

**CITY OF EUHARLEE**  
**CITY COUNCIL MEETING MINUTES**  
**APRIL 3, 2018**

Mayor Steve Worthington called the meeting to order, a prayer was led by Council Member David Duncan followed by the Pledge of Allegiance.

City Clerk Carolyn Banks called the roll and the following were present: Mayor Steve Worthington, Council Members Craig Guyton, Tracy Queen, David Duncan, Joe Turner, City Manager James Stephens and City Attorney Boyd Pettit.

**Approval of Minutes**

Council Member David Duncan motioned to approve the minutes for the City Council meeting 03.06.18 and the Called City Council Meeting 03.20.18. Council Member Tracy Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

**Unfinished Business**

**POW WOW - Mayor Steve Worthington**

Council Member Joe Turner motioned and approved the use of Frankie Harris Park October 4-7, 2018 for the POW WOW. Council Member Tracy Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

**Solicitor Pre Trial Diversion Program – Tracy Queen, Council Member**

Council Member Tracy Queen stated as discussed previously in the work session, the program was brought to them by the city's solicitor. It is for minor offenses such as small amounts of marijuana and shoplifting for 21 and under. It does provide the city with revenue and allows youth not to have a record. He is aware of the program in Canton and he knows Cartersville has it as well. It is a good program. Council Member Joe Turner asked Council Member Queen if their solicitor brought the paperwork to him. Council Member Queen stated, he just happened to be standing in his presence when he brought it up and speaking about it. Council Member Turner asked, if the solicitor is already familiar with the program and Council Member Queen said yes. Attorney Boyd Pettit said Marc Clark, who is your solicitor prepared and is presenting the pretrial diversion. It is still subject to the approval of the solicitor. It is not automatic. Council Member Turner said, so he gets to discuss it with each individual. Attorney Pettit said yes. Council Member Joe Turner motioned to accept the contract for the pretrial diversion program. Council Member David Duncan seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

**Police Department Rifles – City Manager James Stephens**

City Manager James Stephens stated the Mayor and Council received an email today in follow up to the work session discussion about funding options for the rifles. In addition to that, Chief New received an updated quote from a local dealer. Chief New was present. The amount is \$8,200.00 for 12 rifles. He said, Chief New will discuss and answer any questions the Council may have.

Council Member Tracy Queen asked Chief New what he thought of the offer from Frazier. Chief New said, the quote was for Smith and Wesson which is a good brand of rifles. Council Member Queen asked if the quote included the racks in the car. Chief New said he did not know. They didn't talk about the racks. Deputy Chief William Yee got the information on the bids but was off for the today. City Manager Stephens stated, there was a separate line item for the racks. They would come out of a different line

item. The quote today is about \$3,000.00 less than the quote they had. Council Member Queen asked Chief New, if he thought it would be a good weapon for them. Chief New said he did.

Mayor Steve Worthington asked, how many patrol officers do they have. Chief New said, 10 fulltime and 4 part time. Council Member Joe Turner spoke and said he thought it was 8 with 2 on each shift. Council Member David Duncan asked, if he was counting himself and the Deputy Chief and Chief New said yes.

Council Member Duncan asked the City Attorney about the liability of them carrying those guns. Attorney Boyd Pettit said, probably no additional liability. You already have your police liability under GMA. Mr. Stephens stated, they do not have coverage from GMA but Guy Parmenter is our representative. Attorney Pettit asked, who the coverage was with. Mr. Stephens could not remember the name right off the top but stated they do have coverage.

Council Member Duncan asked Chief New what type of training they will receive before getting these weapons. Attorney Pettit said, that would be whatever the insurance required them to do. Chief New said all the officers will have to go to the range and qualify before they start carrying them. Council Member Duncan asked if they would have a shoot don't shoot scenario and Chief New said yes. Chief New said, to correct one thing, these are not automatic rifles they are semi- automatic.

Council Member Queen asked, will there be a written policy for the department. Chief New said yes. They are going to require everyone to carry them in their house when they drive home to keep them secured in case someone breaks in the car.

Council Member Tracy Queen asked, if they do accountability on rounds they carry. Chief New said the rifle comes with a 30 round clip, so they will carry a 30 round clip fully loaded. Council Member Queen asked, if they will have back up clips. Chief New said, that is one thing he forgot to ask then when he got the quote. He said magazines are inexpensive.

