wells

Dr. Marc-Antonie Cooper, City Manager  
S. Diane White, City Clerk  
Mike Williams, City Attorney

### **DRAFT MINUTES**

**CALL TO ORDER/WELCOME:** The meeting was called to order by Mayor Butler at 7:38pm and she read the Mission Statement.

**INVOCATION/PLEDGE:** The invocation and pledge were led by Dr. Gholson.

**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		✓
Dabouze Antoine	Council Member, Ward 2		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

Javon Lloyd, Public Information Officer; Joshua Cox, IT Director; Chiquita Barkley, Finance Director; LaShawn Gardiner, Director Planning & Community Development; Diane Lewis, Deputy Director of Human Resources; Bobby Jinks, Director of Public Works; David Halcome, Deputy Fire Chief, Bruce Abrahams, Director Economic

Development; Sandra Johnson, Deputy Police Chief; Pam Stevenson, Management Analyst; Arthur Geeter, Purchasing Manager and James Shelby, Project Manager

## PRESENTATIONS:

### 1. Senior In Actions Presentations – Executive Offices

#### Background/History:

The Seniors in Actions would like to show a picture presentation of some of the activities that they have been able to have with the assistance of Councilmember Hector Gutierrez.

#### Comments/Discussion by Governing Body:

**Councilmember Gutierrez** – We as a governing body, budgeted for a line item called Senior Panthers in Action. Our goal is to bridge the gap between our governing body, the city, and the seniors. We have a teen council also. Most events are held at the senior center, and I am extremely proud of this.

The other goal was for them to take ownership of this, and they have. They have at least one event every month, and I would like you all to meet the board. They help the seniors apply for benefits, they have helped someone get a ramp, thanks to Billy Freeman, from Concrete Technique. Thank you for paying for that and thank you Mr. Leo, and your son for helping build it. We are seeking funding to have another ramp built. As a city, we are going to be giving grants to help local homeowners, so this could potentially be funded through that.

Members from Seniors in Action gave a presentation on their various activities. There is information submitted.

**Councilmember Gutierrez** – This does not happen without the support of our police department; they have been coming out there. Director Tarik Maxwell, thanks for supporting the Seniors in Action, as Myia mentioned she is the director. Thank you all for supporting our seniors.

## PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

There were five (5) Public Comment Speakers:

**Winston Bowman** – Owns the property at 314 Forest Parkway, and said they have no right to eminent domain his property. He gave them three options and stated he did not want to sell the property. There are people that want to rent the buildings, and you have purposely kept people from renting them.

He is a professional real estate person and knows the value of his property. He is a man of honor and asked them to select option one or option two to purchase the property or option three to let his tenants rent his buildings. He and his family have worked very hard to take care of his property. The property that surrounds it is owned by the city and has not been taken care of. The building is falling in, and vandals have broken into his building through a fence that was cut on the city property.

There are homeless people staying on the property. The police know there is a problem with homeless people, because we have spoken about it. There is a mechanic shop that wanted to rent the building. They came here and spoke to you all and you denied him. He sent me a letter stating what happened in the meeting, and I have that letter right here. You have deprived me and my family of income for the past 5 years.

The Planning and Zoning Department said I could use the property for things like body and tire shops, but I cannot use them for what they are meant for. I have not had income for five years from these properties.

**Clifford Pellegrine** – I live in Ward 2, which has been referred to as the circus ward. First, I want to say thanks for the installation of the little free library and bench on the corner of Courtney and Finley. I spoke to Mayor Butler, at Tre's Place, Friday night, and understand that you all just do not know what is going on. I know how it feels to not know what is going on.

So, I will tell you literacy is what is going on, at the corner of Courtney and Finley. It is filled with the most beautiful things in the world, knowledge, escape and inspiration. The books are by mostly black authors, and Hector has helped us with books in Spanish. Thank you very much Councilman Gutierrez. Mr. Jinks, thank you also for helping this project come to fruition. We have all sorts of books, and we have a Quran in there, because not everyone is Christian.

