# CITY OF LAGRANGE, GEORGIA REGULAR MEETING OF THE MAYOR AND COUNCIL

June 23, 2020

IN ORDER TO MAINTAIN SOCIAL DISTANCING, THE MAYOR AND COUNCIL HELD THEIR MEETING AT DEL AVANT, 141 MAIN STREET, LAGRANGE, GEORGIA.

Present: Mayor Jim Thornton; Council Members Nathan Gaskin, Mark Mitchell, Tom Gore, Willie Edmondson, Jim Arrington, and LeGree McCamey

Also Present: City Manager Meg Kelsey; City Clerk Sue Olson; Assistant City Manager Bill Bulloch; Communications Manager Katie Van Schoor; Community Development Director Alton West; City Attorney Jeff Todd via phone

The meeting was called to order by Mayor Thornton, the invocation was given by Rev. Daniel Kim, Korean Church of LaGrange, and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Mr. Edmondson, Council unanimously approved the minutes of the regular Council meeting held on June 9, 2020.

Mayor Thornton presented a 25 year service award to City Clerk Sue Olson. Mayor Thornton and members of the Council expressed their appreciation to Ms. Olson for her years of service to the citizens of LaGrange. Ms. Kelsey also thanked Ms. Olson for her dedication to her work and to the citizens.

On a motion by Mr. Edmondson seconded by Mr. Arrington, Council voted unanimously to approve the 2020-2021 Visit LaGrange budget. A copy of the budget is on file in the City Manager's Office.

Mr. West presented to the Council information regarding the Language Access Plan CDBG Innovative Grant. This plan has been prepared to address the City's responsibilities as a recipient of federal financial assistance from DCA and funded by HUD, which relate to the needs of individuals with limited English proficiency skills. The target area will be Butler Street, Bagley Street and Whitesville Street. On a motion by Mr. Gaskin seconded by Mr. Edmondson, Council voted unanimously to approve the plan.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve the 2020-2021 Budget, as amended to hold out \$50,000 for possible future allocation to DASH:

#### AN ORDINANCE

TO PROVIDE FOR THE ADOPTION OF A BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES FOR THE CITY OF LAGRANGE FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021; TO PROVIDE FOR SEPARABILITY; TO FIX AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE HEREBY ORDAIN AS FOLLOWS:

# **SECTION 1:**

For the expenses of the City Government and its activities for the 12-month period beginning July 1, 2020 and ending June 30, 2021, the amounts contained in the General Fund, Utilities Fund, General Capital Improvements Fund, Electric Fund, Water and Sewer Fund, Telecommunications Fund, Gas Fund, Sanitation Fund and Community Development Fund as shown in the Budget for the City of LaGrange, dated July 1, 2020 are hereby adopted and appropriated for the departments and activities of the City shown therein.

#### **SECTION 2:**

A copy of the Budget, dated July 1, 2020, is on file in the office of the City Manager of the City of LaGrange and is by this reference incorporated in and made a part of this Ordinance.

#### **SECTION 3:**

If any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The Mayor and Council of LaGrange hereby declare that it would have passed the remaining portion of this Ordinance had it known such part or parts would be adjudged invalid or unconstitutional.

# **SECTION 4:**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

## **SECTION 5:**

This Ordinance after its adoption and upon approval by the Mayor shall become effective on July 1, 2020.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	

\*\*\*\*

On a motion by Mr. Edmondson seconded by Mr. Gore, Council voted unanimously to approve the following ordinance:

# **AN ORDINANCE**

TO LEVY AN AD VALOREM TAX FOR THE CITY OF LAGRANGE FOR CALENDAR YEAR 2020; TO PROVIDE FOR SEPARABILITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE ORDAIN AS FOLLOWS:

