

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

CITY COUNCIL WORK SESSION

December 17, 2018

6:00P.M.

3120 Stonecrest Blvd. Suite 190

Stonecrest, Georgia

I. CALL TO ORDER: Mayor Jason Lary

II. AGENDA ITEMS:

1. Amendment to the Jacobs Contract
2. Discussion on the Legislative Agenda
3. Ordinance to Amend the Charter for the Purpose of Amending the Expense Limitations for Mayor and Council
4. An Ordinance to Amend Chapter 2 Article II Adding New Departments

III. ADJOURNMENT:



CITY COUNCIL AGENDA ITEM

SUBJECT: Amendment to the Jacobs Contract

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

Council Meeting: 12/17/2018

SUBMITTED BY: City Manager

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:



CITY COUNCIL AGENDA ITEM

SUBJECT: Discussion on Legislative Agenda

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

Work Session: 12/17/2018

SUBMITTED BY: Council Member George Turner and Cobble

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:



CITY COUNCIL AGENDA ITEM

SUBJECT: An Ordinance to Amend the Charter for the Purpose of Amending the Expense Limitations for Mayor and Council

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

Work Session: 12/17/2018

Council Meeting: 01/02/2018

SUBMITTED BY: City Attorney

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF STONECREST,
GEORGIA, FOR THE PURPOSE OF AMENDING THE EXPENSE LIMITATION FOR
MAYOR AND CITY COUNCIL IN SECTION 2.07 OF ARTICLE II OF THE CITY
CHARTER**

WHEREAS, Section 2.07 of Article II of the Charter of the City of Stonecrest, Georgia (the “City Charter”) provides an expense allowance of \$5,000.00 for the Mayor and \$3,000.00 for each councilmembers for expenses reasonably actually and necessarily incurred by the mayor and councilmembers in carrying out there duties as elected officials in the City of Stonecrest; and

WHEREAS, the Mayor and City Council of the City of Stonecrest desire to amend the expense allowance as permitted under O.C.G.A. § 36-35-4(c) for those expenses actually and necessarily incurred in carrying out their official duties; and

WHEREAS, the Mayor and City Council desire to enact ordinances regarding the reimbursement of those expenses actually and necessarily incurred; and

WHEREAS, the Mayor and City Council of the City of Stonecrest have determined that the City Charter should be amended by Home Rule to make the necessary change; and

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. 36-35-3(b)(1) allows municipal charters to be amended by ordinances duly adopted at two (2) regular consecutive meetings of the municipal governing authority, not less than seven (7) nor more than sixty (60) days apart; and

WHEREAS, O.C.G.A. 36-35-3(b)(1) requires a notice containing a synopsis of the proposed amendment to be published in a newspaper of general circulation in the municipal corporation once a week for three (3) weeks within a period of sixty (60) days immediately preceding its final adoption; and

WHEREAS, O.C.G.A. 36-35-3(b)(1) further requires that the notice shall state that a copy of the proposed amendment is on file in the office of the clerk of the municipal governing authority and in the office of the clerk of the superior court of the county of the legal situs of the municipal corporation for the purpose of examination and inspection by the public; and

WHEREAS, pursuant to O.C.G.A. 36-35-3(b)(1), the required notice has been published in a newspaper of general circulation in the municipal corporation once a week for three (3) weeks prior to its final adoption, and a copy of the proposed amendment has been placed on file in the Office of the Clerk of the City of Stonecrest and in the Office of the Clerk of Superior Court of DeKalb County, Georgia, as required by Georgia law; and

WHEREAS, the required notice will have been published within the statutory period of sixty (60) days immediately preceding the final adoption of this Ordinance amending the City Charter; and

WHEREAS, the title of this Ordinance shall have been read and this Ordinance duly adopted at two consecutive City Council meetings not less than seven (7) nor more than sixty (60) days apart as required by Georgia law.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: That the Charter of the City of Stonecrest, Georgia, is hereby amended as follows: Section 2.07 of Article II of the City Charter is amended as follows:

The annual salary of the mayor shall be \$20,000.00 and the annual salary for each councilmember shall be \$15,000.00. Such salaries shall be paid from municipal funds in monthly installments. The mayor shall be provided an annual expense allowance of \$7,000.00 ~~5,000.00~~ and each councilmember shall be provided an annual expense allowance of \$5,000.00 ~~3,000.00~~ for the reimbursement of reasonable expenses actually and necessarily incurred by the mayor and councilmembers in carrying out their duties as elected officials of the city.

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

84 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall,
85 for any reason whatsoever, be declared invalid, unconstitutional or otherwise
86 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
87 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,
88 or unenforceability shall, to the greatest extent allowed by law, not render invalid,
89 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
90 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed
91 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance
92 shall remain valid, constitutional, enforceable, and of full force and effect.
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94 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are
95 hereby expressly repealed.
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97 5. The within ordinance shall become effective upon its adoption.
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99 6. The provisions of this Ordinance shall become and be made part of the City Charter and
100 shall be codified in accordance with state law.

101 **SO ORDAINED AND EFFECTIVE** this the ____ day of _____, 201__.

102 Approved:
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106 Jason Lary, Sr., Mayor
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109 As to form:
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112 _____
113 City Attorney
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114 Attest:
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117 _____
118 Brenda James, City Clerk



CITY COUNCIL AGENDA ITEM

SUBJECT: An Ordinance to Amend Chapter 2 Article II Adding New Departments

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

Work Session: 12/17/2018

Council Meeting: 01/02/2018

SUBMITTED BY: City Attorney

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:

**AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE III OF THE CITY OF
STONECREST, GEORGIA CODE OF ORDINANCES FOR THE PURPOSE OF
ADDING NEW DEPARTMENTS**

WHEREAS, Section 2.55 of the City of Stonecrest, Georgia Code of Ordinances authorizes the establishment of municipal departments; and

WHEREAS, the Mayor and City Council of the City of Stonecrest desire the addition of two more municipal departments; and

WHEREAS, the Mayor and City Council of the City of Stonecrest have determined that the Code of Ordinances should be amended to make the necessary change.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Stonecrest, Georgia that the City's Code of Ordinances, Chapter 2 – Administration is amended as follows:

“Sec. 2-55. - Authorization.

The following departments are established by the council:

- (1) Administration;
- (2) Community Development;
- (3) Finance;
- (4) Public Works;
- (5) Parks and Recreation;
- (6) Information Technology;
- (7) Community and Cultural Affairs; and
- (8) Business Development.

One or more departments may be combined to form one or more multifunctional departments.”

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SO ORDAINED AND EFFECTIVE this the ____ day of _____, 201__.

Approved:

Jason Lary, Sr., Mayor

As to form:

City Attorney

Attest:

Brenda James, City Clerk