



CITY OF
FORESTPARK

**CITY OF FOREST PARK
CITY COUNCIL WORK SESSION MEETING**

Monday, November 17, 2025, at 6:00 PM
Forest Park City Hall | Council Chambers
745 Forest Parkway, Forest Park, GA
30297

The Honorable Mayor Angelyne Butler, MPA
The Honorable Kimberly James The Honorable Delores A. Gunn
The Honorable Hector Gutierrez The Honorable Latresa Akins-Wells
The Honorable Allan Mears
Latosha Clemons, Interim City Manager
Randi Rainey, City Clerk
Danielle Matricardi, City Attorney

APPROVED MINUTES

I. CALL TO ORDER/WELCOME

Mayor Butler called the meeting to order at 6:00 p.m.

II. ROLL CALL - CITY CLERK

Present

Councilmember Kimberly James
Councilmember Delores Gunn
Councilmember Hector Gutierrez-Via Zoom
Councilmember Latresa Akins-Wells
Councilmember Allan Mears

Absent

Others in attendance: Pauline Warrior, Chief of Staff; Josh Cox, IT Director; Rodney Virgil, Level 2 Support Engineer; Javon Lloyd, PIO; Jeremi Patterson, Deputy Finance Director; Shalonda Brown, HR Director; Diane Lewis, HR Deputy Director; Rochelle Dennis, Economic Development Director; SaVaughn Irons, Senior Planner; Dorothy Roper-Jackson, Municipal Court Director; Tarik Maxwell, Director of Rec and Leisure; Alton Matthews, Public Works Director; Geoff May, Deputy Fire Chief; Brandon Criss, Police Chief, Onesia Scott, Code Compliance Manager, and Danielle Matricardi, City Attorney.

Not in Attendance: Interim City Manager, Latosha Clemons

III. ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS

It was moved to approve the agenda as printed.

The motion was made by Councilmember James and seconded by Councilmember Gunn. Voting Yea: Councilmember James, Councilmember Gunn, Councilmember Gutierrez, Councilmember Akins-Wells, and Councilmember Mears.

IV. **ADOPTION OF THE CONSENT AGENDA WITH ANY ADDITIONS / DELETIONS**

It was moved to approve the consent agenda as printed.

The motion was made by Councilmember James and seconded by Councilmember Gunn. Voting Yea: Councilmember James, Councilmember Gunn, Councilmember Gutierrez, Councilmember Akins-Wells, and Councilmember Mears.

Councilwoman James called for a point of order and noted wanting to discuss the item.

It was moved to discuss the consent agenda item.

The motion was made by Councilmember Akins-Wells and seconded by Councilmember James.

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

V. **CONSENT AGENDA**

1. **Council Discussion to enter into a contract with Dr. Christopher Edens to serve as the City's Medical Director-** Fire and EMS Division

Background/History:

Since 2023, the Forest Park Fire & EMS Department has utilized the professional services of Dr. Christopher Edens as its Medical Director, providing emergency medical services. This request is to allow Dr. Edens to continue serving in this capacity on an annual basis, not to exceed five (5) years. The new term will begin on January 1, 2026, for one year, with four (4) automatic annual renewals. The annual cost is \$16,000 with a total amount of \$80,000 throughout the five years ending on December 31, 2030.

Funding Source: General Fund

Comments/Discussion from Governing Body:

Councilmember James inquired whether this was a new position, and it was explained that it is the same Medical Director, with the action pertaining only to renewing the existing contract for another term.

VI. **OLD BUSINESS**

2. **Council Discussion on the Proposed Amendment to the Charter to Amend Section 2.15 (Inquiries and Investigations) of Article II (Governmental Structure)- Attorney's Office**

Background/History:

At the recent strategic planning retreat, the governing body reached a consensus to amend the Charter by revising the investigation process. Under the proposed revision, investigations would still be permissible, but would require formal approval by the whole governing body before proceeding.

At the October 15, 2025, Regular Session Meeting, the amendment did not receive the necessary number of votes for passage. As a result, the proposed ordinance was re-advertised for three consecutive weeks.

The first reading and consideration of the ordinance was scheduled for the Regular Session on November 3, 2025, at 6:00 p.m. The second and final reading, with potential adoption, is scheduled for the Regular Session on November 17, 2025, at 7:00 p.m.

Attorney Matricardi clarified that the first reading of the ordinance occurred at the previous City Council meeting, which was the first meeting in November. The second reading is taking place at the current meeting. She noted that the reference to an October date in earlier documentation appears to have been included in error, as no action related to this item occurred in October. This clarification was provided to ensure the record accurately reflects the progression of the ordinance readings.

Comments/Discussion from Governing Body:

Councilmember Gutierrez inquired about the status of the item, stating that he believed the Council had already voted on it previously. He sought clarification on whether the item had passed and why it was returning before the Council. Attorney Matricardi clarified that in September the vote was two to one; however, after reviewing the City Charter, it was determined that three affirmative votes are required to adopt any ordinance or resolution. Therefore, the prior vote did not meet the charter's requirement for passage.

Councilmember Gutierrez asked for clarification regarding future investigations, confirming that any such action would require a majority vote of the full Council. With all five Councilmembers, the required majority would be three affirmative votes. Attorney Matricardi explained that the majority requirement remains the same and that the language in the amendment mirrors the existing provision, except for the removal of the final sentence referencing individual inquiries. She directed the Council's attention to the ordinance language for reference.

Attorney Matricardi stated that, per the ordinance, the language in Section 2.17 regarding inquiries and investigations remains the same. She offered to read the section for clarity, noting that it authorizes the City Council to make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency. The provision allows the Council to subpoena witnesses, administer oaths, take testimony, and require the production of evidence, with penalties for any person who refuses to obey a lawful order issued under these powers.

