

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Friday, April 16, 2021

10:00 AM

Charter Review Committee

Public Call In: 1-515-446-8956 PIN: 376 082 502#

City Council

1. Called 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:

Ms. Susan Stanton

The meeting was called to order by Councilmember McGrew.

2. Approval of Minutes of March 26, 2021 Meeting**A. Charter Review Committee Draft Minutes - March 26, 2021 - Attachment 2A**

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

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

3. Welcome Guests and Public Input

Councilmember McGrew recognized Ms. Susan Stanton on the call.

4. Review of Changes from Previous Meetings - City Attorney Bobby Dyer

City Attorney Bobby Dyer reviewed and outlined the proposed Charter changes as follows:

Article I:

- *Add Ethics and Homestead Exemption to Section 1.14 for clarification to allow for the adoption of an ethics ordinance and to grant the homestead exemption*
- *Deletion of the words "and sale" of Section 1.14 (37)*

Article II:

- *Change 2.13(a) to include loss of residency as causing a vacancy*
- *Amend 2.13(b) to allow an appointment until the next general election to fill a vacancy*
- *Strike phrase from 2.19(a) that reads "and call meetings as the mayor may think best to call for any specific purpose"*
- *Edit 2.20(b) to correct grammatical issues*
- *Amend 2.21 to address quorum in the absence of the Mayor and Mayor Pro Tempore*
- *Amend 2.22 to put the two-meeting requirement into the Charter, to make it clear that ordinances can be amended and approved at the same meeting, and to*

delete the existing section (b) – The Committee discussed the ability to adopt ordinances and the timeframe in which to do it. The budget adoption process was also discussed. Mr. Dyer noted exceptions can be added to the two-meeting requirement and explained emergency situations.

- *Renumber Section 2.22A to 2.23, delete current Section 2.23, and amend new Section 2.23 to make it clear that the vote is to be held at the next meeting*
- *Amend Section 2.26 to provide for an online version of the code*
- *Eliminate specified selection committee in Section 2.27 to allow for the City Manager to be appointed by City Council – The Committee discussed adding language to specify that an elected official must resign before applying for an employee position with the City.*
- *Delete Section 2.28 as it is unnecessary*
- *Amend Section 2.31 to add to the City Manager's powers the ability to sign contracts*
- *Amend Section 2.32 to provide that the Mayor shall nominate a Mayor Pro Tempore at the organizational meeting and to move provision to Section 2.33 regarding Mayor Pro Tempore's veto power*
- *Amend Section 2.33 to add refusal to act as grounds for exercise of powers by the Mayor Pro Tempore and add the provision stricken from Section 2.32*
- *Amend Section 2.35 to add the power to suspend the City Manager to the Mayor's powers*
- *Amend Section 2.36 to delete administrative powers from the Mayor as it conflicts with the City Manager's powers – Mr. Dyer stated he would clarify that the Mayor Pro Tempore cannot veto and cannot suspend the City Manager.*

Article III:

- *Amend Sections 3.11, 3.12, and 3.13 to provide that the Mayor has sole nominating power for vacancies – The Committee discussed the length of time for the vacancy before the Mayor makes a nomination. After discussion, the Committee suggested the nomination should be made within 30 days for board members and 60 days for the City Attorney and City Clerk.*

Article IV:

- *Delete reference to Code Enforcement Court in Section 4.10*
- *Amend Section 4.11 to delete reference to Environmental Court, provide for a one-year term for the judge, and add removal provision as provided in state law*
- *Delete reference to Environmental Court in Section 4.12*
- *Amend Section 4.13 to change references to state law and to update jurisdictional statements*

Article V:

- *Amend Section 5.10 to remove reference to "Municipal Election Code"*
- *Amend Section 5.13 to change from "plurality" to "majority"*
- *Amend Section 5.14 to reflect change to Section 2.13(b) regarding vacancies*

Article VI:

- *Amend Section 6.31 to add situations where the City Manager can sign contracts*

Mr. Dyer noted the following changes needing to be addressed before presenting the proposed amendments to Council for review: add language restricting the Mayor Pro Tempore from vetoing or suspending the City Manager; strike "administrative" from duties of the Mayor in one additional location; change the nomination timeframe from 60 days to 30 days for boards and commissions; add language regarding elected officials resigning from their seat to be considered for a hired position or an appointed position. Mr. Dyer stated he would draft two documents, one that must be approved by the legislature and one that can be approved by Council. Mr. Dyer discussed the process for approval by the legislature. Mr. Dyer stated changes to the Charter must be voted on twice by Council.

5. Possible Action on Charter Changes

Councilmember Carlan made a motion to recommend the proposed amendments with the changes as noted by Mr. Dyer to Council. Councilmember Schmidt seconded the motion, and it was approved unanimously.

6. Public Input

Ms. Stanton thanked the committee members for their thoughtfulness and effort in review of the Charter.

7. Adjourn

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