

CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Diane Adoma – District 5

WORK SESSION AGENDA

December 13, 2017

6:00 P.M.

Stonecrest City Hall

3120 Stonecrest Blvd.

Stonecrest, Georgia

- I. **CALL TO ORDER:** Mayor Jason Lary
- II. **ROLL CALL:** Brenda James, Interim City Clerk
- III. **AGENDA ITEMS:**
 - 1. Discussion on meeting dates for 2018.
 - 2. ~~Discussion on Charter Review~~
 - 3. CH2M Open Records Request
- IV. **MAYOR AND COUNCIL COMMENTS:**
- V. **EXECUTIVE SESSION:**
- VI. **ADJOURNMENT:**

WHEN AN EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION, 3) REAL ESTATE



CITY COUNCIL AGENDA ITEM

**SUBJECT: DISCUSSION ON CHANGES FOR THE CITY COUNCIL MEETINGS
AND WORK SESSIONS FOR CALENDAR YEAR 2018**

☐ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☐ **OTHER**

Date Submitted: 12/11/2017 Work Session: 12/13/22017 Council Meeting: 12/18/2017

SUBMITTED BY: City Clerk

PURPOSE: Attached are the dates for the first and third Mondays for Council Meetings included changes for holidays and the Wednesday before a council meeting for the Work Sessions. Also attached are Council and Work Session meetings once a month both on Mondays and one with Council Meetings once a month on Monday and Work Sessions on Wednesdays. Times are not included.

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION: Recommendation of Mayor and Council

2018

MEETING DATES

January 2 nd	Council Meeting
January 10 th	Work Session
January 16 th (Tuesday, 15 th is MLK Holiday)	Council Meeting
January 31 st	Work Session
February 5 th	Council Meeting
February 14 th	Work Session
February 19 th	Council Meeting
February 28 th	Work Session
March 5 th	Council Meeting
March 14 th	Work Session
March 19 th	Council Meeting
March 28 th	Work Session
April 2 nd	Council Meeting
April 11 th	Work Session
April 16 th	Council Meeting
May 2 nd	Work Session
May 7 th	Council Meeting
May 16 th	Work Session
May 21 st	Council Meeting
May 30 th	Work Session
June 4 th	Council Meeting
June 13 th	Work Session
June 18 th	Council Meeting
June 27 th	Work Session
July 2 nd	Council Meeting

July 11 th	Work Session
July 16 th	Council Meeting
August 1 st	Work Session
August 6 th	Council Meeting
August 15 th	Work Session
August 20 th	Council Meeting
August 29 th	Work Session
September 4 th (Tuesday- Monday Labor Day)	Council Meeting
September 12 th	Work Session
September 17 th	Council Meeting
September 26 th	Work Session
October 1 st	Council Meeting
October 10 th	Work Session
October 15 th	Council Meeting
October 31 st	Work Session
November 5 th	Council Meeting
November 14 th	Work Session
November 19 th	Council Meeting
November 28 th	Work Session
December 3 rd	Council Meeting
December 12 th	Work Session
December 17 th	Council Meeting

2018

MEETING DATES

All meetings on Monday

January 2 nd	Council Meeting
January 16 th (Tuesday, 15 th is MLK Holiday)	Work Session
February 5 th	Council Meeting
February 19 th	Work Session
March 5 th	Council Meeting
March 19 th	Work Session
April 2 nd	Council Meeting
April 16 th	Work Session
May 7 th	Council Meeting
May 21 st	Work Session
June 4 th	Council Meeting
June 18 th	Work Session
July 2 nd	Council Meeting
July 16 th	Work Session
August 6 th	Council Meeting
August 20 th	Work Session
September 4 th (Tuesday- Monday Labor Day)	Council Meeting
September 17 th	Work Session
October 1 st	Council Meeting
October 15 th	Work Session
November 5 th	Council Meeting
November 19 th	Work Session
December 3 rd	Council Meeting

