



POST AGENDA
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – 136 KEYS FERRY STREET
AUGUST 17, 2020
6:00 PM

1. Call to Order

Mayor Copeland

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

2. Roll Call

The City Clerk Ms. Janis Price called roll for the meeting as follows:

Mayor Billy Copeland	Present
Mayor Pro Tem Craig Elrod	Present
Councilmember Benjamin Pruett	Present
Councilmember Roger Pruitt	Present
Councilmember Rufus Stewart	Present
Councilmember Kamali Varner	Present
Councilmember Sandra Vincent	Present

Others in attendance were: City Administrator, Mr. Preston Dorsey; City Attorney, Mr. Jim Elliott; City Clerk, Ms. Janis Price; Fire Chief, Mr. Steve Morgan; Finance Director, Mr. Mike Clark; Mr. Eric Pitts, Community Development; Executive Assistant, Ms. Euretha L. Olokodana; Ms. Kathy Story, McDonough Police Department; and Network Administrator, Mr. Brian Linton.

3. Approval of the Agenda

Mayor Copeland called for a motion to approve the Agenda with the addition of Item 10 A for Unscheduled Public Comments. Councilmember Stewart motioned and Councilmember Roger Pruitt seconded. The vote was seven in favor.

4. Pledge to the Flag

Councilmember Benjamin Pruett led the Pledge to the Flag.

Prior to the Invocation, Mayor Copeland asked that everyone in attendance join him in observing a moment of silence, in remembrance of Mr. Rodney Heard.

5. Invocation

The Reverend Dr. Bert Neal, Pastor of Wesley Chapel United Methodist Church gave the Invocation.

6. Consent Agenda

Public Works

1. Approval to allow Georgia Department of Natural Resources to handle all chemical and bacteriological sampling required by the Environmental Protection Agency (EPA) from July 1, 2020, through June 30, 2021; cost of \$10,140.00 which will be paid by the Water Treatment Plant.
2. Approval to renew the contract agreement between the City of McDonough and Darnel Quick Recovery, Inc., Debt Collection Agency Agreement to continue to collect total past due amounts on closed water/sewer/sanitation accounts; authorization for the Mayor to sign all related documents.
Regarding the cost of this service, this collection agency will receive 28% of all recovered funds, and 40% of all bankruptcies that require any legal action.

Financial

3. Adoption of a Resolution authorizing the execution of the Coronavirus Relief Fund Terms and Condition Agreement; authorizing the acceptance of grant payments, and to direct and authorize the official representative of the City or the designee to act in connection with the grant applications, and to provide other information as may be required, and to ratify the submission document of the Grantee Assurances, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; and Cares Act Coronavirus Relief Fund Eligibility Certification by the Mayor as Authorized Representative of the City (Grantee) on July 28, 2020.

Community Development

4. Approval of a Preliminary Plat for Hampton Preserve
Applicant(s): Bernie Smith on behalf of Manor Restorations
Address/Location: 235 Hampton Street
Petition Request: Preliminary Plat Review, Chapter 16.12 Procedure, Section 16.12.060 (A-D)
Existing Zoning: RTD (Residential Townhouse District) with conditions per ORD 19-03-18001(Z)
Location: Hampton Street Corridor southwest of Bridges Road intersection
Tax Parcel ID: M02501005000
Land Lot(s): 133 & 156 of the 7th District
Tract Acreage: 8.89 +/- total acres
5. Approval of August 6, 2020 City Council Workshop minutes

Mayor Copeland called for a motion to approve the Consent Agenda. Councilmember Roger Pruitt motioned and Councilmember Stewart seconded.

Prior to the vote, Councilmember Vincent requested that there be a discussion at a future time regarding the monies that have been allocated to the City through the CARES Act and how those funds will be utilized; and Mayor Copeland agreed that discussion will take place at the next meeting.

The vote was seven in favor.

**7. Discussion and Update only of the
Community Center**

**Councilmember Stewart
Mayor Copeland**

Councilmember Stewart requested an update on the status of the Community Center project that was previously approved by Mayor and Council. Mayor Copeland reiterated that budget cuts were necessary to balance the new budget and some of those cuts came from Capital Improvements, which included the Community Center project. He said that the City should start receiving its portion of SPLOST V monies in April of 2021, and work on the project will begin in February or March of 2021, as those funds become available.