Unfortunately, you show no acknowledgement of it or created a space for it. They are wholly awesome just as they are, and the books represent a vast diversity of the people in this community. My wife finds great books and through our window we witness joy. Why do you make things so hard? You are not in touch with your people and even forget our names, the circus ward. Who have we passed the baton to?

**LaWanda Folami** – Madam Chair you say direct all comments to you, so I am going to direct them. We the constituents depend on you all to be our voice, and to advocate on our behalf. Do not ever get in a place Madam Chair, where you feel you are irreplaceable.

To look at your emotions when some of the constituents are talking is heartbreaking. Before I go any further, I want to give condolences to my colleagues, Mr. Thomas Dawson Jr, the chair for the Black Women Roundtable, he transitioned and Mr. RL White a pastor in Atlanta.

I will not get into the veto, because I feel it is somewhat valid. Madam Chair, I think it is wrong to be working for the city and seeking employment somewhere else. You cannot have a passion for something if you are looking for work somewhere else. If you are not happy where you are, just announce that you want to leave so we can begin our search. So, be careful when you go out looking because everybody knows somebody. I am not saying do not go for your future, but please respect us and give us what we need.

My basketball team is amazing. I have some parents that want to be the coach, and that happens after every season. I let them know you have to be certified, because there are liabilities, and you have to go through the leisure center. To PD, you all are looking good, and Pastor Gholson I am happy you did the invocation tonight.

**Felicia Davis** – Mayor Butler and the City of Forest Park, had a great welcoming dinner for Mayor Massamba Mbengue from the sister city, Yene, Senegal. He expressed his appreciation and invited the City of Forest Park to Yene. I am proposing the city to establish a Sister City line item in the budget. While there is plenty we must attend to at home, there is much to be gained by visiting and supporting our Sisters Cities. A member of my team is in Cape Town, South Africa learning about international Sister Cities.

Earlier this year, US Treasury Secretary Janet Yellen visited Goree in Senegal associated with the Atlantic Slave Trade to rebuild US/African relationships. The point is that there is much that Forest Park can gain from building global relationships. I urge the city to budget for this, and establish a committee tasked with providing recommendations for the best use of funds appropriated.

**Steve Bernard** – I am the owner of Jasper Plaza on Main Street. I have been listening to the last couple of meetings and wanted to make some comments on the waiver for Zaxby's to come to Forest Park. I have voiced my opinion, and do not think it is good for Forest Park. I am not opposition to any business coming here to be clear. The city

putting Zaxby's in the middle of downtown is telling the world that this is the best that we can do as a city. They have been granted waiver after waiver. The new overlay on Main Street under Cooper Carry, that was designed by the city, Zaxby's should have never been granted or sold that property.

I have invested a lot in this city and have watched everything that was sold to me to invest in Forest Park taken away. The city has allowed all types of businesses that do not fit the new overlay put on Main Street. I am not saying Zaxby's should not come, but to put them downtown is saying, the best we can do as a city is put a chicken joint here. No one has granted me any type of waiver, everything I have done has been by the book.

#### **ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:**

It was moved to adopt the Council agenda as printed.

Motion made by Councilmember Antoine, Seconded by Councilmember James.

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

#### **APPROVAL OF MINUTES:**

2. **Council Approval of Council Work Session and Regular Meeting Minutes from February 6, 2023 -**  
City Clerk

It was moved to approve the Council Work Session and Regular Minutes from February 6, 2023

Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

#### **OLD BUSINESS:**

3. **Council Approval of Zaxby's Waiver Veto – Legal**

It was moved to overturn the Mayor's veto of Zaxby's Waiver request.

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

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

Voting Nay: Councilmember Antoine, Councilmember Mears

Motion failed due to a lack of quorum, the veto stands.