December 17th

Work Session

2018

MEETING DATES

Council Meeting on Mondays

Work Sessions on Wednesday

January 2 nd	Council Meeting
January 17 th	Work Session
February 5 th	Council Meeting
February 21 st	Work Session
March 5 th	Council Meeting
March 21 st	Work Session
April 2 nd	Council Meeting
April 18 th	Work Session
May 7 th	Council Meeting
May 23 rd	Work Session
June 4 th	Council Meeting
June 20 th	Work Session
July 2 nd	Council Meeting
July 18 th	Work Session
August 6 th	Council Meeting
August 22 th	Work Session
September 4 th (Tuesday- Monday Labor Day)	Council Meeting
September 19 th	Work Session
October 1 st	Council Meeting
October 17 th	Work Session
November 5 th	Council Meeting

November 21st

Work Session

December 3rd

Council Meeting

December 19th

Work Session



CITY COUNCIL AGENDA ITEM

**SUBJECT: DISCUSSION ON RESOLUTION OF THE CITY OF STONECREST
AUTHORIZING THE SUBMITTAL OF CERTAIN CHARTER
AMENDMENTS TO THE LOCAL DELEGATION OF DEKALB COUNTY**

☐ ORDINANCE ☐ POLICY ☐ STATUS REPORT
☐ DISCUSSION ONLY ☒ RESOLUTION ☐ OTHER

Date Submitted: 12/11/2017 Work Session: 12/13/22017 Council Meeting: 12/18/2017

SUBMITTED BY: City Clerk

PURPOSE: This Resolution was brought to the November 20, 2017 City Council Meeting and deferred until December 4th and at the December 4th meeting is was deferred until January 16th. Mayor Lary asked that it be brought to the work session for discussion.

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION: Recommendation of Mayor and Council

**A RESOLUTION OF THE CITY OF STONECREST, GEORGIA, AUTHORIZING THE
SUBMITTAL OF CERTAIN CHARTER AMENDMENTS TO THE LOCAL
DELEGATION OF DEKALB COUNTY**

WHEREAS, the City of Stonecrest was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum;

WHEREAS, Senate Bill 208 provided a charter for the City of Stonecrest (the "City Charter");

WHEREAS, the mayor and councilmembers desire that various provisions of the City Charter be amended;

WHEREAS, Article IX, Section II, Paragraph II of the Constitution of the State of Georgia, which is titled Home Rule for Municipalities, allows the General Assembly of the State of Georgia to provide by law for the self-government of municipalities, which the General Assembly has done with the Municipal Home Rule Act of 1965, provided in O.C.G.A. 36-35-1 *et seq.*;

WHEREAS, O.C.G.A. 36-35-6 provides that the power granted to municipal corporations in subsections (a) and (b) of O.C.G.A. 36-35-3 shall not be construed to extend to action affecting the composition and form of the municipal governing authority, the procedure for election or appointment of the members thereof, and the continuance in office and limitation thereon for such members, among other things, or to any other matters which the General Assembly by general law has preempted or may hereafter preempt, but such matters shall be the subject of general law or the subject of local Acts of the General Assembly to the extent that the enactment of such local Acts is otherwise permitted under the Constitution of the State of Georgia;

WHEREAS, Section 2.10(a) of Article II and Section 3.01(a)(6) of Article III of the City Charter provides that the mayor has one vote on matters brought before the city council for official action; and

WHEREAS, the mayor and the councilmembers of the City of Stonecrest desire that the above provisions be amended to provide that the mayor relinquish the privilege of voting on matters brought before the city council for official action, except to break a tie of the councilmembers; and

WHEREAS, the mayor and councilmembers of the City of Stonecrest desire that in connection with the mayor relinquishing the privilege of voting that the Article II of the

Charter be further amended to add new Section 2.34 to provide for the veto power of ordinances; and

WHEREAS, Section 2.02 of Article II of the Charter discusses the eligibility requirements for service of the mayor and each councilmember; and

WHEREAS, the mayor and councilmembers of the City of Stonecrest desire that the eligibility requirements for service of any elected official be amended to add the attainment of the age of 21 as an additional requirement for eligibility of service; and

WHEREAS, the mayor and councilmembers of the City of Stonecrest desire that Article III of the Charter be amended to provide that Section 3.13 be designated for the establishment of the office of chief operating officer to be appointed by the mayor subject to the confirmation of a majority of the councilmembers; and, in furtherance thereof, Section 3.01(a)(8), Section 3.04(a)(14), and Section 3.05 of Article III of the Charter be designated to provide the mayor will provide supervision and guidance to the chief operating officer, the city manager will perform the duties of the chief operating officer if such office is vacant and neither the city council nor its members shall interfere with the performance of services by the chief operating officer; and