Discussion ensued. Councilmember Vincent expressed her concerns relative to the unilateral decision to remove funding for a project that was previously approved unanimously by Mayor and Council. Councilmember Stewart asked if there were still funds available in SPLOST IV, that could be used for the Community Center. Finance Director, Mr. Mike Clark said that while it might be possible to use SPLOST IV funds for the Community Center, there have already been priorities set for those funds with other projects.

Councilmember Vincent requested that the City Administrator provide all of Mayor and Council with an itemized list of expenditures related to SPLOST IV funds. She discussed the history behind the decision to approve the Community Center; and she again shared her concerns about the Mayor making the unilateral decision to remove funding for the project without discussion by the entire Council. She said that the City of McDonough has a Mayor and Council form of government, and not an Office of the Mayor form of government where the Mayor has veto powers.

Mayor Copeland said that after the Budget Committee met, he informed all of the members of Council that the City was \$3.3 million in the hole. He said that adjustments had to be made to offset the deficit, which included the removal of most of the Capital Improvements projects among others. Councilmember Vincent said that the Council was never informed that the Community Center would be removed and deferred to a future date.

Discussion continued. Mayor Pro Tem Elrod made reference to the August 2, 2018 Council Meeting where the Community Center was first discussed. He said that the previous City Administrator, Mr. Dickerson noted that the money for the 8,000 square-foot building would come from the General Fund; however, after further discussion the Council did not believe that 8,000 square feet was sufficient space and that led to further

questions about how to fund a 16,000 square-foot building instead. He said it is imperative that when Mayor and Council make a decision about a project that they stick to it. After further discussion, Councilmember Varner noted that Mr. Dickerson's recommendation was to move forward with engineering for the project as an action item in his correspondence to Mayor and Council. Mayor Copeland agreed, reiterating that he believes the project should move forward in early 2021 when funding becomes available.

Councilmember Vincent shared further concerns that the money for engineering was removed from the budget; meanwhile, there have been renovations at City Hall to include the City Administrator's office as well as the renovation for office space for Council at the building next door. Councilmember Stewart said the reason for his bringing this discussion to the meeting is that he has heard concerns from citizens regarding the Community Center and when it will be constructed. Councilmember Varner suggested that the City's growth rate be taken into consideration when designing the Community Center, so that it will also accommodate the needs of the future.

City Administrator Mr. Preston Dorsey offered clarification that the only renovations that have taken place at City Hall were replacing damaged carpeting and painting in an office downstairs at a cost of \$1,500. He also stated for the record that the City of McDonough has incurred no costs for moving his office furniture etc.; all costs associated with the changes to his office were paid from his own pocket. In closing, he asked for direction from Mayor and Council on moving forward with the Community Center. Councilmember Vincent thanked Mr. Dorsey for his clarification regarding moving costs for his office, and she remarked that is not typically the process that is followed in government.

Councilmember Vincent motioned that if there is an approved budget item, it can only be changed by a majority vote from Mayor and Council; and Councilmember Varner seconded.

Councilmember Benjamin Pruett asked for clarification on the motion. Councilmember Vincent explained that her concern is that after Mayor and Council approved the project, a committee removed the funding for the Community Center under a budget that did not disclose that the money was coming from that project; and discussion continued.

Councilmember Pruett stressed the importance of putting forth a clear motion. He requested a legal opinion regarding whether or not the project would have moved forward if the original motion for engineering had been approved. Mr. Elliott advised that the vote on the budget by Mayor and Council did amend project; and he suggested that she amend her motion to reflect that if a budget or other proposed action affects a project that has previously been approved by the Mayor and Council, the effect of that change must be disclosed to the Mayor and Council. Councilmember Vincent amended her motion to reflect the City Attorney's recommendation, and Councilmember Varner agreed with her second to the motion.

Councilmember Vincent stressed that the Mayor and Council are responsible for policy decisions and approving the budget is the adoption of a policy.

Mayor Copeland called for a vote on the motion to approve that if a budget or other proposed action affects a project that has previously been approved by the Mayor and Council, the effect of that change must be disclosed to the Mayor and Council. The vote was five in favor and two in opposition. The motion passed. Those voting in favor were Mayor Pro Tem Elrod, Councilmember Benjamin Pruett, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Those voting in opposition were Mayor Copeland and Councilmember Roger Pruitt.