# SECTION 1:

The millage rate necessary to produce revenue from taxation of tangible real and personal property in the City of LaGrange which, when combined with other revenues reasonably expected to be received by the City during the year, other than revenues derived from the tax imposed pursuant to this Section and which would provide revenues sufficient to defray the expenses of the City for the year is computed as follows:

(a) For the purpose of raising revenue to	pay the cost of the general government,
ordinary expenses and for other purposes	authorized by the Constitution and laws
of the State of Georgia	4.90 Mills

The millage rate of 4.90 as thus ascertained is then reduced by 4.90 mills, the millage rate which, if levied against the tangible property within the City of LaGrange, would produce an amount equal to the distribution of the proceeds of the tax imposed by the join County and Municipal Sales and Use Tax for the twelve-month period. Applying

the reduction of the millage rate to the millage rate necessary to produce the total revenue results in the millage rate for the calendar year 2020 of -0-.

#### SECTION 2:

If any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The Mayor and Council of the City of LaGrange hereby declares that it would have passed the remaining portion of this ordinance had it known such part or parts would be adjudged invalid, or unconstitutional.

#### **SECTION 3:**

All ordinances or parts of ordinances in conflict herewith are repealed.

# **SECTION 4:**

This ordinance after its adoption and upon approval by the Mayor of LaGrange shall become effective on July 1, 2020.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	_

\*\*\*\*

On a motion by Mr. Gore seconded by Mr. Mitchell, Council voted unanimously to approve the following ordinance:

## **AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE RETIREMENT PLAN FOR THE EMPLOYEES OF THE CITY OF LAGRANGE IN ACCORDANCE WITH AND SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE ATTACHED ADOPTION AGREEMENT, THE GENERAL MUNICIPAL EMPLOYEES BENEFIT SYSTEM (GMEBS) MASTER PLAN DOCUMENT AND ANY AMENDMENTS THERETO; TO MODIFY THE PLAN TO INCLUDE THE CITY ATTORNEY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

# **SECTION 1**:

The retirement plan for the employees and/or officials of the City of LaGrange, Georgia, is hereby amended as set forth in and subject to the terms and conditions stated in the attached Adoption Agreement and General Addendum to the Adoption Agreement.

#### **SECTION 2:**

All ordinances or parts of ordinances in conflict herewith are expressly repealed.

## **SECTION 3**:

This Ordinance shall be effective upon its date of passage and in conformity with the Georgia Municipal Employees□ Benefit System Defined Benefit Retirement Plan Document, as amended.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	

\*\*\*\*

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve the following ordinance:

#### **AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND SECTION 20-5-4 REGARDING ELECTRIC RATE SCHEDULES; TO MODIFY THE ELECTRIC SERVICE RATE SCHEDULES FOR RESIDENTIAL ELECTRIC SERVICE, COMMERCIAL ELECTRIC SERVICE, AND GENERAL ELECTRIC SERVICE; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

## **SECTION 1:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (4) of subsection (b) (regarding residential electric service) inserting in lieu thereof a new Section 20-5-4(b)(4) to read as follows:

# "(4) *Monthly Rate*:

a. WINTER – October through May Base Charge: \$25.00

First 650 KWH: 7.000 cents/KWH Next 350 KWH: 6.000 cents/KWH

Over 1,000 KWH: 5.500 cents/KWH

b. SUMMER – June through September

Base Charge: \$25.00

First 650 KWH: 7.000 cents/KWH Next 350KWH: 8.000 cents/KWH Over 1,000 KWH: 10.300 cents/KWH"

## **SECTION 2:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (6) of subsection (b) (regarding residential electric service), inserting in lieu thereof a new Section 20-5-4(b)(6) to read as follows:

"(6) Minimum monthly bill: \$25.00"

## **SECTION 3:**

That subsection (b) of Section 20-5-4 of the Code be amended by adding thereto a new subparagraph (10) to read as follows:

"(10) AMI Metering: For customers who opt out of having an advanced metering infrastructure (AMI) meter installed on their residence or facility, the base charge shall be increased to \$45.00 per month."