She further explained that one sentence currently in the code is being removed through the charter amendment. The deleted sentence states that the Mayor and Councilmembers may individually make inquiries about any city employee concerning city operations.

VII. NEW BUSINESS

3. **Council Discussion on the Beautification Committee Appointments— Code Compliance Department**

Background/History:

Staff is seeking approval for the reappointment of four Beautification Committee members for a one-year term: Ann Keith (Ward 2), Lashawn Boykin (Ward 3), Lois Wright (Ward 4), and Kwadernica Rhea (At-Large). Staff is also recommending approval of a new appointment to fill the vacant Ward 5 seat on the Beautification Committee.

Supervisor Scott stated that the request was for the reappointment of the existing Beautification Committee members and the appointment of a new member to fill the Ward 5 vacancy. In response to a question regarding the recommended appointee, she noted that Councilmember Mears recommended Cynthia Bacon for the Ward 5 seat.

4. **Council Discussion on a Partnership Agreement with The Rock Church of Atlanta, Inc. and the City of Forest Park-Legislative Office**

Background/History:

The Rock Church of Atlanta has served Forest Park residents for years as a trusted location for food distribution, collaborating with organizations like Hunger No More Outreach to provide support to hundreds of families in need. As food insecurity continued to rise, the need for secure and dependable storage became clear, and the lack of on-site capacity limited how much food could actually be delivered to our community.

This partnership agreement formalizes the long-standing relationship between the City and Rock Church, allowing the City to place and maintain a secure storage container on their property. At the same time, Rock Church continues to provide the location, site access, and operational support. The goal is to strengthen food distribution services, improve capacity, and ensure consistent service delivery to Forest Park residents who genuinely depend on these resources.

Comments/Discussion from Governing Body:

Councilmember James expressed support for the proposal, noting that the organization contributes substantially to the community and provides extensive food assistance. She stated that her only question concerned the maintenance portion and how it aligns with existing city policy, and she asked Ms. Pauline for clarification. Attorney Matricardi asked for clarification regarding the maintenance question, specifically whether the inquiry pertained to maintaining the facility or another aspect of the proposal.

Councilmember James clarified that her question referred specifically to maintaining the box or storage unit. Attorney Matricardi clarified that the organization will be responsible for maintaining the unit itself. She explained that the purpose of the city providing the unit is to lessen the impact on city residents and city resources. She further noted that the agreement outlines all responsibilities of both the city and the church.

Councilmember Gunn expressed her appreciation that the matter was moving forward. She stated that The Rock has served the community for many years and is now operating three days a week, providing a wide range of assistance, including clothing. She noted that the organization has run out of space and reached out to the city for support. She explained that she and Councilmember Gutierrez discussed the request when he approached her, and she is excited to see the partnership progressing. She added that The Rock is accountable, does excellent work, and she is pleased for the city to collaborate with them in this effort.

Councilmember Gutierrez thanked Councilmember Gunn for her comments and echoed her remarks. He stated that The Rock Church is a pillar in the community, serving families from Forest Park and beyond. He noted that they provide assistance three times a week and focus solely on helping people and doing meaningful work. He expressed gratitude that the city is able to support efforts like this and hopes to continue similar acts in the future. He also recognized Pastor Mike, Elder Cook, Ms. April, and the entire team at The Rock for consistently supporting community events and volunteer efforts.

Councilmember Akins-Wells thanked The Rock Church of Atlanta for its service to the community. She stated that she recently had the opportunity to assist with food distribution and observed how organized and well-maintained the operation is. She added that the church is truly an asset to the community.

5. **Council Discussion and Decision on Case # RZ-2025-03- Rezoning Request for 4652 Jonesboro Road-** Planning and Community Development Department

Background/History:

The subject property is a 0.26± acre parcel at 4652B Jonesboro Road in Ward 3, located behind an existing commercial parcel that shares the same address and access point. Although the property is currently zoned RS (Single-Family Residential), it has historically been used for commercial purposes, including an automotive repair business that operated on the site for several decades. The applicant is requesting rezoning to GC (General Commercial), citing the long-term commercial use, and noting that the property has never functioned as residential.

Staff review of zoning maps from 2013 to 2024 confirms the parcel has consistently carried an RS designation, and no official record of prior commercial zoning was found. However, the parcel's physical layout, shared access with the front commercial parcel, and location along a major commercial corridor limit its suitability for residential use. Given the corridor context, historical commercial function, and site constraints, staff supports rezoning the property to GC, with the expectation that any future redevelopment will comply with current City standards for site design, access, buffering, and compatibility with surrounding properties.

Should the Mayor and City Council approve this rezoning request, the property may be reintegrated into a cohesive commercial site along the corridor and redeveloped in accordance with current zoning, development, and land use regulations.

Director Dozier explained that the request is to rezone the property to the zoning classification that reflects its historical use. She noted that the city's maps indicated a different classification, and the goal was to ensure that the applicant would be able to use the property as intended. She stated that the Planning Commission reviewed the item and recommended approval of the rezoning request.

Comments/Discussion from Governing Body:

Councilmember Gutierrez stated that his backyard connects to the property in question and confirmed that the property has always functioned as commercial. He emphasized the importance of patience from business owners, homeowners, and the community when zoning issues arise, noting that there is a required process that must be followed. He thanked the applicant, Mr. Burch, for his patience throughout the process and expressed appreciation for his cooperation with the city. He also recognized the staff team that assisted in bringing the matter to a resolution.

6. Council Discussion to Confirm the Establishment of a Development Impact Fee Program and Consider Appointment of the Development Impact Fee Advisory Committee -Planning and Community Development Department

Background/History:

In response to continued growth and increasing demand on public infrastructure, the City has been evaluating the potential establishment of a Development Impact Fee Program in accordance with the Georgia Development Impact Fee Act (DIFA), O.C.G.A. § 36-71-1 et seq. Such a program would provide a structured and legally supported funding mechanism to ensure that new development contributes its proportionate share toward capital improvements needed to support growth.