#### **Comments/Discussion from Governing Body:**

**Councilmember James** – Zaxby's complied with everything the city recommended, as far as the drive through not being on Main Street, it will be on Finley Road. Their design will be nothing like any other design for Zaxby's. It will be an eatery and outdoor seating on Main Street. All this will be included in the project that was proposed by our Planning and Zoning Commission.

As far as the sprinkler system is concerned, I cannot speak to any of that. This waiver is for water infrastructure, which is as Clayton County Water Authority said there are several ways to infiltrate water.

The way they proposed it, our engineers agree, is more acceptable and meets our ordinance. So, I am in favor of overriding the veto.

**Councilmember Antione** – I spoke to the city manager about this. Before voting for this I did not know all the necessary details of what was really going on. So, this is a good decision, and I vote no.

**Councilmember Gutierrez** – I would like to address some of the comments that were made. I did not know about the sprinkler system and the other waivers that were mentioned by Mr. Bernard. For the record and so that this is clear. Planning, Building and Zoning is not picking and choosing different people to do different things.

Zaxby's is a project that was approved. When it was explained to me that they adapted to everything that we asked, the land was sold, and the decision was made. I do not agree with adding more loopholes to something or a person doing business in so many places.

Then as a developer, Mr. Bernard, you could go anywhere, but you choose here, so there is profit to what you are doing in our city, and I appreciate you investing here. I do not know what some of those things are, if you have any opinions, you can come to me personally, and I will hold my city manager accountable. I am thankful to have your business here, and I do not want you to have any type of resentment or people being treated differently. I agree with this.

**Councilmember Akins- Wells** – I too am in support of Zaxby's. We have a handful of people that come and complain, but I think Councilmember James said it all during the work session. They are abiding by everything that we asked them to do. It is sad that the business owners have to go through so much when we have so little.

Every time someone tries to come here, if it does not fit certain agendas, we want to turn them down or make it hard for them. I understand what you are saying about the Main Street Development, but they are abiding by everything that was asked of them, and it still is a no. Like one of the residents said about the circus ward, one day you are on this band wagon the next day you are on this one. Once someone tells you something you are not in favor of it. Do not vote on something if you do not have clear information on. That stops the ward from looking like a circus ward.

I think it is embarrassing and disheartening to have people want to invest in our city, lifelong residents that want to come and give back. It is more to it than just the handful of developers we know, there are other people that want to put their money here too and see the city flourish. Mr. Bernard, if you have these issues that is what we are here for. We all work for the City of Forest Park, and I do not want to make it hard for any business owner.

**Councilmember Mears** – I am in support of the mayor's veto. I want Zaxby's here as much as anybody, because I love their food. We have a lot of building happening on Main Street, and have to set a precedence. If we do not, the next people that come along will want a variance. It should be put in the way that the county wants it to be. What will happen if Zaxby's leave, and they may never leave, but it is a responsibility that will be given to you all to take care of once this panel is gone.

#### 4. **Council Approval Regarding Usage of Capital Outlay Funding** – Executive Office

It was moved to Approve the Usage of Capital Outlay Funding

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.  
Voting Yea: Councilmember James, Councilmember Gutierrez, Councilmember Akins-Wells,  
Councilmember Mears  
Voting Nay: Councilmember Antoine

## NEW BUSINESS:

### 5. Council Approval of Replacing the INCON Machine – Public Works Department

It was moved to approve the Replacement of the INCON Machine

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.  
Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

### 6. Council Discussion of Surplus Disposal Items – Public Works Department

It was moved to Approve the Surplus Disposal Items

Motion made by Councilmember Mears, Seconded by Councilmember James.  
Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

#### Comments/Discussion from Governing Body:

**Councilmember Gutierrez** – Mr. Abrahams, are there some things there at Gillem we can use? I know we discussed a site for a welcome center. Is there some remaining military stuff or just all surplus like chairs and tables?

**Bruce Abrahams** – Any material like chairs and tables are gone when we cleaned it out for the movie studio. That was the only facility that was left.

