

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Friday, March 12, 2021

10:00 AM

Charter Review Committee

Virtual Meeting

Public Call In: 1-541-626-6039 PIN: 996 153 817#

City Council

1. Call to Order

Present:

*Councilmember Sandy McGrew
Councilmember Brooke Schmidt
Councilmember Will Carlan
Mayor Bill Grant
Mr. Billy Peppers, City Manager
Mr. Bobby Dyer, City Attorney
Mr. Nathan Ingram, Assistant City Manager
Ms. Annie Fortner, City Clerk*

Also in attendance:

Mr. Thomas Weaver

The meeting was called to order by Councilmember McGrew.

2. Approve Minutes from February 26th Meeting

- A. Charter Review Committee Draft Minutes - February 26, 2021 - Attachment 2A

Attachments: [Minutes - Charter Review Committee - February 26, 2021](#)

Councilmember Carlan made a motion to approve the minutes. Councilmember Schmidt seconded the motion, and it was approved unanimously.

3. Public Input

Mr. Thomas Weaver thanked the Committee for allowing him to participate and discussed his concern for the language currently in Section 1.14 regarding the sale of firearms.

4. Discuss Articles 1 & 2

Councilmember McGrew stated City Attorney Bobby Dyer and City Manager Billy Peppers provided the Committee with a list of their concerns with the current Charter. Mr. Dyer, Committee members, and staff discussed concerns and proposed amendments as follows:

- Form of Government – Strong Mayor vs. Weak Mayor plus Mandatory City Manager – This is not very clear and should be cleaned up. To amend the form of government, the Legislature would need to approve.*
- Section 1.14: Examples of Powers – It is suggested to delete “and sale” of firearms.*
- Section 1.14: Examples of Powers – It is suggested to add the power to adopt an ethics ordinance and to provide for homestead exemptions. Councilmember McGrew asked about the current ethics ordinance. Mr. Dyer stated it is currently sufficient but should be reviewed again. Councilmember McGrew requested Mayor Grant appoint a committee to review the ethics ordinance. Mayor Grant stated this is a priority and will look to form a committee within 60 days.*
- Section 2.11 – The current statement is somewhat misleading. Mr. Dyer suggested deleting “and until their respective successors are elected and*

qualified". This, however, falls under elections and would have to be approved by the Legislature.

- Section 2.12 – This section states that a candidate who receives the majority of the votes shall be elected. This is in contrast to Section 5.13 which states a person receiving plurality of the votes shall be elected. It is suggested to only have the majority in the Charter. This change would have to be made by the Legislature.

- Section 2.13 (a) – This section should be amended to state that leaving the City/ward would create a vacancy. This would have to be approved by the Legislature.

- Section 2.13 (b) – Mr. Dyer provided an option of allowing the vacancy to be filled for the remainder of the term or until a Special Election can be held in conjunction with a General Election. This would also have to be addressed in Section 5.14.

- Section 2.18 – It is unclear who is to administer the oaths and who is to take the oath. Mr. Dyer suggested thinking about the organizational meeting each year making sure everyone who was elected during the last election takes an oath and who is to give the oaths.

- Section 2.19 (a) – It is suggested to delete "and such call meetings as the mayor may think best to call for any specific purposes".

- Section 2.20 (b) – This section contains some grammatical errors that need to be corrected to make it clear that all of the powers described are about City Council committees. Mr. Dyer asked if the committee wanted to add anything about citizen committees in the Charter. Mayor Grant stated he thinks the citizen ad hoc committees should be formed by a vote of Council. These citizens should be appointed by Councilmembers in their wards. Councilmember McGrew asked about the Mayor appointing temporary chairs for the citizen committees until they elect their own chair. Mayor Grant stated he was fine with that. Mr. Dyer suggested that the Mayor's appointment be the temporary chair for the citizen committee. Mr. Dyer stated he believes doing this through an ordinance would be best.

- Section 2.21 – Mr. Dyer recommended to amend the quorum to be four members. Mr. Dyer stated he does not want to get into a situation where the Council cannot act.

- Section 2.22A – Mr. Dyer suggested making it clear that a veto should be taken up for a vote at the next Council meeting. Councilmember McGrew asked if the time period for the Mayor's veto restarts if changes or amendments are made to an agenda item. Mr. Dyer stated yes. Mr. Peppers recommended allowing five business days for the Mayor to veto an item.

- Section 2.22 (a) – Mr. Dyer recommended language that says an ordinance cannot be adopted at the same meeting which it is introduced. It is also suggested to include that amendments would be allowed. This would put the requirement for two readings into the Charter and at the second reading, amendments could be made.

- Section 2.22 (b) – It is suggested that this section should be deleted as it is confusing.

- Section 2.23 – It is suggested to delete this section as well. Councilmember Carlan suggested amending Section 2.22 to clean up the small "a" and large "A".

- Section 2.24 – This issue will be addressed if the two-reading requirement is added. Mr. Dyer discussed the notification requirement differences between an emergency meeting and a called meeting.

- Section 2.26 – Mr. Dyer suggested modernizing this section to include online versions of the code.

- *Section 2.27 – Mr. Dyer recommended this section state that the City Manager is appointed by City Council.*
- *Section 2.28 – Mr. Dyer suggested removing this section.*
- *Section 2.29 – Mr. Peppers suggested that since the City has an Assistant City Manager, that he/she fill the role of the Acting City Manager if needed unless otherwise directed by the City Council. Councilmember McGrew asked Mr. Dyer to prepare amended language for this section.*
- *Section 2.30 & 2.31 – Mr. Dyer suggested adding language about whether or not the City Manager can sign contracts. Mr. Dyer provided possible amendments and the Committee discussed the optional language. The Committee agreed to end the discussion of Articles 1 and 2 at this point. The remainder of Article 2 will be discussed at the next meeting.*

5. Public Input

Mr. Weaver stated he is pleased to hear the City Attorney's recommendation to remove the "and sale" language out of Section 1.14 and discussed his recommended amendment as given in a letter dated February 23, 2021.

6. Adjourn

Councilmember Carlan made a motion to adjourn. Councilmember Schmidt seconded the motion, and it was approved unanimously.