This item was previously presented to the Mayor and Council on July 21, 2025, at which time staff briefed Council on the overall purpose of development impact fees, the requirement to prepare and adopt a Capital Improvements Element (CIE) as part of the Comprehensive Plan, and the state law requirement to appoint a Development Impact Fee Advisory Committee. The Advisory Committee serves in an advisory capacity to review and provide input on the draft impact fee ordinance, fee schedule, and project list before City Council consideration.

Under O.C.G.A. § 36-71-5, the Advisory Committee must consist of not fewer than five (5) and not more than ten (10) members, with at least fifty percent (50%) of the members representing the development, building, or real estate industries. The members do not have to be residents of the City. State law also allows the Mayor and Council to designate an existing body, such as the Planning Commission or Development Authority, to serve as the Advisory Committee if the membership composition satisfies the required industry

representation threshold.

Staff has provided the Mayor and Council with suggested names for potential committee appointments to assist with meeting these statutory requirements and to support the timely formation of the Advisory Committee. The Committee's role will be to provide input on the draft Development Impact Fee Ordinance and fee schedule in 2026, before Council consideration. Adoption of the ordinance and fee schedule will be required to formally establish the City's Development Impact Fee Program.

Should the Mayor and Council approve the appointment of the Development Impact Fee Advisory Committee, staff will proceed with preparation of the Capital Improvements Element and related documents necessary to advance the program.

Comments/Discussion from Governing Body:

Councilmember James asked whether the requested recommendations, due by Monday, needed to be completed before January. Director Dozier stated that the recommendations should be submitted as soon as possible because the consultant is currently completing her work with staff and intends to meet with this group afterward. She explained that the consultant will review the details of what the group will be responsible for as part of the study. The sooner the consultant receives the names, the sooner she will be able to schedule that meeting.

Councilmember James stated that she would like the Mayor-Elect to have an opportunity to present names for the committee. She noted that the committee requires no fewer than five and no more than ten members. She then asked Attorney Matricardi whether, if the Council approves the five names currently before them, additional names could be added later to bring the committee up to the maximum of ten members. Attorney Matricardi stated that additional names may be added to the list at a later time and that doing so would simply constitute additional appointments.

Councilmember Gunn asked whether the committee appointments needed to be finalized before January 1st and requested clarification regarding the applicable statute or requirement.

Mayor Butler stated that the committee must consist of five to ten members, consistent with Attorney Matricardi's explanation. She noted that the Council may begin with five members and add additional members at a later time if desired. She further explained that a meeting date with the committee has not yet been established. She will speak with the consultant to determine the latest possible date for that meeting, which would allow time for the incoming Mayor to participate and recommend any additional appointees.

Councilmember Gunn requested clarification regarding the list provided, noting that the word "sample" appeared on the document. She asked whether the names shown were only examples and not final selections. Director Dozier explained that the list provided was only a sample. She stated that the Council may choose to use the individuals listed or select others, and that the sample was intended merely to illustrate the diversity of backgrounds that could be represented on the committee. She noted that the sample included an insurance professional, a realtor, and a large business owner in the city, as well as two staff members. She emphasized that it is entirely up to the Council to determine whom they would like to appoint to the committee.

Councilmember Gunn stated that, based on her review, the committee must include someone representing the development, building, or real estate industry. She noted that one of the sample names listed was in the insurance field, which did not appear to meet those criteria unless staff advised otherwise. Attorney Matricardi clarified that the committee does not have to consist of ten members; it may include up to ten. She further explained that only 50 percent of the members are required to represent the building, real estate, or development industries. The remaining members may come from other backgrounds. She added that the Council also has the option to narrow the committee's composition if they prefer it to consist solely of individuals from development, real estate, or related fields.

Councilmember Gunn asked, given the nature of establishing the board and ensuring appropriate representation for the projects to be undertaken, whether the Council would be provided with resumes or background information for prospective members to ensure that qualified individuals are selected to move the work forward. Director Dozier stated that the Mayor and Council may determine any process they prefer for reviewing potential applicants. She noted that the city has not been advertising or soliciting applicants at this time. However, if Councilmembers recommend individuals and those individuals submit resumes, it would allow the rest of the committee or Council to review their backgrounds and qualifications.

Councilmember Gunn asked Attorney Matricardi whether applicants would need to complete that application or if the Council would instead rely solely on submitted resumes. Attorney Matricardi stated that the existing application process could be used by this committee. She recommended issuing a specific request for applicants to complete the application so that all interested individuals could submit both the application and their resume. She explained that this would allow the Council to review all materials and then make the appropriate selections. Councilmember Gunn agreed with the recommendation, stating that applicants should complete the appropriate application so the Council can receive the necessary information to make an informed and proper selection for the city.

Councilmember Gutierrez stated that he agreed with Councilmember James and believed the Mayor-Elect should have input on the committee appointments. He noted that he had reviewed the sample list and had a question regarding eligibility. He acknowledged that members are not required to live in the city but asked whether they must at least own a business in the city. He expressed that committee members should have a direct interest in Forest Park and that individuals without residency, business ownership, or another meaningful connection to the city may not be appropriate candidates.

Director Dozier stated that, as Attorney Matricardi mentioned, the Council has the authority to determine how many individuals serve on the board. She added that if the Council wishes to require that members have a business located in the City of Forest Park, that criterion can be accommodated within the language provided.

7. **Council Update and Discussion regarding the maximum number of liquor licenses permitted in the city by code—Planning and Community Development Department**

Background/History:

At the October 20, 2025, City Council meeting, staff provided an overview and discussion regarding the maximum number of liquor licenses permitted within the City, as established

by Sec. 9.2.52 of the City Code. During that discussion, concerns were raised that the city may currently be at or near the maximum number of allowed licenses for wholesale and retail package sales of distilled spirits.