WHEREAS, Section 3.01(a)(10) of Article III of the Charter provides that the mayor serve in the position of mayor and be compensated accordingly; and

WHEREAS, the mayor and councilmembers of the City of Stonecrest desire that Section 3.01(a)(10) of the Charter be amended to reflect that the service of the mayor is fulltime and further, that Section 2.07 of Article II of the Charter be amended to increase the annual salary of the mayor to \$85,000; and

WHEREAS, the mayor and councilmembers of the City of Stonecrest have determined that the City Charter amendments provided herein should be amended by local act of General Assembly; and

WHEREAS, the mayor and councilmembers of the City of Stonecrest hereby request that the DeKalb County local delegation submit such proposed amendments to the City Charter to the General Assembly.

THEREFORE, the mayor and councilmembers of the City of Stonecrest, Georgia, hereby resolve as follows:

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

RESOLUTION 2017-_____

80 **Section 1:** That proposed amendments attached hereto and incorporated herein by reference
81 to the Charter of the City of Stonecrest, Georgia, be submitted to the local delegation of DeKalb
82 County for presentation to the General Assembly during the 2018 session.

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84 This Resolution shall be effective immediately upon its adoption.

85 **SO RESOLVED** this the _____ day of November, 2017.

Approved:

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90 Jason Lary, Sr., Mayor

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94 Diane Adoma, Councilmember

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98 Jazzmin Cobble, Councilmember

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102 Jimmy Clanton, Councilmember

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106 George Turner, Councilmember

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110 Rob Turner, Councilmember

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118 Attest:

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122 Brenda James, City Clerk

EXHIBIT TO RESOLUTION
CITY OF STONECREST
2018 CHARTER AMENDMENTS

Amendment 1: Amend the voting power of the mayor from voting to non-voting except in the event of a tie.

"Section 2.10(a) of Article II of the Charter is amended as follows: (a) Four councilmembers shall constitute a quorum and shall be authorized to transact business for the city council. The mayor shall be counted toward the making of a quorum. Voting on the adoption of ordinances shall be taken by voice vote and the yeas and nays shall be recorded in the minutes, but on the request of any member there shall be a roll-call vote. In order for any ordinance, resolution, motion, or other action of the city council to be adopted, the measure must receive at least three affirmative votes and must receive the affirmative votes of a majority of those voting. ~~No~~Neither any councilmember nor the mayor shall abstain from voting on any matter properly brought before the city council for official action except when such councilmember has a reason which is disclosed in writing prior to or at the meeting and made a part of the minutes. ~~The mayor and e~~Each councilmember when present at a meeting shall have one vote on all matters brought before the council. In the event of a tie in the vote on any matter, the mayor, if present, shall vote to break the tie.

In furtherance thereof, Section 3.01 (a)(6) of Article III of the Charter is amended as follows: (a) The mayor shall:... (6) ~~Not vote~~ ~~Vote in~~ anyall matters before the city council except as provided in Section 2.10(a) of this charter;"

Amendment 2: Grant the mayor the power to veto certain ordinances.

Article II of the Charter is amended to add new Section 2.17 as follows:

"SECTION 2.34.

Veto power of mayor of ordinances.

(a) The mayor, within ~~ten~~ ^{5 Business} calendar days of the adoption of an ordinance by councilmembers pursuant to Section 2.10(a), shall return it to the clerk with the mayor's written approval or disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the ~~tenth~~ ^{5TH BUSINESS} calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the councilmembers through the clerk a written statement of reasons for the veto. The clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(b) Any ordinance vetoed by the mayor shall be presented by the clerk to the city council at its next meeting. If the city council at its next meeting adopts the ordinance by an affirmative vote of four councilmembers, it shall become law.

(c) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The reduced part or parts shall be presented to city council as though disapproved and shall not become law unless overridden by the council as provided in subsection (b) of this section.

(d) The mayor shall have no power to veto any ordinance in which he or she voted to break a tie in the manner provided in Section 2.10(a)."