#### **SECTION 4:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (4) of subsection (c) (regarding commercial electric service), inserting in lieu thereof a new Section 20-5-4(c)(4) to read as follows:

"(4) Monthly Rate – Energy Charge Including Demand Charge:

Base Charge: \$200.00

Demand Charge: \$3.25 per KW of billing demand

All consumption (KWH) not greater than 200 hours times the billing demand:

First 1,500 KWH: 12.000 cents per KWH Next 8,500 KWH: 11.000 cents per KWH Next 190,000 KWH: 8.700 cents per KWH Over 200,000 KWH: 6.500 cents per KWH

All consumption (KWH) in excess of 200 hours and not greater than 400 hours times the billing demand: 2.000 cents per KWH

All consumption (KWH) in excess of 400 hours and not greater than 600 hours times the billing demand: 1.600 cents per KWH

All consumption (KWH) in excess of 600 hours times the billing demand: 1.400 cents per KWH

Minimum Monthly Bill: \$200.00 plus \$3.25 per KW of billing demand."

# **SECTION 5:**

That Section 20-5-4 of the Code be amended by deleting therefrom subparagraph (4) of subsection (e) (regarding general electric service), inserting in lieu thereof a new Section 20-5-4(e)(4) to read as follows:

#### "(4) *Monthly Rate – Energy Charge:*

Base Charge: \$25.00

First 1,000 KWH: 10.700 cents/KWH Over 1,000 KWH: 10.300 cents/KWH

Minimum Monthly Bill: \$25.00"

#### **SECTION 6:**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

## **SECTION 7:**

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective July 1, 2020.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	

\*\*\*\*

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve the following ordinance:

# **AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO PROVIDE FOR NON-DISCRIMINATION IN EMPLOYMENT AS TO CERTAIN CLASSES; TO PROVIDE FOR NON-DISCRIMINATION IN CITY SERVICES AS TO CERTAIN CLASSES; TO PROVIDE FOR NON-DISCRIMINATION BY AGENCIES AND AUTHORITIES OF THE **CITY** AS TO CERTAIN CLASSES; TO **REQUIRE** DISCRIMINATION POLICY ACKNOWLEDGMENTS BY CITY EMPLOYEES AND APPOINTEES; TO PROVIDE FOR NON-DISCRIMINATION STATEMENTS BY CITY CONTRACTORS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of LaGrange find that discrimination based on certain specified classes is repugnant to good government and to the health, peace, security, good order, and general welfare of the City and of the citizens of LaGrange; and

WHEREAS, the Mayor and Council have noted historic discrimination against individuals in employment and services based upon such individual's race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation, or gender identity; and

WHEREAS, the Mayor and Council desire to prohibit discrimination in the provision of employment and services by the City and its agencies and authorities.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

#### **SECTION 1:**

That Chapter 5-1 of Title 5 of the Code of the City of LaGrange shall be amended by adding thereto a Section 5-1-6, which shall read as follows:

"Sec. 5-1-6.