Pursuant to Sec. 9.2.52, the City is authorized to issue a combined maximum of seven (7) licenses for wholesale dealers and retail dealers of distilled spirits by the package. Additional licenses may not be issued unless and until the City's population reaches 21,000 residents. Upon reaching that population threshold, one (1) additional license may be considered for every 3,000 additional residents. Population counts for this purpose are determined using the most recent data published by the Atlanta Regional Commission or, if unavailable, the most recent U.S. decennial census.

Since the previous Council discussion, staff have reviewed the pending liquor license application submitted by Chamunda Corporation, d/b/a Dixie Package. All required documentation has been submitted by the applicant. The application remains pending final Planning & Community Development approval, which is contingent upon successful completion of the necessary building and trade permits, as well as fire and building inspections associated with planned construction and demolition at the site. Once these approvals are satisfied, the license will be issued through the City's online permitting portal. Staff will continue to monitor progress and provide updates as needed.

Additionally, during the prior meeting, Council requested that staff explore the City's alcohol sales proximity regulations as they relate to churches. Staff is seeking clarification from the City Attorney regarding whether the current distance requirements are established solely by City ordinance or are governed in part by State law, in order to determine whether potential amendments may be considered and, if so, what options may be available for Council discussion.

Director Dozier stated that the item before the Council was an update regarding an applicant who inquired about obtaining a distilled spirits license. She explained that staff is seeking legal guidance on the matter and deferred to Attorney Matricardi to address the question concerning the required distance between churches and establishments that sell alcohol.

Attorney Matricardi explained that state law establishes minimum distance requirements between churches and establishments that sell alcohol. She noted that while the city may adopt more stringent requirements, it cannot adopt standards that are more lenient than those set by state law.

Comments/Discussion from Governing Body:

Councilmember James asked whether the explanation provided answered the earlier question. She noted that the business under discussion was the same company whose previous building had burned down and asked whether there was any issue with the company obtaining its license. Director Dozier confirmed that the applicant is in good standing. She stated that the business is currently renovating its building, and once the renovations are complete and all building permits are finalized, the business will undergo fire review and compliance review. After those steps are completed, the business license and alcohol license will be issued.

Councilmember Gunn stated that the last paragraph of the report was confusing. She noted

that it appeared to combine two separate situations and expressed that she did not recall asking staff to explore the city's alcohol-sales proximity regulations as they relate to churches. She questioned how the reference to churches became included in the discussion. Councilmember Gutierrez stated that he was the one who asked about the city's proximity requirements. He explained that his question stemmed from the situation involving Jerry's Café, which is located on the same lot as a church, and he wanted to know whether the city could modify those regulations.

Councilmember Gunn restated Councilmember Gutierrez's earlier question, confirming that he was asking whether there is a state regulation governing how close establishments that sell alcohol may be located to churches. Councilmember Gutierrez confirmed that this was his question. He explained that he recently visited Jerry's Café in his ward, which is located on the same lot as a church. When he asked the owner whether she had considered serving mimosas or other drinks on Sundays, she informed him that she could not due to the church's proximity. He stated that, given the large number of churches in the city, he felt the restriction seemed outdated and wanted to understand the regulation. After Attorney Matricardi clarified that the distance requirement is mandated by state law, he acknowledged that there is nothing the city can do to modify it.

Councilmember Gunn asked Director Dozier which establishment had occupied the property first, the eatery or the church. Director Dozier responded that she would need to look into that information and did not have the answer available at that moment.

Councilmember Gunn stated that the church had been located at the site first. She noted that this was the first time the city had encountered a situation where a restaurant was directly connected to, or located within the same plaza as, a church. She asked whether the city had previously dealt with similar circumstances and whether any business owners had raised concerns about alcohol licensing in such settings. Director Dozier stated that she had not received any complaints related to this issue. She clarified that the regulation applies to "places of public assembly," which includes a variety of uses beyond churches, and is not intended to single out churches specifically. She reiterated that she has not heard any concerns from business owners regarding their operations or alcohol sales in relation to this requirement.

Attorney Matricardi clarified that state law specifically references churches, not general places of public assembly. She explained that state law prohibits alcohol sales within 100 yards of a church and that the requirement applies specifically to religious institutions.

Councilmember Gunn asked how long the business operating in the plaza had been in operation. Director Dozier noted that the restaurant has been there for two years.

Councilmember Gunn stated that she understood Councilmember Gutierrez's concerns regarding new businesses locating near churches. She asked whether incoming businesses are made aware of the proximity restrictions related to churches or other religious institutions when they establish operations in those areas. Director Dozier stated that when applicants inquire about zoning or request zoning verification, staff informs them whether the property they are considering may present issues in obtaining an alcohol license, depending on the parcel and its proximity to a religious institution.

Councilmember Gunn asked whether, when a new business locates near a church, the city ensures the business is clearly informed of all alcohol-sale restrictions associated with that

proximity. She questioned whether staff proactively explain limitations such as prohibited Sunday sales during church service hours. She emphasized the importance of providing complete and consistent information so that business owners fully understand the regulations before choosing Forest Park and can successfully operate and recommend the city to others. Councilmember Gutierrez clarified that the restriction is not limited to Sundays. He stated that businesses located within the prohibited distance of a church are unable to sell alcohol at any time on any day.

Attorney Matricardi stated that the matter may require further review and suggested discussing it offline. She explained that she would like additional context regarding the specific business in question. She noted that certain provisions allow for on-premises consumption but not package retail sales, and clarified that the state's distance requirement as it relates to churches applies specifically to distilled spirits. She added that there may be circumstances under which the business could sell certain types of alcohol, but additional information is needed to determine that.