Council Member Turner asked if he could get smaller clips. He proceeded to say several weeks ago and he is not sure who it was, but there were 3 officers in a shooting that killed a man over the news. They hit him 8 times but fired 20 something shots. Chief New said he assumed so and he was not familiar with that case. Council Member Queen said, the case was at night in the dark with the guys were shooting with pistols with flashlights attached. Trying to hit anything at night is not easy. Council Member Turner said, he had shot a lot at night and that is not the case. The tendency is to pull the trigger until he falls.

Chief New said, it is better to have it than not to have it. The reason they asked for these guns is because he had a conversation with a friend of his, Vernon King, Director of the GBI and they investigate all the police shootings in the state. Police shooting people and people shooting police. The high percentage of shootings in this state, people are shooting at police officers with rifles. The side arms are no defense for something like this. He took up all the shotguns and reissued them all rifles just for that reason. One of the things they are concerned about are the 2 schools here. If they have to respond to an incident at the school, they don't want to be out gunned. It is a safety issue.

Council Member Queen said they have 3 targets for terrorist. You have Plant Bowen and the 2 schools. Mayor Steve Worthington said, his problem with the schools is they have their own campus police. He knows they are mutual aid and we go in and help them. But if they expect us to at this extent to help them, he thinks they need to go to the Board of Education and asked for some subsidiary to help buy them, if that is the reason we are going to give for buying them.

Council Member Duncan stated, he still had a problem with buying twelve of them. He doesn't understand why you can't buy 4 or 6 and have the officers each day sign them out. Chief New said, each officer had to have rifles fitted for them, sized in for them, the shoulders and everything has to be suited to them. If you were going hunting and you asked him to borrow a rifle, it is built just for him and you may not be able to hit anything with it whereas he can hit everything. It is the same principle with rifles.

You can't just swap them off and expect everybody to be proficient with them. By everybody having one, you can hold each of them accountable to keep them cleaned and maintained.

Council Member Turner apologized to Chief New because he is going against what he said. A gun you sight it in. The barrel is only going to shoot one bullet to one spot. You sight and shoot. Chief New said, they have to be sighted in for the officer. You sight for one officer and expected another to be proficient with it. Council Member Turner said, he knows each officer must punch in and out on a time clock. You can have 4 or 5 rifles inside the building for them to sign out. He agreed with David Duncan. He believes it is the officer's responsibility to learn to shoot the gun he has. Council Member Craig Guyton said, if we are going to do that, it makes sense to sell all the cars and buy 4 and they can swap out a car. Also, with the 9 millimeters what they carry on the hip, we can just have 4 of those and we can sign for those too. Council Member Turner said, it sounds like a wonderful argument that doesn't mean anything. Council Member Queen said, when you look at the sights on these weapons he is talking about, you look through a peep hole. For someone who wear glasses that look through there, it is not going to line up the same. But to hit the target your eye sight is moving. He said, his sight from the army is 5 up and 4 to the right every time. He said, yours may be 10 up and 2 to the right with standard sights for M16 and AR15 rifles. It's not a scope. It is not a V scope. It is an optic standard sight. It's different. The sights are not the same as rifle sights.

Mayor Worthington asked, Chief New if it is anything else he wanted to add. Chief New answered no, he would just repeat what he said. It is a safety item for officers and the schools we are sworn to protect. If we have a major incident at the school, we are not armed to protect as of today. He said, it is in the Mayor and Council's hands. Council Member Turner said to Chief New, not to think he is being difficult. He doesn't mind and is not against them getting the guns. He had 61 pages of school shootings. 80 to 90 percent of your school shootings, mass shootings the guy committed suicide and 1 where the resource officer with a hand gun stopped it. By the time a school shooting takes place, it's not a single letter in there that said the swat team went in with their AR15's and stopped it. Chief New said, the problem with the schools if anything happens, the nearest swat team is going to be about an hour away. Council Member Turner said, he does not suggest you wait on them and he is no objecting to them getting the guns. He thinks the guns are retroactive to people. They shoot the same way if they had 4 guns and they swapped them out. He thinks they can get by with 4. If he gets out voted he will not be upset. Chief New said he respectfully disagreed.

