



CITY OF
FORESTPARK

City Council Agenda Item

Subject: **FACTS/FINDINGS/DECISION AND RECOMMENDATION REGARDING SPECIAL COUNSEL INVESTIGATION – Legislative Offices/Chief Executive Offices**

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: February 28, 2022

Work Session Date: March 07, 2022

Council Meeting Date: March 07, 2022

Background/History:

Under the investigative authority of Section 2.15, the city council of the City of Forest Park, Georgia empowered the Special Counsel to review the actions and involvement of city council member Dabouze Antoine with regard to two events:

- 1.) A city contract to refurbish the basketball courts and other improvements at Perkins Park
- 2.) The purchase of Christmas gifts on December 17, 2020, with fund donated to the city by a private party

In Section 2.15 of the City Charter, the city council is authorized to conduct inquiries and investigations. The Charter provides: "The City Council may make inquiries and investigations into the affairs of the city and the conduct of any department, office or agency thereof, and for this purpose my subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issue in the exercise of these powers by the city council shall be punished as provided by ordinance." Under this investigative authority, the city council retained the services of attorney, Anthony O.L. Powell of Powell and Edwards, PC to conduct a fact-finding investigation.

Special Council concluded with regards to the Perkins Park contract that there is conclusive evidence that Council Member Antoine violated the laws of the State of Georgia, the charter and city codes of the City of Forest Park by accepting gifts from a city private contractor in excess of \$500.00 who was subsequently awarded a city contract to refurbish the basketball courts, fencing and parking lot at Perkins Park on the recommendation of council member Antoine. Based on this admission by council member Antoine, Special Council further recommends that the city council consider the evidence in a public hearing conducted pursuant to Section 2.15 and 5.16 of the city charter and remove Mr. Antoine from his office under the authority of Section 5.16 (1), (4), (5), and (6). Furthermore, Special Council recommends that this report and the supporting evident be forwarded to the Clayton County District Attorney for consideration of additional sanctions based on the admissions of Mr. Antoine. In the event council member Antoine is criminally charged and convicted, he could also be suspended and removed from office based on Section 5.16 (2) of the charter of the city.

Special Council concludes with regards to the purchase of Christmas gifts with funds donated to the City by a private citizen that there is no evidence that council member Antoine is guilty of an offense that would justify any disciplinary action.

The City Manager is seeking council direction on how they would like to proceed in this matter.

Cost: \$ 0

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

N/A

Action Requested from Council:

Seeking council direction on how they would like to proceed in this matter.