Councilmember Gunn stated that she would like additional insight into the issue. She noted that, as a drug addiction counselor, she understands the importance of responsibility, but she also wants to ensure that businesses are treated fairly. She emphasized that if an applicant submits a request in writing and the city issues a permit, the business should not later be blindsided due to missing or incomplete information. She reiterated the importance of providing clear, comprehensive guidance to applicants.

Councilmember Gutierrez stated that he agreed with the previous comments. He said the issue relates to freedom of choice and clarified that he does not support excessive drinking or behavior that would compromise the character of the community or lead to impaired driving. However, he noted that the city is working to attract businesses, and if a restaurant wishes to offer a simple alcoholic beverage during the week, it should be able to do so when permitted by law. He explained that he learned about the restriction only after a business owner informed him that she could not offer on-premises drinks due to the proximity of a church. He emphasized that the concern is not about wholesale or package sales but strictly about on-premises consumption. He added that providing clear guidance to business owners is essential because strict proximity rules, given the number of churches in Forest Park, could make it difficult for restaurants to operate successfully in the community.

Councilmember Akins-Wells stated that she wanted to clarify a point mentioned earlier, noting that the building is no longer standing and that the site is now blank, rather than a renovated structure. She also referenced prior issues involving the business's location and emphasized that incoming businesses follow a permitting process during which they are informed of what they can and cannot do. She asked for confirmation that all location concerns had been resolved, noting that the business had previously considered moving to Main Street. She concluded by confirming that the business will be located on Old Dixie.

Director Dozier clarified that the business will be located at the new site on Forest Parkway, not on Main Street. She stated that the address is 349 Forest Parkway.

Director Dozier added that the store is relocating because the owner of the previous property chose not to rebuild after the structure was lost. As a result, the business is moving to a new location on Forest Parkway. Mayor Butler clarified that the business is not relocating to the large

building at the corner of College Street and Forest Parkway. She stated that the location being referenced is the Colonial car sales property.

Mayor Butler clarified that the business is not moving into the large building located at the corner of College Street and Forest Parkway. She stated that the location appears to be the former Colonial Car Sales property next to the hotel. She asked whether the property was a private purchase or lease, and confirmed that it was not City-owned property. She then inquired whether the business had obtained the necessary permits. Director Dozier stated that she was not sure whether the business had purchased or leased the property. She confirmed that the site is privately owned and is not City property. Director Dozier stated that the use is permitted at the new location and that the business can request and receive approval to operate there. She explained that the applicant has already submitted a zoning verification, which confirms that the use is allowable at that site. She added that the business is also working with the Business Licensing division and is in the process of obtaining its final distilled spirits license, which was the primary topic of the earlier discussion.

Councilmember Akins-Wells asked whether the business was required to come before the Mayor and Council for approval. Director Dozier stated that the business is not required to come before the Mayor and Council for a by-right use. She explained that Council approval would only be necessary if the request involved a conditional use. Attorney Matricardi added that the business would also be required to come before the Mayor and Council if the number of available licenses had been exhausted. She explained that if the maximum number of licenses permitted by the population had already been issued and the City wished to exceed that number, an ordinance amendment would be required. Because the current number of licenses has not been reached, this applicant didn't need to come before the Council.

Councilmember Akins-Wells stated that she found it puzzling that a previous restaurant was not approved, noting that she did not support that outcome and wished it had come before the Council. She then thanked the staff for the clarification.

Councilmember Gunn asked whether staff had confirmed the required distance, noting that there is a church located directly across the street from the site. She stated that it did not appear to meet the 200-foot requirement and sought clarification on whether the location complies with the distance restrictions. Director Dozier stated that the location does meet the required distance, noting that the applicable standard is 100 feet.

Councilmember Gunn confirmed that the requirement is 100 yards and asked whether the liquor store will be located on Forest Parkway in Ward 2. Director Dozier stated that staff understood the location may not have been the preferred choice, and it was not the staff's preference either. However, she explained that based on the requirements in the City Code, there were no alternative options available under the allowable regulations.

Councilmember Akins-Wells asked whether, even with the Code requirements in place, the Mayor and Council still retain the authority to decide what they do and do not want in the community, noting that this is the purpose of their role.

Councilmember Mears stated that he was confused about the situation. He noted that he had been in favor of the business rebuilding at its original location after the fire, under the same conditions as before. He expressed concern that the current circumstances appeared to be

shifting and emphasized that the City should not allow the business to be misled or placed in a situation that creates problems later. He stated that if the business was previously subject to church-proximity rules at its former site, then relocating to a different property constitutes an entirely new situation that must follow all applicable guidelines rather than being approved without proper review.

Director Dennis stated that the parcel at 349 Forest Parkway is the former Colonial Auto Sales property. She provided background to explain how the situation developed. She noted that after the fire at the Old Dixie Package Store, the Office of Economic Development spoke with the tenants, who were initially exploring a different parcel on Old Dixie for a ground-up construction project. She explained that the department was not aware that the tenants had later pursued the Colonial Auto Sales property. By the time staff learned that the Colonial site was under consideration, Planning and Community Development had already moved the process forward, including issuing zoning verification, since the property is a privately owned commercial lot.

Director Dennis added that Economic Development met with the Colonial Auto Sales property owner and their brokerage team two to three months ago, while they were considering selling the site. During that meeting, staff discussed potential uses preferred by the City, such as retail, restaurant, or a grocery store. She clarified that the Old Dixie property had two separate parties involved: the property owner, who chose not to rebuild, and the tenants who operated the package store, who did not own the building. The tenants were initially exploring constructing a new building, but ultimately pursued the Colonial property. By the time this information came back to Economic Development, Planning and Community Development had already processed the zoning verification.

Mayor Butler asked for clarification regarding the Old Dixie property, noting that there was both an owner and a tenant involved. She asked what the property owner planned to do with the site. Director Dennis stated that her understanding is that the property owner of the Old Dixie site has chosen not to rebuild, and the site has been leveled and cleared. She noted that she does not know the owner's future plans for the property. She clarified that the tenants who operated the Old Dixie Package Store are the individuals now seeking to assume ownership or lease of the former Colonial Auto Sales property.

