

Pre-Council Meeting - FINAL
July 6, 2020
5:00 PM

Present: *Derek Norton* *Tim Gould* *Charles “Corkey” Welch*
 Austin Wagner *Susan Wilkinson* *Lewis Wheaton*
 Travis Lindley *Glenn Pickens*

Also, Present: *Scott Cochran (City Attorney)*

Staff: *Tammi Saddler Jones (City Administrator), Heather Peacon-Corn (City Clerk), Roy Acree (Fire Chief), Richard Garland (Parks and Rec Director), Rusty Martin (Community Development Director), Joey Staubes (Planner II, Community Development), Jennifer Bennett (Community Relations Director), Bo Jones (Assistant Director of Public Works), Penny Mocerri (Special Projects Liason), Landon O’Neal (Management Fellow), Tina M. Monaghan (Deputy City Clerk)*

Mayor Derek Norton called the July 6, 2020 Pre-Council Meeting to order at 5:00 PM.

Non-Discrimination Ordinance Discussion

Mayor Norton opened the discussion by reviewing what had transpired up to that point in regard to a Non-Discrimination Ordinance. This was talked about early last Fall and drafted but halted due to the Election season. A resolution would be more of a window dressing rather than something that would be enforceable. The State of Georgia recently passed hate crimes legislation and the Governor signed it into effect.

He then turned it over to City Attorney Scott Cochran for further details.

Attorney Cochran who worked on the draft the ordinance said that it is a policy statement with steps to correct the problem and punishments if the steps do not work. The goal is to try to resolve the situation in a mediation type meeting as soon as possible before moving into the courts. Mr. Cochran took some time to go through the draft and to offer some clarification where he thought there should be some. He pointed out that there are federal laws which cover much more than what the city is able to cover.

City Administrator Tammi Saddler Jones had provided some suggestions for editing purposes. She inquired about the 120 days to file and felt like this needed to be reduced or discussed in more detail.

Councilman Charles “Corkey” Welch expressed some concerns including the possibility of this interfering with federal laws already in place.

Councilmember Lewis Wheaton provided examples of his own personal experiences that make him feel like such an ordinance is definitely needed. He brought up some missing definitions that he felt that should be included for clarity. The most important thing is having this done correctly even if it means taking some more time to get it there.

Councilmember Welch asked if the city's court was able to handle the additional cases that would result from this. He wanted to make sure that all aspects are taken into consideration before moving forward.

Councilmember Wheaton posed the question as to whether this had to go to a municipal court or if it could be handled by a panel of citizens, staff, or a combination thereof.

Councilmember Austin Wagner wanted to make sure that gender and its definition was added to the ordinance because there is a difference between gender and sex. He was using the newly passed state hate crimes bill as a reference and felt like the city should include the same categories.

Councilmember Tim Gould wanted to put something in place to make sure that claims could be monitored so that everyone would have a chance to be heard.

Mr. Cochran said that a citizen panel could be utilized early in the process but that the courts would have to be involved at some point.

Councilmember Susan Wilkinson had some serious concerns about the use of the term malicious intent. She felt that the term should be removed.

Councilmember Glenn Pickens was concerned about a section under enforcement. The City Attorney explained that it was written that way to mimic state court.

Councilmember Welch asked for some explanation of how the serving process would work. He presented some scenarios to get questions answered.

Ms. Saddler Jones wanted to know whether the business or the individual would be served. It would depend on who was being accused of the crime.

Councilmember Wagner wanted to know if there would be an allowance for someone to appeal to superior court. He felt like there were things that needed to be added as well as some better definitions before moving forward. It was very important to be throughout and get things right the first time.

In the interest of time, the conversation was concluded so that the presentation by the Georgia Health Policy Center could occur. City Attorney Cochran was going to make some of the changes and send a revised version out for review.

Virtual Presentation by Georgia Health Policy Center

Councilmember Lewis Wheaton recused himself before the presentation because while his wife does not work for this particular division, she is employed with the company.

There was a PowerPoint presentation for Mayor and Council. An overview of what the company does was given and then the programs that would be offered to and through the city were discussed in greater detail. It would be comprised of four sessions of 3 or more hours per session. This would be a team effort and elected officials, staff and the community would all be involved and benefit from the experience.

Review of the Agenda for the July 6, 2020 Mayor and Council Meeting

The Mayor began the discussion of the agenda by asking Community Development Director Rusty Martin to provide clarification on the privilege licenses.

Councilmember Gould asked if the Geo Hydro Engineer item was within the budgeted amount and it was.

Councilmember Wilkinson asked where the Government Affairs Consultant would be getting their direction. Would there be an approved list of projects? The consultant would be working on any opportunity to bring betterment to the City of Smyrna but could also work on specific things as the need arises.

Councilmember Gould asked City Administrator Saddler Jones to reach out to the school board for a more realistic request for the extended hours needed to remain on schedule at Campbell High School.

Ms. Saddler Jones provided an update as to a meeting where allocations to municipalities from the CARES Act funding would be discussed with Cobb County.

City Clerk Heather Peacon-Corn reminded everyone that deadlines for paperwork for elected officials was coming due and needed to be submitted by the middle of the week.

Councilmember Wilkinson spoke about traffic accidents on Windy Hill near Smyrna Grove. She said that she has had people call to complain. Assistant Public Works Director Bo Jones explained that the speed limits are being reduced in the area and that police will be stepping up patrols in the area in response to the accidents.

Mayor Norton adjourned the July 6, 2020 Pre-Council Meeting at 6:56 PM.