Officer Christian Cruz spoke and said he worked in the Marine Corp and had excessive training with AR15 and M16 rifles. These are not your everyday hunting rifles by any means. He said, Councilman Queen is correct about the sights on them. They spent 2 weeks in the military just sighting in their rifles. One week sighting and the next week to become proficient to shoot the rifles. The idea of signing out rifles to each individual officers is not practical. He thinks you bring a liability by signing in a rifle to another officer who is not sighted in with that rifle, he misses target and strike something. In the military they are trained to know their target and will lie behind it. But to shoot a target effectively, that rifled needs to be zeroed in to him. Just like it needs to be zeroed in to a fellow officer. You don't see agencies out there buying 4 or 5 rifles and telling the whole department to share them. One, it is not practical and 2 the rifles are not zeroed in for that person.

Council Member Duncan asked if they would be able to send each officer to 1 to 2 weeks of training before they are issued the guns or just a one day training. Chief New said, they would be exposed to the training. He is not sure if they will be able to do it in 1 day or not but we will get everybody qualified.

Council Member Joe Turner said, it looks like he is out numbered. He has swapped rifles with a dozen of people and with 50 years of hunting, if there is bullseye he can hit it.

Council Member Craig Guyton motioned and approved all 12 rifles. Council Member Tracy Queen seconded the motion.

With further discussion, Mayor Worthington said he is either all in or all out. He said if he buys any, he is going to buy all 12. He does not think it is feasible and he is not a hunter. It does make sense for the gun to be fitted for a person in this day in time. Council Member Joe Turner said, he got out numbered. Council Member Duncan said, he still thinks they are not needed but if that is the way they want to go he will go along with it.

City of Euharlee resident Fred Werner said, he has 10 kids and 16 grandkids that went through these schools. The school budget has been chopped more times than ever. Campus police is not like they were when they first opened with campus police. Euharlee have been hosting these schools and do everything to take care of these kids. Response time is going to be on Euharlee. I had a personal touch with Parkland. He said he lived in Coral Springs and he knows a few people. A friend lost a granddaughter down there. To him, taking away peoples guns is not, his idea. Let's outfit the police officers to the fullest. Bartow County, campus police and the sheriff department is going to respond here, Euharlee police will be there in 2 minutes flat. He feels they should outfit the officers to the fullest and give them the equipment and tools they need. You are not going to get any help from the Board of Education. Look at the road widening years ago. We are hosting these schools, so let's do the right thing.

Council Member David Duncan said before they vote, he would like to ask one other thing. If we are going to do this. He noticed in the email, they found money in the budget proposed for the K-9 program and difference in the pay since Baldwin left and are they going to use those funds first before we vote on this. Council Member Turner said, they have enough funds, do they really need money from council. Chief New said, they have enough in their budget with salary savings. City Manager James Stephens said the budget ordinance and the state code does permit them to move money by line item within a department. Since it was over \$2,500.00, the council needed to be involved. Council Member Turner is correct. The money available in the same department can be moved without coming before the council. Council Member Turner said, with the current circumstances, it is not anything we need to vote on. The way it was presented before, it was coming out of the general fund. Council Member Duncan said, they do have to vote if they are going to spend over \$2, 500.00.

Council Member Guyton said, Euharlee purchasing policy states if it is over \$2,500.00 even if it is budgeted, it needs to be approved by council. Council Member Turner said, he understands that but what he is getting around to, they do not have to approve additional money. What we were presented with at the work session and what we are presented with tonight are two different things. Mr. Stephens said, that is correct. You are not allocating fund balance.

The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

Council Member Tracy Queen said he got a letter from Ms. Jolly about the Jolly building. She was thankful for what they brought up and was supportive of them. He wanted to pass that on and she said thank you to everybody.

Council Member Joe Turner said thank you to everybody for participation with the Easter Egg Hunt, especially to the Explorers and the one that wore the bunny suit. Mayor Steve Worthington said, they did a great job. It was a great success and made them look good.

City of Euharlee resident Rene Duncan wanted to confirm with Chief New saying everybody would be qualified, did that mean at the firing range or would that mean additional training also. Mayor Worthington said, yes they would be qualified at the firing range. Attorney Boyd Pettit said that would

be determined by the department head. Chief New said, they use the firing range over at Plant Bowen and everyone will be proficient with them before they are allowed to carry them.

Council Member Craig Guyton motioned to adjourn the meeting at 7:28 pm. Council Member Tracy Queen seconded the motion. The motion was carried with Council Members Guyton, Queen, Duncan, Turner and Mayor Worthington all voting in favor.

With no further discussion the meeting was adjourned.