Mayor Butler stated that the City has previously discussed implementing a concierge model intended to maintain synergy and communication among all departments. She noted that, based on the current situation, this coordination does not appear to be occurring, as Planning and Community Development and the Office of Economic Development seem to have been working with the applicant separately. She emphasized that all departments should be aware of ongoing activities and asked for the status of the concierge model that had been discussed for some time.

Director Dozier stated that the concierge model is still in place. However, in this situation, the process became complicated because two different parties were involved. She explained that the property owner had been communicating with the Planning Department, while the tenant had been working with the Business License Division. She noted that once the staff was able to piece together the information from both sides, it became clear that the applicant was exploring additional properties. Director Dozier stated that when applicants are looking for alternative locations, staff typically recommends that they meet with the Office of Economic Development to maintain coordination and ensure consistency across departments. She added that in this

particular case, the early breakdown occurred because the applicant originally indicated an intent to remain at their current location, but that plan changed, which likely led to conversations happening independently before the departments were fully aligned.

Mayor Butler stated that the concierge model should not function merely as a recommendation but as an integral part of the overall process. She emphasized that when multiple departments and stakeholders are involved, it is even more important for everyone to be at the table to ensure thorough communication and coordination.

Councilmember James stated that the Council had not been aware that the property owner did not intend to rebuild at the original Old Dixie location. She then asked for clarification regarding the zoning for the Forest Parkway site. Director Dozier explained that, under normal circumstances, when a new or incoming business approaches the City, they meet with Planning and Zoning and are guided through the concierge model. She stated that the complication in this situation arose because the applicant was an existing business that initially indicated an intent to reopen at the same Old Dixie location. She noted that staff did not learn of the change in plans or the interest in relocating to a different property until after the fact. She confirmed that this sequence of events is what caused the breakdown in communication.

Councilmember James asked when staff became aware that the business intended to relocate and whether all relevant departments had been notified. She stated that a business should not be able to move to a different location without the City being informed and emphasized that the City must have input in such decisions. She added that even if the information is received after initial steps are taken, the City should still receive notice before the relocation proceeds. Director Dozier explained that the applicant inquired about zoning for several different parcels. Staff reviewed each parcel and informed the applicant whether the zoning classification would allow their use. She stated that this process was followed in this case, and the applicant ultimately chose the parcel now under discussion. She added that she did not know the exact timeline of the applicant's conversations with Economic Development and deferred to Ms. Dennis to address that portion.

Director Dennis stated that she could provide the Mayor and Council with a full, detailed memo the following morning outlining the complete timeline of events and all conversations held by the Office of Economic Development regarding the fire and subsequent relocation discussions. She added that it would also be helpful for Planning and Community Development to provide an overlay of their timeline to ensure a complete record. She noted that she could only speak to the actions taken within her department and could not address what did or did not occur within Planning and Community Development. However, she would provide a thorough account of every conversation Economic Development had with the Chamunda Group, along with the full timeline of those interactions.

Councilmember Akins-Wells stated that she was confused about the situation and expressed concern regarding the number of liquor stores in the community. She noted that while she understands some residents may purchase adult beverages, she does not believe the community needs additional liquor stores. She emphasized that the initial discussion had been about helping the existing owners of the Old Dixie Package Store rebuild after the fire, not supporting a relocation by tenants who did not own the original property. She compared the situation to employees of a grocery store attempting to open a new store after the original one burned down, while the owner chose not to rebuild. She stated that when the matter came

before the City, the Council had the opportunity to approve or deny it, and she questioned the decision to approve another liquor store on Forest Parkway when the community has greater needs, such as grocery options, restaurants, and other quality establishments.

Councilmember Akins-Wells stated that she had supported helping the original owners rebuild, but did not support approving a relocated liquor store in a new location. She asserted that, regardless of what the ordinance allows, the Council has the authority to decide what businesses are appropriate for the community and that residents should have a voice in those decisions. She stated that she did not believe residents would support adding another liquor store if surveyed.

Councilmember Mears stated that he had been under the impression that the business intended to rebuild at its original location. He noted that the former store was always busy and did not appear to be struggling. He expressed concern that the relocation may reflect an alternative motive, suggesting the operators might be seeking a larger space to pursue activities beyond running a liquor store. He stated that, like his colleagues, he would have supported the business rebuilding at its original site, but he did not support relocating and significantly modifying the nature or scale of the operation at a new location.

Director Dozier stated that when applicants come in with proposals that staff believe are not ideal or when a site does not appear to be the best fit for the use, staff advise applicants to consider alternative locations. However, she explained that if a use is permitted by right under the City Code, staff cannot deny it solely based on preference. She added that she was not certain whether there could be limitations or restrictions that would allow the City to prohibit a by-right use and deferred to Attorney Matricardi for clarification on that point.

Attorney Matricardi explained that without a rezoning, the City cannot deny the application because the use is permitted under the current zoning. She noted that while future protections could be implemented, the existing zoning classifications, adopted by a previous City Council, allow this use by right. She stated that if the Mayor and Council wish to reconsider allowable uses in certain zoning districts, particularly in more concentrated areas near downtown, they may direct the Planning Department to evaluate whether rezoning or amendments should be pursued. She noted that the downtown district does not allow package stores, but the property in question is outside that district. She added that Planning can review and bring forward recommendations if the Council wishes to explore zoning changes for the future.

Councilmember Gunn expressed concern about how the relocation of the business from Old Dixie to Forest Parkway occurred without the Mayor and Council being made aware. She stated that the City had originally supported the business rebuilding at its Old Dixie location, but that the shift to Forest Parkway appeared to have been planned without sufficient communication to the Council. She questioned how the location change reached staff without being communicated to the elected body, noting that the process should have involved transparency and coordination. She referenced nearby residential activity and the presence of a church across the street from the new site and expressed concerns about the suitability of placing another liquor store at the entrance of Forest Parkway.

