Mayor and Council Special Called Meeting



Monday, May 12, 2025 at 6:30 PM City Hall, 875 Main Street, Stone Mountain, Georgia 30083

Agenda

Mayor and Council: Dr. Beverly Jones - Mayor | Post 3 : Mayor Pro Tem Ryan Smith

Post 1: Council Member Anita Bass | Post 2: Council Member Mark Marianos

Post 4: Council Member Gil Freeman | Post 5: Council Member Shawnette Bryant

Post 6: Council Member Teresa Crowe

Staff: Shawn Edmondson - City Manager | Maggie Dimov - Assistant City Manager/Economic Development Director/DDA | Shavala Ames - City Clerk | Jeff Strickland - City Attorney

City of Stone Mountain, GA Facebook page: https://www.facebook.com/CityofStoneMtn/ Link to join Webinar: [LINK]

I. New Business

- Consideration of an action on a request to draft a resolution regarding elected officials direct communication and interaction with City's banking institution without authorization from City Administration.
- 2. Consideration of an action on a request to review and reaffirm the defined scope of the Mayor's authority as outlined in the City Charter and applicable ordinances and resolutions.
- 3. Consideration of an action on a request to authorize an independent investigation of the financial allegations involving the Mayor, in the interest of transparency and public trust.
- **4.** Consideration of an action on a request to authorize retaining services of an impartial third-party firm to conduct an independent investigation of allegations against the Mayor.
- **5.** Discussion: City Attorney Contract
- **6.** Discussion: Alternative Investigative Services
- II. Executive Session to Discuss Personnel, Legal, Cyber Security and/or Real Estate (if needed)
- III. Adjournment

RESOLUTION 2025-

A RESOLUTION OF THE CITY COUNCIL OF STONE MOUNTAIN, GEORGIA, TO ENGAGE AN INDEPENDENT INVESTIGATOR TO INVESTIGATE AND REPORT ON THE RECENT INTERACTIONS BETWEEN THE MAYOR AND TRUIST BANK

WHEREAS, O.C.G.A. § 36-35-3(a) provides, in part, that the City Council shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

WHEREAS, operation and management of the City's bank accounts is an administrative function under the purview of the City Manager as the chief executive and administrative officer of the City (*see City Charter*, Sec. 2.29); and

WHEREAS, the City has, for many years, maintained multiple bank accounts at Truist Bank (formerly Sun Trust Bank) (the "Bank"); and

WHEREAS, pursuant to the City Charter, Sec. 2.32(6), one of the duties of the Mayor is to sign, along with an individual so designated by majority vote of the City Council, all checks for the payment of money; and

WHEREAS, the Mayor has no authority to be the sole signer of any City checks or the designated "Authorized Representative" on the City's bank accounts (*see City Charter, Sec.* 2.32(6)); and

WHEREAS, pursuant to an email communication dated May 7, 2025, City Manager, Shawn Edmondson advised the Mayor and City Council as to concerns about interactions between Mayor, Dr. Beverly Jones, and the Bank (the "City Manager's Notice"). A true and correct copy of the City Manager's Notice, together with its original attachments, is attached hereto as Exhibit "A" and incorporated herein.

WHEREAS, the City Manager's Notice included documentation provided from the Bank, wherein it appears, based on such documentation, that on April 2, 2025, Mayor Jones engaged with the Bank and executed a "Resolution for Deposit Account" regarding all City bank accounts maintained at the Bank, representing and certifying in such resolution, that the information on such resolution is consistent with the governing documents or records of the City. *See* Exhibit "A"; and

WHEREAS, the resolution filed with the Bank, under signature of Mayor Jones, represents that Mayor Jones is the sole Authorized Representative and signer on all of the City's bank accounts, which appears to be inconsistent with, and in excess of, the authority conveyed to the Mayor by the City Charter; and

WHEREAS, based upon the City Manager's Notice and concerns that Mayor Jones acted in contravention to the City Charter and outside of her authority with respect to the financial

practices of the City, the City Council desires to engage an independent investigator to investigate the matter and report back to the City Council regarding these recent interactions between the Mayor and the Bank.

Mount	NOW THEREFORE BE IT RESOLVED by the City Council of the City of Stone ain, Georgia, this day of, 2025, as follows:
1.	The City Attorney is directed to finalize the proposed retention agreement with Chris Balch, Esq., which retention agreement is attached hereto and marked as Exhibit "B" (the "Retention Agreement"), and to transmit the same to Mr. Balch for purposes of his engagement as an independent investigator to investigate the recent interactions between the Mayor and the Bank and to report back to City Council according to the terms and conditions set forth in the Retention Agreement.
2.	The Mayor, City Council, and the City Manager shall fully cooperate with the independent investigator's requests for information related to fulfillment of his obligations under the Retention Agreement.
3.	This Resolution was adopted upon a Motion to Approve being made by Council Member Upon a vote by the City Council on the Motion, Council Members voted in favor of the Motion and Council Members voted against the Motion.
	(signature page follows)

CITY OF STONE MOUNTAIN, GEORGIA

Anita Bass, Council Member (Post	
Mark Marianos, Council Member (F	ost 2)
Ryan Smith, Council Member (Post	3)
Gil Freeman, Council Member (Pos	t 4)
Shawnette Bryant, Council Member	(Post 5)
Teresa Crowe, Council Member (Po	st 6)
ATTEST: Shavala Ames, City Clerk [Affix City Se	eall

 From:
 Shawn Edmondson

 To:
 Governing Authority_Manager

Subject: Unauthorized Bank Resolution and Signature Card Changes – Charter Violation and Corrective Action

Date: Wednesday, May 7, 2025 8:55:00 PM
Attachments: COSM Resolution and Signature Card.ox

Mayor and Council,

Good evening. I am writing to inform you of a serious matter concerning unauthorized changes made to the City's banking resolution and signature cards by Mayor Jones.