171 **Amendment 3: Amend the eligibility requirements for service as mayor or**
172 **councilmember.**

173 “Section 2.02(a) of Article II of the Charter is amended as follows:

174 (a) For all elections subsequent to the first election, the mayor and councilmembers shall
175 serve for terms of four years and until their terms shall expire upon the administration of
176 the oath of office to their successors. No person shall be eligible to serve as mayor or
177 councilmember unless that person has attained the age of 21, shall have been a resident of
178 the City of Stonecrest for a continuous period of at least 12 months immediately prior to
179 the date of the election for mayor or councilmember, shall continue to reside therein
180 during that person's period of service, and shall continue to be registered and qualified to
181 vote in municipal elections of the City of Stonecrest. In addition to the above
182 requirements, no person shall be eligible to serve as a councilmember representing a
183 council district unless that person has been a resident of the district such person seeks to
184 represent for a continuous period of at least six months immediately prior to the date of
185 the election for councilmember and continues to reside in such district during that
186 person's period of service.”

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Amendment 4: Establish the office of chief operating officer.

"Article III of the Charter is amended to renumber Section 3.13 to Section 3.14, to renumber Section 3.14 to 3.15, to renumber Section 3.15 to Section 3.16 and to further add the following language to Section 3.13 as follows:

SECTION 3.13.

Chief Operating Officer

(a)The mayor may appoint, an officer whose title shall be the "chief operating officer", subject to the confirmation thereof by a majority of the councilmembers. The chief operating officer shall be appointed without regard to political beliefs and solely on the basis of his or her education and experience. The chief operating officer need not be a resident of the City of Stonecrest. The chief operating officer shall be supervised and directed by the mayor and shall have the power, and it shall be his or her duty to:

(1) Appoint and employ all necessary employees of the department of public works and the department of public safety;

(2) Remove employees appointed and employed under paragraph (1) of this section, without the consent of the city council or city manager and without assigning any reason therefor;

(3) Exercise supervision and control of the department of public works and the department of public safety and all divisions of either created or that may hereafter be created by the councilmembers;

(4) Recommend to the city council, after prior review and comment by the mayor, for adoption of such measures as the chief operating officer may deem necessary or expedient with respect to the department of public works and the department of public safety;

(5) Operate his or her office and the department of public works and the department of public safety for the amounts appropriated therefor by the city council in the annual budget;

(6) Have no authority to perform any function reserved to the city manager under this charter or by ordinance of the councilmembers; and

(7) Perform such other duties as required by ordinance or resolution of the councilmembers.

(b) In the event of a vacancy in the office of chief operating officer, the city manager shall exercise all powers, duties, and functions of the chief operating officer until a chief operating officer is appointed.

In furtherance thereof, Section 3.01 (a)(8) of Article III of the Charter is amended as follows: (a) The mayor shall:... (8) Provide supervision and guidance to the City Manager and the Chief Operating Officer;

In furtherance thereof, Section 3.04 (a)(14) of Article III of the Charter is renumbered to be Section 3.04(a)(15) and the following language is added to Section 3.04(a)(14) as follows: (a) The city manager shall:... (14) Perform the duties of the office of the chief operating officer (i) until such time the initial chief operating officer takes office and (ii) in the event of a vacancy in such office thereafter;

In furtherance thereof, Section 3.05 of Article III of the Charter is amended as follows:

SECTION 3.05.

City council interference with administration.

Except for the purpose of inquiries and investigations under Section 2.08 of this charter or as provided in Section 3.01, ~~and~~ Section 3.03 and Section 3.13 of this charter neither the city council nor its members shall interfere with the performance of services by or give orders to any such officer or employee, either publicly or privately.”

237 **Amendment 5: Increase the annual salary of the mayor to \$85,000 from \$20,000.**
238 “The first sentence of Section 2.07 of Article II of the Charter “Compensation and
239 expenses” is amended as follows: Commencing January 1, 2018, theThe annual salary of
240 the mayor shall be \$85,000.00 ~~\$20,000.00~~ and the annual salary for each councilmember
241 shall be \$15,000.00.
242 In furtherance thereof, Section 3.01 (a)(10) of Article III of the Charter is amended as
243 follows: (a) The mayor shall:...Serve full