- (a) Non-Discrimination in Employment. It is the policy of the City of LaGrange that all employees are entitled to a work environment free from all forms of discrimination. The City will make employment opportunities available to all persons, including applicants for employment and employees, without regard to such applicant's or employee's race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation, or gender identity. This policy relates to all phases of employment in all positions including, but not limited to, recruitment, employment, placement, upgrading, demotion, transfer, layoff, recall, termination, rates of pay and other compensation and benefits, training, use of facilities, and participation in City-sponsored employee activities.
- (b) Non-Discrimination in Services. It is the policy of the City of LaGrange that all services provided by the City, including all services provided by the employees and agents of the City, shall be provided free from all forms of discrimination. The City will make such services available to all recipients of such services without regard to such recipient's race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation, or gender identity.
- (c) Application to Agencies and Authorities. The provisions of Sections 5-1-6(a) and 5-1-6(b) shall be deemed to apply to all agencies and authorities that have been created or established by the City or that hereafter may be created or established by the City.
- (d) Non-discrimination Acknowledgments. All current employees of the City, within thirty days of the effective date of this ordinance, and all new employees of the City prior to commencement of employment, will sign an acknowledgment, in the form determined by the City Manager, which acknowledges the substantive provisions of this Section 5-1-6. All persons appointed by the Mayor and Council to any board, agency, authority, or other position, shall, within thirty days of the effective date of this ordinance or the effective date of such appointment, whichever last occurs, sign an acknowledgment, in the form determined by the City Manager, which acknowledges the substantive provisions of this Section 5-1-6. Any employee of the City found by the City Manager to be in violation of the terms of this Section 5-1-6 shall be immediately terminated from such employment, subject to any due process and appellate rights of such employee. Any person appointed by the Mayor and Council to any position who is found by the Mayor and Council to be in violation of the terms of this Section 5-1-6 shall be immediately removed from such appointment.
- (e) Non-discrimination by City Contractors. All persons and entities entering into contracts with the City of LaGrange for the provision of goods or services to the City or to others on behalf of the City shall be required to include in such contracts a non-discrimination provision or to execute a

separate non-discrimination agreement. Such required non-discrimination provision or agreement shall be in a form approved by the City Manager, and shall provide for the Contractor's agreement that in the performance of contractual services on behalf of the City of LaGrange, the Contractor will not discriminate against employees, applicants for employment, or recipients of services on the basis of such employee's, applicant's, or recipient's race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation, or gender identity. Any violation of the terms of the contractual provision or agreement required hereunder by any contractor shall be deemed a default by such contractor under such contract."

#### **SECTION 2:**

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

## **SECTION 3:**

That this ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	

\*\*\*\*

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted to approve the following ordinance. Messrs. Edmondson, McCamey, Gore and Gaskin voted in favor of the ordinance, Messrs. Mitchell and Arrington voted in opposition of the ordinance. Therefore, the ordinance passed with a vote of 4-2.

## **AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO ADD A PROVISION RELATING TO THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA; TO SET THE MAXIMUM PUNISHMENT THEREFOR; TO PROVIDE FOR TRAINING FOR LAGRANGE POLICE OFFICERS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of LaGrange has an interest in maintaining the public safety and general welfare of citizens of the City of LaGrange and its visitors; and

WHEREAS, the Mayor and Council of the City of LaGrange are committed to creating a safer LaGrange by reducing crime, by working to ensure the safety of its citizens, and by fostering a relationship of trust and partnership between the police and the community; and

WHEREAS, the Municipal Court of the City of LaGrange is granted jurisdiction to try and dispose of cases where a person is charged with the possession of one ounce or less of marijuana if the offense occurred within the corporate limits of such municipality. The jurisdiction of any such court shall be concurrent with the jurisdiction of any other courts within the county having jurisdiction to try and dispose of such cases (OCGA § 36-32-6(a)); and

WHEREAS, any fines and bond forfeitures arising from the prosecution of such cases shall be retained by the City (OCGA § 36-32-6(b)); and

WHEREAS, currently there is no specific provision in the Code of the City of LaGrange related to the possession of one ounce or less of marijuana and no specific punishment prescribed for such possession; and

WHEREAS, enactment of this ordinance is intended to enhance public safety and eliminate costs by reducing the amount of time police officers spend in connection with the arrest, processing, and transportation of persons accused of simple marijuana possession; and

WHEREAS, enactment of this ordinance is further intended to prevent young people from entering the criminal justice system and to mitigate the enduring stigma associated therewith; and

WHEREAS, it is the desire of the Mayor and Council of the City of LaGrange to provide that a person found in possession of one ounce or less of marijuana shall be punished by a civil fine not to exceed \$100.00 and shall not be punished by any term of imprisonment.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

# **SECTION 1:**

That Chapter 35-1 of the Code of the City of LaGrange shall be amended by inserting therein a new Section 35-1-40, which shall read as follows:

"Sec. 35-1-40. –Possession of Marijuana.