Councilmember Gunn reiterated that the relocation process should have come through staff and Council in a clear and timely manner and stated that she was struggling to understand how the shift from Old Dixie to Forest Parkway occurred without Council being informed. Director

Dozier stated that she understood the concerns expressed. She explained that the City Code allows this use, and as Attorney Matricardi noted, the City does not have the authority to deny a by-right use. She added that staff can advise applicants and provide recommendations, but cannot refuse an application when the zoning permits the use.

Councilmember Gunn clarified that the issue was not whether staff had the authority to approve or deny the application. She stated that the concern from the Council was that they did not receive the information regarding the business's change in location. She emphasized that the breakdown occurred in communication and that the Council was not informed of the relocation, which is why the discussion was taking place.

Director Dozier stated that she understood the concern and confirmed that, moving forward, staff would ensure that applications involving distilled spirits or any other use that may significantly impact an area are communicated to the Council. She noted that this level of notification should occur regardless, as this application represents the seventh license allowed under the City's ordinances.

Councilmember Gutierrez stated that he was frustrated with the back-and-forth discussion and the amount of explanation required for the situation. He said it felt like "mental gymnastics" to determine whether something did or did not occur. He emphasized that when mistakes happen, they should simply be acknowledged so the City can move forward. He noted that the Council must answer to the public and that constituents are the priority. He stressed the importance of being kept informed so that accurate information can be provided to residents. He added that even if staff had informed the Council, the process should not involve unnecessary confusion or repeated explanations.

Councilmember Gutierrez asked whether it would have made any difference if the Council had been informed of the relocation earlier, noting that the City cannot dictate where a business chooses to locate when the use is permitted by right. He stated that, at a minimum, the Council should have been made aware, but he acknowledged that applicants can go through Planning, Zoning, and permitting processes independently when the zoning allows the use. Attorney Matricardi stated that, legally, the outcome would not have changed even if the Council had been informed earlier. She explained that the applicant did not require grandfathering or a conditional use permit, as the use is permitted by right under the zoning. Therefore, prior notification would not have altered the legal outcome.

Councilmember Gutierrez stated that he now understood why the situation had been confusing. He noted that the Council had been asking numerous questions, but legally, the outcome would have been the same regardless of when they were informed. He apologized for the frustration expressed earlier, acknowledging that the applicant was permitted to locate anywhere in the city where the use is allowed by right. He added that prior notification would have been a courtesy, but not something that would have changed the applicant's ability to proceed.

Councilmember Akins-Wells stated that she had one additional comment and agreed with her colleagues. She explained that her questions were for her own understanding, but she did not support the back-and-forth exchange that had occurred. She apologized if anything she or others said made staff feel uncomfortable, noting that public meetings should not involve interrogating directors or employees. She emphasized, however, that it is important for the

Council to be kept informed, even when it cannot change the outcome. She stated that the focus should now be on determining how to prevent similar communication gaps in the future. She thanked the staff for their work.

8. **Council Discussion Regarding Non-Profit Tax Exemption Requirements and Status of Liberty Ministries Family Worship, Inc. Business License Application**-Planning and Community Development Department

Background/History:

Section 3-3-11 of the City Code provides that nonprofit organizations, as defined pursuant to O.C.G.A. § 48-13-13(5), may be exempt from occupation taxes, regulatory fees, and administrative fees when operating for charitable purposes. To receive this exemption, qualifying nonprofits are required to apply annually and submit documentation demonstrating their federal tax-exempt status, including a current IRS 501(c)(3) determination letter. A separate exemption application must be submitted for each business location for which the exemption is sought. Liberty Ministries Family Worship, Inc. submitted business license applications for the 2024–2025 license year. The applicant has provided most of the required documents; however, the Non-Profit Tax Exemption Application and the IRS 501(c)(3) determination letter specific to the church organization have not been submitted. While the applicant previously held a 501(c)(3) for a food pantry operation, they were unable to provide documentation establishing federal tax-exempt status for the church itself, nor documentation showing that the church is operating under an existing umbrella exemption.

Staff contacted the applicant via email to request the outstanding documents. No response or additional documentation has been received to date. The file remains pending and cannot be fully processed until the nonprofit exemption eligibility is verified. The application is also awaiting required fire and building inspections, which will proceed upon receipt of the necessary exempt status documentation.

Once all required documents are submitted and all departmental approvals are complete, the business license will be issued through the City's online portal. Staff will continue to monitor the file and follow up with the applicant as needed. - Planning and Community Development

Ms. Dallas provided background regarding her church's business license history. She stated that she has been obtaining licenses since approximately 2013–2016, when the church purchased its Main Street building, and that in previous years, the City had accepted state nonprofit documentation rather than a federal 501(c)(3) determination letter. She explained that in 2022, she was told by Ms. Dozier that a 501(c)(3) letter was required, although she had never been asked for one before. Another staff member at that time confirmed that state documentation was sufficient, and the license was issued.

Ms. Dallas stated that the issue resurfaced the following year, and she expressed frustration, noting that the City Manager became involved and assured her the matter would be addressed. She reported that in early October 2023, she received a notice stating the church was not in good standing because its license had not been issued. When she returned to City Hall, she was again told that a 501(c)(3) letter was required. She explained that the church does not have a 501(c)(3) letter for its religious operations because they do not wish to be subject to federal restrictions on worship practices, though they do maintain a 501(c)(3) for their food pantry.