**Councilmember Gutierrez** – So, this surplus is not like what came from old Fort Gillem?

**Bruce Abrahams** - I am not sure what came from there years ago. Public Works may have grabbed some chairs for the city. We used 7 dumpsters for most of that stuff, so I do not know.

**Mayor Butler** – Councilmember Gutierrez, this is a Public Works item.

**City Manager** – Mr. Jinks, can give us the list of things that are on it?

**Bobby Jinks, Public Works Director** – It was out of date air conditioners, that are no longer usable or compatible with what is on the market these days.

### 7. Council Approval to Award a Contract to Rite Lite Signs, Inc. to construct Welcome Signs at entrances into City – Planning and Community Development

It was moved to approve to Award a Contract to Rite Lite Signs



Motion made by Councilmember James, Seconded by Councilmember Antoine.

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

**Comments/Discussion from Governing Body:**

**Councilmember Gutierrez-** What is the timeline on this?

**James Shelby, Project Manager –** Once you all award the contract, we can come up with a timeline for you.

**8. Council Approval of Eminent Domain at 314 Forest Parkway – Legal**

It was moved to Approve the Eminent Domain at 314 Forest Parkway

Motion made by Councilmember James, Seconded by Councilmember Mears.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Mears

Voting Abstaining: Councilmember Akins-Wells

**Comments/Discussion by Governing Body:**

**Councilmember James –** This was not a fly by night decision. We have been in negotiation, and made ample offers, based upon appraisals. It is not like we are trying to take advantage of anyone. So, I am in favor of taking it to the next level.

**Councilmember Gutierrez –** Eminent domain is one of the toughest decisions a council person can make, and I always add the human aspect to it. I wish good health to his brother, and I do not want to take anything from his children or anyone in his family. This is a property we identified, and we want to build something for the community. We have been in discussion, and it is not like taking your stuff and giving you five dollars. We are prepared to make a good offer, so my apologies.

**Councilmember Akins- Wells –** Like Councilmember Gutierrez said, we have been in discussion. I have never met the owner, and it is disheartening to take something away from a family. My only concern is turning people away. Is this something being done intentionally? It is weird that people come to apply for their license and are turned down. Is that part of the plan?

**City Attorney –** There were denials based on our current zoning ordinance. It is nothing personal or related to this property specifically. There were zoning decisions based on our ordinances.

**Councilmember Mears –** I feel the city has offered a fair market price, a matter of fact a little over the market. So, I am for moving forward with it.

**9. Council Approval of an Intergovernmental Agreement with DDA – Legal**

This item was tabled.

Motion made by Councilmember Mears, Seconded by Councilmember James.

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

**CLOSING COMMENTS BY GOVERNING BODY:****Comments from Governing Body:**

**Councilmember James** – Thanks to everyone for coming. We did host our February Ward meeting; it was recorded and will be on the website. School board member Victoria Williams was present and shared a video that has been posted. It has the sheriff on there and a major proposal for the spending of the SPLOST. It is the South Lake Mall area and the old Sears building. We want to have a convention center to have all of our graduations, and not have to go to the Georgia International Center and spend upward of \$500,000 to host our student's graduation.

I would like to apologize to the directors for forgetting to remind staff to remind you about the meeting. Just in case I have one of those moments again, it is the 3<sup>rd</sup> Thursday of every month at 5pm, at 696 Main Street. The Clayton County Board did vote to go ahead with the demolition of Forest Park Middle School. The video for the new stem school is online and it is going to be amazing.

There is a mural on Conley Road, and I am going to do a great reveal. The artist did a great job. Some of the items we discussed at the retreat I am waiting to hear about. One is the modification of the city ordinance to only prosecute in the city instead of having the option to bind it over to the state.

We also talked about the mission statement, addressing the last sentence I would like to update that, and I think there is an incomplete sentence that needs to be addressed. City Attorney, I mentioned to you about the sign ordinance. The only theater that we have in the city is having problems with advertising issues. We need to update that as well.