- (a) It shall be unlawful for any person to possess one ounce or less of marijuana within the corporate limits of the city.
- (b) The Municipal Court is granted jurisdiction to try and dispose of cases where a person is charged with the possession of one ounce or less of marijuana if the offense occurred within the corporate limits of the city. The jurisdiction of the municipal court shall be concurrent with the jurisdiction of any other courts within the county having jurisdiction to try and dispose of such cases.
- (c) A civil fine, not exceeding \$100.00, shall be assessed against any person found to be in violation of this code section. The finding of a violation under this section shall be a civil infraction, and shall not constitute a criminal infraction or criminal offense for any purpose.

(d) Any person charged with possession of an ounce or less of marijuana under this section shall be entitled, on request, to have their case transferred to the court within the county having general misdemeanor jurisdiction over the alleged offense."

# **SECTION 2:**

The LaGrange Police Department shall implement a mandatory training curriculum for its officers that will address the differences between the City of LaGrange ordinance and State law with respect to marijuana possession, arrest, detention and prosecution.

# **SECTION 3:**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

## **SECTION 4:**

This Ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	
·	

\*\*\*\*

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve the following ordinance:

# AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA TO AMEND THE CODE OF THE CITY; TO AMEND CHAPTER 5 OF THE CODE TO PROVIDE FOR ENHANCED PENALTIES FOR CERTAIN CODE VIOLATIONS EVIDENCING MOTIVATION BY HATE; TO PROVIDE FOR THE COLLECTION AND DISSEMINATION OF INVESTIGATORY DATA BY AND FOR LAW ENFORCEMENT AGENCIES; TO REPEAL CONFLICTING ORDINANCES; TO FIX EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, hate or bias-motivated crimes terrorize individual victims and their families, institutions and businesses; and

WHEREAS, hate or bias-motivated crimes can have far reaching effects on large segments of the communities in which they take place; and

WHEREAS, hate or bias-motivated crimes are more than acts of violence and destruction, but they are attacks on the very values which are pillars of the community; and

WHEREAS, laws against hate or bias-motivated crimes do not criminalize "hate speech", but rather such laws increase the punishment for criminal acts where it has also been alleged and proven beyond a reasonable doubt that the victims were selected or targeted because of their actual or perceived identity; and

WHEREAS, effective response to hate or bias-motivated incidents and crimes not only brings justice to victims and their communities, but it also strengthens the relationship between law enforcement and the communities they serve; and

WHEREAS, the City of LaGrange is inclusive of all, irrespective of (and without limitation of) race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation, or gender identity; and

WHEREAS, the Mayor and Council of the City of LaGrange hold that the diversity which exists within our community should be embraced, and that the City is more vibrant and stronger because of the diversity of our citizens; and

WHEREAS, the governing authority rejects hate in all its forms and the damage to our City that comes as a result of expressions of hate; and

WHEREAS, the importance and utility of collection of accurate data about hate or biasmotivated crimes is widely recognized by law enforcement agencies.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

#### **SECTION 1**:

That Chapter 5-1 of the Code be amended by inserting therein a new Section 5-1-7 to read as follows:

#### "Sec. 5-1-7. – Enhanced Penalties for Hate Crimes.

#### (a) Enhanced Penalties:

- 1. At any time after issuance of a citation or the filing of an indictment or accusation for a violation of code sections 35-1-5 or 35-1-36, but not later than the arraignment, the city shall notify the defendant of its intention to seek the enhanced penalty or penalties authorized by this section. The notice shall be in writing and shall allege the specific factor or factors authorizing an enhanced sentence in the case.
- 2. Subject to the notice requirement provided in subsection (a)(1) above and in enhancement of the penalty imposed, if the trier of fact determines beyond a reasonable doubt that the defendant accused of violating any of the code sections listed in subsection (a)(1) above intentionally selected any victim or group of victims or any property as the object of the offense in whole or in part because of the actual or perceived race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation,

or gender identity of such victim or group of victims, the judge imposing the sentence shall impose an increased sentence of imprisonment and/or fine up to and including the maximums permitted under code section 1-1-6. In addition, or in lieu thereof, the Court may also impose community service or participation in an educational program as defined in subsection (c), below.