**8. Municipal Court Restructuring
Estimated budget for this restructure**

Mr. Preston Dorsey

Mr. Dorsey discussed the estimated budget for the Municipal Court Restructuring. He reviewed the positions that would need to be transferred from the Police Department, and he estimated the costs for the restructuring at approximately \$20,000. Discussion ensued. Councilmember Vincent stated that the purpose of the restructuring is ensure that there is fairness and equity in the adjudication of court cases. Mr. Dorsey clarified that the Municipal Judge oversees the prosecutors, not the Court Administrator, Officer Warren Langley. He offered the recommendation that the Municipal Court, Police Department and Probation structure continue operating as is until July 2021, after the retirement of Officer Langley.

Councilmember Vincent requested that the City Attorney share the background that the Georgia Municipal Association (GMA) has provided relative to the challenges regarding Municipal Court structures. In response, Mr. Elliott said that he would provide Mayor and Council with the guide that GMA has put together on the subject via email. Discussion ensued. Councilmember Vincent requested that the vote be deferred on the matter until all of Mayor and Council have a chance to review the information from Mr. Elliott. She further requested that Police Chief Noble be present when this discussion is continued.

**9. Police Department Citizen Review
Board, Discussion, Consensus and Vote**

Councilmember Vincent

Councilmember Vincent discussed the efforts to establish a Citizen Review Board in the City of McDonough so that when there are grievances and concerns related to the Police Department, there are citizens involved to make recommendations to Mayor and Council and provide more transparency to the public.

Councilmember Vincent motioned to adopt the Resolution to establish the task force for the development of a Citizen Review Board; and Councilmember Varner seconded.

Councilmember Benjamin Pruett noted that Chief Noble had also provided a document regarding citizen input. He requested that the vote be postponed until Chief Noble can also be present; and Councilmember Vincent agreed to postpone the vote.

Councilmember Vincent asked if there were any additional concerns related to forming the task force by Mayor and Council. Councilmember Varner clarified for the record that the request is to form a task force before moving forward to form a Citizen Review Board.

**10. 21st Century Policing Update
Adoption of Document**

Councilmember Vincent

Councilmember Vincent discussed the 21st Century Policing Update and she stated that a copy of the document was provided to Mayor and Council for review. She reviewed the six pillars that are discussed in the document, as follows:

1. Change the Culture of Policing
2. Embrace Community Policing
3. Ensure Fair and Impartial Policing
4. Build Community Capital
5. Pay attention to Officer Wellness and Safety
6. Technology

Councilmember Vincent said that while the City of McDonough is already implementing some of the practices recommended by the 21st Century Policing Update, this is a mechanism to identify areas of improvement that need to be addressed.

Mayor Pro Tem Elrod confirmed that the City of McDonough is one of only 125 cities in Georgia that has a State Certified Police Department since 2017, and was recertified in March of 2020. He noted that State Certification includes the type of training measures that are included in the 21st Century Update, but on a much deeper and local level.

Councilmember Varner requested a copy of the State Certification requirements so it can be compared to the recommendations in the 21st Century Update; and Mr. Dorsey agreed to provide that information to Mayor and Council for both the 2017 certification and 2020 recertification. Councilmember Vincent requested that a copy of the Standard Operating Procedures (SOP) be provided to Mayor and Council in addition to the certification; and Mr. Dorsey agreed to provide that information as well.

10A. Unscheduled Public Comments

This item was added when the Agenda was approved.

- (1) Ms. Jea Gackowski
- (2) Ms. Vanessa Thomas

**11. Executive Session (if needed) for: Litigation O.C.G.A. 50-14-2
Real Estate O.C.G.A. 50-14-3 (b)(1)
Personnel O.C.G.A. 50-14-3 (b)(2)**

No Executive Session was held.

12. City Administrator, City Attorney, and City Clerk Comments

13. Councilmembers and Mayor Comments

14. Adjournment

Mayor Copeland adjourned the meeting at 8:06 p.m.

OPEN MEETINGS COMPLIANCE NOTICE: This is a regularly scheduled meeting of Mayor and Council of the City of McDonough duly noticed pursuant to the requirements of the Georgia Open Meetings Law (O.C.G.A. § 50-14-1, et seq). Notice of the meeting schedule was published in the *Henry Herald* on January 1, 2020; and a copy the meeting schedule was posted at City Hall and on the City's website, as required by law.