



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

The Regular Scheduled Meeting of the City of McDonough City Council was held on Monday, August 17, 2020, at 6:00 p.m.

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

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.

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.

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.

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 Coronavirus Aid, Relief, and Economic Security (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.

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 may 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 specifically that the Community Center would be removed and deferred to a future date.

Discussion continued. Mayor Pro Tem Elrod made reference to the minutes of 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, which 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.

Mayor Pro Tem Elrod noted that no vote was taken at the August 2, 2018 meeting, when the Community Center discussion took place. He said that Mr. Dickerson asked for motion to do the engineering work; however, no vote was taken after the Council determined that discussions on the project should continue. He asked if Mr. Dorsey knew of any projects that Mayor and Council voted on that were removed from the budget; and Mr. Dorsey said he would bring that information back to Mayor and Council.

Councilmember Varner inquired as to how the funds for the project were moved from the General Fund to SPLOST. Mayor Pro Tem Elrod explained that since the money was never spent, it would have been reallocated in the next year's budget. He said that the engineering was never completed because Mayor and Council never agreed on the scope of the project; and the project was then moved to the SPLOST V project list.

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 the project; and he suggested that Councilmember Vincent 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 Roger Pruitt inquired if the motion as stated would bind future administrators in budgetary decisions. Mr. Elliott said that if the motion as stated goes to prior approved projects, then it would. Councilmember Vincent stressed that the Mayor and Council are responsible for policy decisions and approving the budget is the adoption of a policy. She said that any item approved by Mayor and Council should be reflected in the budget, and that no staff person should have the authority to make changes.

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.

Mr. Dorsey discussed the estimated budget for the Municipal Court Restructuring. He reviewed 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 Major 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 Major 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.

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.

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

- Ms. Vincent claims she's being silenced, but she's taken more than 72 percent of the talk time at the meeting tonight.
- Can you get Councilmember Vincent training on inclusiveness and chain of command?
- Councilmember Vincent cannot attend meetings in person, but rallies are okay.
- District 2 is missing the high standard of excellence that Ms. Vincent talks about.
- When will she file her missing reports that go back to 2012 and 2016?

- Please put out a detailed job description for Trisha, as it is cloudy at best.
- Why is Sandra's personal email being used for City business?
- Can you get Councilmember Vincent some help on communication and accountability?

(2) Ms. Vanessa Thomas

- Ms. Thomas said she regularly attends the Council Meetings, which recently have been out of the norm.
- Miss Jea has not attended any of those meetings, until the last couple of meetings.
- It seems like there has been a bash on District 2.
- Councilmember Vincent is taking steps to better the City of McDonough.
- The two At Large Councilmembers are not stepping up to comment.
- We need more councilmembers to speak up as Councilmember Vincent does.
- Councilmember Vincent has all of our interests at heart, unlike the two At Large individuals.
- What is being said is not always the truth.

No Executive Session was held.

Mr. Elliott mentioned that the GMA Policy Committee Meetings are taking place virtually at this time. As Chair of the Revenue and Finance Committee, Mr. Elliott said would be honored if Mayor and Council could sign in to the meeting on Thursday, from 3:00 to 4:30 p.m.

Ms. Janis Price said it is with joy and love that we remember Rodney, and we are so grateful that he was a part of our lives. She spoke of his many contributions to the City of McDonough, and she said he will be greatly missed.

Councilmember Vincent said that Mr. Heard will be sorely missed, as McDonough is the beautiful city that it is because of his great work. Secondly, Ms. Vincent said that she is prohibited from responding to comments from the audience; however, she offered that there are efforts being made to obtain additional funds outside of the CARES Act to provide for Cities. She said that she has requested information from the City Administrator on how the City has been impacted by Covid-19; and she encouraged all of her fellow Councilmembers as well as citizens to contact their Congressman and let them know that they need to support cities.

Councilmember Vincent said the that Mayor has responded to public comments made at the meeting, stating that he would handle the concerns expressed; however, he has not returned Ms. Vincent's emails on the matter. She then asked the Mayor that since the comments pertain to her, how does he intend to handle her in response to the concerns that have been waged?

Mayor Copeland said he found it to be an inappropriate question to ask how he would handle her, as she is a Member of the Council. He said that he has responded to Ms. Vincent regarding the statements that have been made; however, the untimely death of Mr. Heard has put everything on hold. He said he would contact Ms. Vincent in the coming days if any further discussions were necessary.

Councilmember Vincent said that she has requested that there be a parliamentarian; and Mayor Copeland noted that the City Attorney is the parliamentarian, as has been the case historically.

Councilmember Vincent stated that the Mayor has been asked to block projects that she has championed; and she asked him to give her a response on his intent. Mayor Copeland said that a response is forthcoming, but it will not be tonight.

Mayor Pro Tem Elrod thanked everyone who was in attendance at the meeting, and he encouraged all citizens to continue to engage in local government. He thanked the Police Department for their continued hard work, and he commended City staff for continuing to provide services to the citizens of McDonough throughout Covid-19. He also shared his appreciation for recent conversations he has had with Councilmember Stewart that have inspired him to be better. In closing he shared that Mr. Heard will never be forgotten, as the great work that he completed covers the landscape in the City of McDonough. He asked for continued prayers for Mr. Heard's family, to include his coworkers and City Hall family.

Councilmember Benjamin Pruett shared that he worked with Mr. Heard on the Planning Commission before joining the City Council. He said that while Mr. Heard's work was instrumental to the City of McDonough, he was also a great friend who will be sorely missed.

Councilmember Stewart asked for continued prayers for the family of Rodney Heard, and he said that Mr. Heard left his mark of a job well done all over the City of McDonough. He reminded Mayor and Council that the first day of virtual school started today in McDonough; and he asked parents to be mindful in making sure that students do not fall behind.

Councilmember Varner also thanked everyone who was in attendance for the meeting. She also shared her condolences to the family of Mr. Heard, as well as to the staff of City Hall. She said Rodney was a hard-working individual with a tremendous work ethic, who put his heart and soul into his contributions to the City.

Councilmember Roger Pruitt welcomed all of the visitors to the meeting. He said that Rodney will be missed by all, as he had an impact on all of us. He also thanked the City staff for the wonderful job they do.

Mayor Copeland said that there have not been many changes in the City in relation to Covid-19, with total cases in McDonough increasing to 1,586. He applauded those citizens who are wearing masks in an effort to prevent continued spread of the virus, and he encouraged others to do the same. He then offered an update on the One-Way Pairs project from the Georgia Department of Transportation (GDOT), which estimates that the East/West One-Way Pairs to include Jonesboro Road will be open in December 2020 or January 2021.

Mayor Copeland said that the City received its first check from the CARES Act, which totaled \$420,000. He said that the City is in the process of applying for another \$1 million from the CARES Act, on September 1; and it is anticipated that there will be another stimulus package allocated in the coming weeks.

In closing, Mayor Copeland said that Rodney Heard's passing is a tremendous loss to the City of McDonough, as his fingerprints cover the City in residential, commercial and industrial developments. He remarked that Mr. Heard was a great asset to the City, and he said that his continued thoughts and prayers are with the Heard family.

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.