- 3. The Judge shall order when he or she imposes the sentence the amount of the increase of the sentence based on the application of subsections (a)(1) and (2) of this Code section.
- (b) Fines imposed for concurrent or contemporaneous violation of more than one of the Code sections listed in subsection (a)(1) above may be assessed an enhanced penalty under this section for each violation.
- (c) All fines paid and collected pursuant to this section shall be used to support educational programs. As used in this section, "educational program" means a program approved by the city that is conducted by a public or not-for-profit entity within the city limits and that provides training relating to the harm or damage to individuals or society caused by bigotry on the basis of race, color, religion, national origin, citizenship status, age, sex, disability, veteran's status, political affiliation, sexual orientation, or gender identity."

# **SECTION 2**:

That Chapter 5-1 of the Code of the City is hereby amended by inserting therein a new Section 5-1-8 to read as follows:

#### "Sec. 5-1-8. - Hate Crime Data Collection.

The LaGrange Police Department, to the maximum extent possible, shall provide the Federal Bureau of Investigation with data concerning the commission of a crime motivated by hate, in accordance with guidelines established pursuant to the federal Hate Crime Statistics Act (as amended)."

#### **SECTION 3:**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

## **SECTION 4:**

This ordinance after adoption by Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING	June 9, 2020
SUBMITTED TO MAYOR AND ADOPTED	June 23, 2020
SUBMITTED TO MAYOR AND APPROVED	June 23, 2020
BY: /s/ James C. Thornton, Mayor	
ATTEST: /s/ Sue Olson, City Clerk	

\*\*\*\*

On a motion by Mr. Gaskin seconded by Mr. Arrington, Council voted unanimously to appoint Chris Lutz to fill the unexpired term of Terrance Garret on the Visit LaGrange Board.

In good news, closing comments, Ms. Van Schoor reported that the City of LaGrange has three interns for the summer, Wynton Heard, Chloe Harrell and Jordan Perotti. Wynton, the son of Randal (a former LaGrange Firefighter) and Valerie Heard, recently graduated from Auburn University. He is shadowing Alton West on City Week and is already hosting City Scenes and doing an awesome job. Chloe Harrell, a rising Junior at LaGrange Academy, and Jordan Perotti, a rising senior at LaGrange High Schoor, are very interested in learning more about how to help our animals at the Animal Shelter. Chloe and Jordan are going to help us give social media updates on the adoptable animals available at the shelter. We are very excited to have them with us this summer. They will be presenting to you all Tuesday, July 28<sup>th</sup>.

We are also very excited to be a part of the Mask Troup County campaign. We have been working with Dennis Knight with Emergency Management and District 4 Public Health to help them hand out more than 60,000 face masks to give away to help slow the spread of COVID. LaGrange Police is offering free face masks at the PD Headquarters where Police officers will be handing them out. Our utility Customer Service Reps are handing them out as well at City Hall. Other organizations that are handing out face masks include the Ark Refuge, LaGrange Housing Authority, DASH, the Chamber and many other businesses that are willing to get involved. You can expect to see churches getting involved.

Mr. McCamey said he would like to have further discussions with staff regarding The Thread in District 2. Leigh Jones stated she was working to have historic markers placed along The Thread in District 2.

There was no other business and the meeting was adjourned by Mayor Thornton.	
Mayor	City Clerk