

October 21, 2020

Ms. Clare R. Norins
First Amendment Clinic
P.O. Box 388
Athens, Georgia 30603

Re: Your October 8, 2020 Letter Regarding Robin Kemp

Dear Ms. Norins:

I am writing in response to the above referenced letter the City received from you regarding Ms. Robin Kemp's complaints about the conduct of Forest Park City Council meetings.

The City of Forest Park is fully committed to meeting its responsibilities to comply with the requirements of the United States Constitution and the Georgia Open Meetings Act. The City is also committed to ensuring the health and safety of its residents and employees.¹ We proudly report that the City has been able to both provide public access to meetings while also protecting staff and residents from further spread of this deadly virus. While the City's efforts have not been perfect, in no way has the City violated the Constitution or the Open Meetings Act.

It should not have to be said that the current ongoing COVID-19 public health crisis has presented unique challenges. City Hall has remained closed to the public since Governor Kemp initial declarations of a public health emergency earlier in the year.² City employees have been on staggered schedules. Many City activities have been cancelled for the year. However, core governmental functions have continued, including Council meetings.

As you know, in order to satisfy the requirements of the Open Meetings Act, Council meetings have been virtual and broadcast via Zoom and other means. With very limited exceptions, only city employees and Council members have been physically present for these meetings.³ Members of the public can watch the meetings live, and an opportunity for public comments has been incorporated into the proceedings. The City has is also in the process of procuring additional technology to improve the audio-visual capabilities in the Council chambers in response to concerns about the sound and video quality during the streamed meetings.

¹ Ms. Kemp, on the other hand, has willfully endangered the City's staff by sneaking into City facilities without authorization and without COVID-19 safety screening.

² Ms. Kemp is aware of this, yet she chosen to ignore the closure.

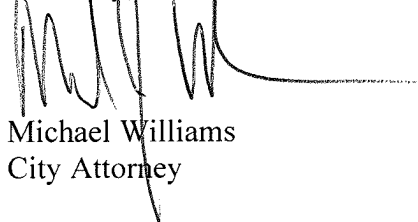
³ In a few instances, non-employees with items on the Council agenda were permitted to make in-person presentations to the Council. However, all other presentations have been made virtually. No arbitrary decisions have been made regarding in-person attendance at Council meetings, and Ms. Kemp was certainly not targeted for unfair treatment.

Prior to the receipt of your letter, the City was in the process of developing a re-opening plan that already included some of the suggestions set forth in your letter. We anticipate the re-opening plan to be presented to the Council at its next scheduled meeting. As part of the plan and as previously stated, the City was already exploring additional technological improvements given that it is not clear when the public health emergency will be lifted. Further, the City intends to physically reopen Council meetings to the public on a neutral, limited space-available basis, with all of the applicable social distancing, sanitization and other recommendations as set forth by the Georgia Public Health Department and the Centers for Disease Control. At present, it is anticipated that staff will recommend to the Council that the City return to such in-person Council meetings for the public beginning January of 2021, assuming there is no significant increase in COVID-19 cases over the next few months.

As the City finalizes its plan to reopen in-person Council meetings for the public, it will do so without providing any special benefit to privileges to Ms. Kemp or any other member of the public. Ms. Kemp will not be "barred" from Council meetings, and she will certainly be treated exactly like all other members of the public.

Thank you for this opportunity to address your concerns. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Williams', with a long horizontal line extending to the right.

Michael Williams
City Attorney

cc: Mayor and Council, City of Forest Park