Remember the Hunger Walk is March 12<sup>th</sup>, and the team is called Forest Park High School. You can donate to them, and all proceeds goes directly to the American Community Food Bank. May 20<sup>th</sup> is Community Field Day, and all schools will be included. There will also be an alumni section and I will be inviting them out. We will have Senior Caravan and the seniors will drive around the city and end up in Starr Park. There will be food trucks, bouncy houses, music and games.

We will be honoring the Teachers of the Year next week and thank the Minister Association who is providing the meals for them. At the meeting in March, we will recognize our principal, parent liaison and social workers. Condolences to the Parks and Recreation department, and thanks to Dr. Beeler and his team for providing grief counseling.

I hate Zaxby's was not able to move forward, but they own the property, and we will see where they go from here. The project for the Intergovernmental agreement with the DDA that the board is bringing forth is going to be amazing and some great things are coming. I spoke with Mr. Dunn, the owner of the Park Manor complex on Main Street and they have put in their permit to do their townhomes.

**Councilmember Antoine** – Shout out to police department and the fire department that came on the historic trip to the Haitian Church in Atlanta, where Mayor Dickens was invited. There was a lot of positive feedback. The mayor of Atlanta sees what we are doing in terms of recruiting, and he respects the work that the city is doing.

I would also like to shout out public works for the trash pickups. Thanks for all that you do that is not recognized. Do not forget the rental assistance program the city is offering. Ms. Felicia Davis, thank you for the work that you do, we want the whole world to know what is going on in the city.



**Councilmember Gutierrez** – My condolences go out to the family of the person we lost in the Parks and Recreation Department. I would like to apologize to Ms. Davis for not being able to attend the event for the mayor. I am extremely proud of our city and of you for bringing that here. If we do approve Sister Cities, we can maybe send out subject expert matter, like Mr. Jinks.

I want to send subject matter experts to deal with Sister Cities, because they can give insight on how to improve the things that they have. Shoutout to PD for helping community members with paperwork. I spoke with one of the officers and they spoke highly of you and your leadership. I want to say it has not gone unnoticed.

Food Truck Friday is back the theme is going to be Black History month, we will be watching a movie, celebrating, and maybe giving some people some mic time. It will be at Lee Park, across from the old library on Main Street. The next day it will be cleanup and beautification day for Forest Park Middle School, they are getting a beautiful building.

Thanks for your public comments, you are the top of the chain for our people, and it is important that you come and hold us accountable for things. I attended an event at Solo's Barbershop, and it was meaningful. Shoutout for giving a space for the candidates running, to be able to come and talk to the community. He council aide Marsha Johnson a Happy Birthday.

**Councilmember Akins-Wells** – Thanks for coming, and we can agree to disagree. The people voted for us because we are different. We represent the city as a whole, but represent different wards and vote for what we feel our people would want us to vote for. Condolences to Mr. Maxwell and the family on the passing of Mr. Jackson. Thanks to the PD department and all of the directors for coming, you all do a fine job. You all have a good night and blessed week.

**Councilmember Mears** – I would like to explain my vote. We have a long way to go, a lot of land to sell and we want a lot of people to come here. However, we have to set a precedence for them to build and do the right thing. We do not need to start cutting corners. Everybody needs to do what they are supposed to do, and things will be fine. What we do now will affect you all, if it is not done the right way. Somewhere down the line when we are all gone, the city is going to have to pay for it. I would love Zaxby's to come, and I do not think money is an object, it is just politics. This will send the message if you come to Forest Park to build, you are going to have to go by the building codes. Thank you.

**Councilmember Gutierrez** –

**Mayor Butler** – Thanked everyone for being there.

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

There was no Executive Session

**ADJOURNMENT:**

It was moved to adjourn the Regular Session at 8:45pm.

Motion made by Councilmember Mears, Seconded by Councilmember Antoine.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-

Wells, Councilmember Mears

DRAFT