Ms. Dallas stated that staff advised her that a new inspection would be required, which she felt was unnecessary given the church's long-standing presence in Forest Park. She noted that the church has served the community since 2013 and expressed concern about the impact this issue had on her ability to carry out planned community outreach. She reported that on October 27, she received an email from Ms. Dozier with a revised zoning verification letter stating that the existing use could be permitted as a "place of public assembly" if all code requirements were met. Ms. Dallas responded seeking clarification and was informed she would receive a form to continue the process. She stated she never received the form or any further communication. She also confirmed that staff asked for a copy of the church's sanitation bill, which she provided.

Comments/Discussion from Governing Body:

Councilmember James asked what additional information was needed for the applicant to move forward with the process. She noted that the correspondence indicated more information was required and requested clarification on what that entailed.

Director Dozier clarified that her communication with the applicant was conducted via email and noted that some of the individuals referenced earlier were technicians and front-counter staff. She stated that she was not employed by the City until 2024 and was not aware of the prior issues until a technician informed her that the matter had been expected to be handled by the previous City Manager. She explained that the only outstanding item needed to complete processing at this time is the applicant's 501(c) letter. She stated that once the letter is received, the technician can finalize the remaining steps of the process.

Councilmember James asked whether the requirement for the 501(c)(3) letter applied specifically to the assembly use, noting that the applicant had stated she did not have a 501(c)(3) letter for the church. She sought clarification on why the letter was being required. Director Dozier stated that she could not speak to any documents that may have been accepted in prior years, as she was not employed with the City at that time and had not seen those materials. She explained that the current requirement is the federal 501(c)(3) determination letter. She added that, according to the Legal Department, the documentation the applicant previously submitted is sufficient to meet the requirement, and the staff has no issue accepting it. She clarified that the only outstanding item at this time is the appropriate letter needed to complete processing.

Councilmember Gunn asked for clarification on the process, stating her understanding that one of the steps involves the City retrieving the organization's status directly from the State. She asked whether that is the procedure staff follow. Director Dozier stated that, to her knowledge, staff do not pull documents directly from the State to determine an applicant's status. She noted she was unsure where that understanding originated. She explained that the standard procedure is for applicants to provide all required documents when they apply. While staff may occasionally locate previously submitted documents, that is not the typical process. She reiterated that, in this case, the only outstanding item is the specific form or letter being requested. She added that if the previous City Manager or a former department director accepted a different form in the past, she would be willing to review it and consult with Attorney Matricardi to determine whether it can be used. However, she stated she has not personally received any such documentation.

Councilmember Gunn stated that her understanding was that the church had been operating in the City for years under a nonprofit status as an assembly use and had been serving the community throughout that time. She further stated that the church had previously been considered grandfathered in. She expressed concern that, due to mishandling of information and lack of proper follow-up by the City, the church lost a year of submitting its annual application, which resulted in the loss of its grandfathered status. She stated that this appeared to be an error on the City's part and asked the City Attorney how the situation could be rectified.

Councilmember Gunn asked how the City could restore the church's status if the applicant provided the necessary paperwork that evening. She emphasized that the issue appeared to stem from a mistake on the City's side and asked what steps could be taken to correct it. Attorney Matricardi responded that, based on her understanding, there was no status that required restoration. She explained that the organization had already been classified as a place of assembly and that the matter was not related to grandfathering. She stated that the remaining issue was determining whether the organization must pay occupational taxes and whether the exemption requires a federal 501(c)(3) determination letter or if State of Georgia nonprofit registration is sufficient.

Attorney Matricardi clarified that a 501(c)(3) determination letter can typically be downloaded from the IRS website. However, based on the applicant's comments earlier in the meeting, the organization is not a 501(c)(3). She stated that she would need to review the definition of "nonprofit" under state law as it applies to the occupational tax code to determine whether a 501(c)(3) designation is required for exemption. She explained that once she has reviewed the relevant statutory definitions, she will follow up with Director Dozier so the matter can be resolved administratively.

Ms. Dallas stated that the church had never previously been required to provide a 501(c)(3) determination letter, and she questioned why the requirement had changed. She explained that since 2016, the City had accepted the church's State of Georgia documentation showing its nonprofit status, and that the church does maintain a 501(c)(3) for its outreach ministry but not for the church itself due to federal restrictions associated with that designation. She stated that when she attempted to renew the license, she was told by staff that all churches were now required to provide a 501(c)(3) determination letter, and she expressed concern that this requirement had never been communicated to her. She asked when this change occurred and why the church was not notified, noting that the requirement had not existed in prior years.

Mayor Butler stated that the matter appeared to be an administrative issue. She requested that Director Dozier, Attorney Matricardi, and the Interim City Manager meet with Pastor Ellis to determine how the issue can be resolved.

9. Council Discussion on the ReForest Park Pilot Program- Public Works Department

Background/History:

The City of Forest Park is launching ReForest Park, a pilot initiative designed to reestablish effective, community-wide recycling through a modern, accountable, and educational framework. In partnership with Waste Management, this one-month pilot will reintroduce monitored recycling drop-off services—free of hauling costs—while focusing on reducing contamination, increasing resident engagement, and laying the groundwork for a permanent, fiscally sustainable recycling model.

This initiative represents a strategic milestone in our broader One Forest Park vision,

reinforcing the city's commitment to environmental stewardship, operational efficiency, and civic trust. - Public Works

Director Matthews stated that, regarding the recycling pilot program, if the Council wished to proceed, the program would run for one month to allow for data collection.

Comments/Discussion from Governing Body:

Councilmember Gutierrez stated that the discussion pertained only to the pilot program and noted the connection between the concierge process, the Beautification Committee, and upcoming recycling-related initiatives.

VIII. EXECUTIVE SESSION

(When an Executive Session is required, one will be called for the following issues: Personnel, Litigation or Real Estate) OCGA is §50-14-1 (A) (2)

IX. ADJOURNMENT

Mayor Butler adjourned the meeting at 7:19.

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

City Clerk Signature

Mayor's Signature