



**City Council Retreat Minutes
May 30, 2025
210 Stonewall Avenue W
Fayetteville, Ga 30214
8:30a.m.**

- I. The meeting was called to order by the Honorable Mayor Avery.
- II. Roll Call by City Clerk, Brenda James found the following members present:

The Honorable Mayor Mario Avery
The Honorable Mayor Pro-Tem Alex Heath
The Honorable Linda J. Davis
The Honorable Hattie Portis-Jones

Absent was:

The Honorable Samantha Hudson
The Honorable Ulysses J. Smallwood
The Honorable James Whitmore

- III. Regular Agenda:

- 1. Conflict Resolution Presentation: By Artiffany Stanley, Member Consultant of Georgia Municipal Association**

Artiffany Stanley of GMA introduced herself and gave a little background of her life in local government and then working with Georgia Municipal Association. Mayor and Council proceeded with the discussion. The training information for Conflict Resolution is attached to the minutes.

- 2. Procedural Rule Amendment Discussion and Vote: Presentation by Attorney Valerie Ross**

Attorney Ross gave an overview of the procedural rules and changes. She spoke on current procedural rules and amended procedural rules with definitions and other city procedural rules. She explained that the Mayor's Legal Authority to act are located in Procedural Rule 3 – Presiding Officer Rules for Debate, Section 2-25 of the City Ordinance and Section 7 of the City Charter. Attorney Ross explained Free Speech that is protected by the First Amendment. She said the right to express ideas and opinions extends to a breath of expressions, including spoken and written words. However, it is not absolute and limited. Such limitations include but are not limited to Fraud, inciting violence, fighting words and defamation. She further explained Robert's Rules of Order 43:21 which

deals with the subject of debate. Attorney Ross explained the amendments are aimed at preventing future disruptions in the meetings. The proposed rule changes are designed to allow the Presiding Officer (or Council, with a 2/3 vote) to

- Clear the Chambers, or
- Have Sgt. At Arms Resolve Disruption
- Discourage Future Disruptive Events

Attorney Ross read the suggested changes into the record.

Under Rule #9 Decorum:

Add: No council member shall be permitted to make rude, obnoxious, slanderous, or personal attacks on anyone but not limited to another member of council, presiding officer, or any member of city staff. All council members shall also refrain from side discussions or other distractions during the meeting.

The presiding officer shall preserve order and decorum and shall immediately speak to points of order and shall decide all questions of order, subject to appeal, except for cases involving disturbance or disorderly conduct. In case of any disturbance or disorderly conduct, the presiding officer shall have the power to require the chamber to be cleared or request that the sergeant at arms (chief of police and or the designee) remove those individuals ruled by the presiding officer as being out of order, or to recess or adjourn the meeting as the presiding officer may deem necessary. In the event the presiding officer fails to rule individuals out of order that are causing a disturbance, any member of council may call for a point of order and present a motion to have the individual ruled out of order and to instruct the sergeant of arms to remove those individuals ruled as out of order. The motion to remove will require a two-thirds vote. The presiding officer shall require the observation of rules of conduct to protect the rights of all council members and citizens.

In cases of any disturbance or disorderly conduct, the presiding officer can direct the Secretary/City Clerk to take down objectionable conduct or disorderly words used by the member. This direction by the presiding officer, and the words and actions taken down pursuant to it, as well as any subsequent actions necessary to address such offensive conduct, pursuant to section 4, are entered in the minutes.

Definitions

1. Rude, obnoxious, slanderous and/or personal attacks: Include but are not limited to the following: a) calling another member, staff, or another, a liar, or using words such as liar, lie, false, fraudster or similarly situated words and/or phrases; and b) dealing in personalities by attacking the motives of another.
2. **Free Speech:** Speech as protected by the first Amendment. The right to express ideas and opinions without government censorship. This right extends to a breadth of expressions, including spoken words and written words. However, it's

not absolute and is limited. Such limitations include but are not limited to the following: a) Fraud: Deceptive practices intended to mislead others; b) Inciting violence: Speech that directly incites imminent lawless action; c) Speech that is deemed obscene by legal standards; d) Fighting words: Face-to-face personal insults that are likely to provoke an immediate physical confrontation; Defamation: False statements that harm someone's reputation.

3. **Reasonable Regulation**: Nothing in these rules is an attempt to regulate free speech based upon a member or speaker's viewpoint or to suppress criticism of city policies and/or officials. Disagreement and debate are allowed and encouraged. However, these are time, place, and manner of speech procedural rules such as limiting the length of debate, relevancy of topic, and the preclusion disorderly conduct and/or rude, obnoxious, slanderous and/or personal attacks as defined in in Rule 9.1 above.
4. **Disorderly Conduct**: Defined per criminal code §§ 16-11-30 -16-11-45; and 16-11-31; and Disorderly Conduct as defined §41-20 of Fairburn's City Ordinance; and includes but is not limited to the following behaviors: Violent or tumultuous manners towards another person, causing that fear for safety or the safety of property; inciting a riot; any person who shall cause, provoke or engage in any fight, brawl or riotous conduct as so to endanger the life, limb, health or property of another; and any person who shall use fighting words directed towards any person who becomes outraged and thus creates a turmoil.

There were questions and discussions on the changes and the definitions. Also, on how many warnings a person should get.

Rules of Debate: #3

There was discussion regarding a member of council giving their allotted time to speak to another member of council. The discussion ended with a change to Rules of Debate #3 to change it to say "The Presiding Officer shall open debate by recognizing each Councilmember who wishes to speak. Each Councilmember may speak on an item for a period not to exceed ten (10) minutes total, with the additional stipulations that no council member shall hold the floor for more than five (5) consecutive minutes of their allotted time and no council member shall transfer any of their allotted time to another member."

Rules #15 Closing Remarks by Council Members: Time Limit

They also discussed a change to Closing Remarks Time Limit #15. The change to the rules is following: "At the conclusion of each Regular Meeting, the Presiding Officer shall permit each member of the body up to two (2) minutes for closing remarks to the body and the attending public. No council member shall transfer their allotted time to another council member.

After much discussion Council Member Davis made a motion to adopt and amend the Procedural Rules Under Decorum as presented for number 9 including definitions, Under Rules of Debate to include changes to Numbers 3, and Under Closing Remarks by Councilmember Time Limit #15 as stated. Council Member Portis-Jones provided the second. The motion carried unanimously.

XIV: Adjournment:

Council Member Heath made a motion to recess the meeting until tomorrow, May 31, 2025 at 9:00a.m. Council Member Davis provided the second. **The motion carried unanimously.**



Brenda James, City Clerk



Mario Avery, Mayor