On April 2nd, Mayor Jones visited Truist Bank and executed documents to recreate the City's bank resolution, signing all signature cards and designating herself as the sole signer on City accounts. This action was taken without Council authorization or knowledge, and for over a month, these unilateral changes remained undisclosed to both the governing body and City administration.

While Truist Bank has confirmed that an authorized representative or signer can technically change a resolution unilaterally, they clarified that such actions are done at the signer's own discretion and remain bound by all applicable municipal laws and governance policies. In this case, the City Charter expressly prohibits any single elected official—including the Mayor—from independently altering the City's financial controls or modifying signatories without formal approval by the governing body.

In response to this violation, I have submitted a new, Council-compliant resolution (Fully Executed) to Truist Bank to reestablish appropriate signatory controls and safeguard the City's financial accounts. Additionally, I am actively exploring options to transition the City's accounts to a new banking institution that can better support and protect the City's financial governance framework moving forward.

This unauthorized action not only violates the Charter but also undermines the essential checks and balances designed to protect the City's fiscal integrity and public trust. I have consulted with the City Attorney's office, and we are reviewing all legal remedies to fully address and rectify this situation.

Next Steps:

- 1. The bank has been notified and is reviewing the revised resolution.
- 2. The City Attorney's office is preparing recommendations for legal and governance remedies.
- 3. I will present banking transition options to Council to ensure the City's financial security.

I will keep Council updated as we work through the legal and administrative steps necessary to resolve this matter and prevent any future recurrence.

Please contact me directly if you have any questions or need further information.



Shawn Edmondson
Shawn Edmondson, MBA
City Manager
Phone: (770) 879-4980 x123
Fax: (770) 498-8609
Email: sedmondson@stonement

Email: sedmondson@stonemountaincity.org

875 Main Street Stone Mountain, GA 30083 www.stonemountaincity.org

TRUIST RESOLUTION FOR DEPOSIT ACCOUNT

CITY OF STONE MOUNTAIN		58-6000670	
Name of Entity	- 1	TIN	
☐ Corporation ☐ Unincorporated Association ☐ Limited Liability Company	☑ Government Entity☐ General Partnership☐ Limited Partnership	☐ Sole Proprietorship☐ Non-Profit Corporatio☐ Other	n
existing under the laws of GEORGIA that I have reviewed the governing docume below are adopted by and, are not incorrequirements are current and have not bee	onsistent with the governing document in amended or rescinded. as a depository institution for the Entity is by the Bank's deposit account agreement endorse for deposit any check, drafts or a second control of the Bank's deposit any check and deposit an	, represent and certify that resolutions or records of the Entity, and and that by execution and delivat now existing or as may be amother instruments payable to the	s to Truist Bank ("Bank") quirements similar to those I that such resolutions or very of this Resolution for ended. Any officer, agent
II. That any one individual name close any account or obtain information of conduct transactions on an account by aut		resentative may appoint others (on behalf of the Entity, to an "Authorized Signer") to
Designated Représentative (Signature)	Printed Name	Title	
At Dever & Jones &	BEVERLY JONES	MAYOR	
Entity, all checks, drafts, or other orders f	epresentative may appoint, remove or recash management services, lease a safelit cards, enter into an agreement relating	eplace an Authorized Signer, en e deposit box, enter into an agr g to foreign exchange and obtai	whomever payable. ter into a night depository eement for deposit access
DDICETTE UVD AME 24	FOR BANK USE ONL		
Prepared By BRIGETTE HYRAMS 34	003	Date	<u> </u>
Center 8750001		Bank No	State GA

Forward to: Centralized Document Scanning Operations M/C 100-99-15-11

Item # 3.

V. That any prior resolutions or requirements have been revoked or are no longer binding, and that this Resolution for perposit Account applies to all accounts at the Bank and will remain in full force and effect until rescinded, replaced or modified in writing in a form acceptable to the Bank and after the Bank has had a reasonable time to act on such change.

VI. That any transaction by an officer, employee or agent of the Entity prior to the delivery of this Resolution for Deposit Account is hereby ratified and approved.

DATED:

SIGNATURE

PRINTED NAM

NAME AND ADDRESS OF DE				
CITY OF STONE MOUN				
STORM WATER UTILITY	Υ			
875 MAIN ST				
STONE MOUNTAIN		GA 3	0083-3620	
ACCULATION DEP	OWNERSHIP DESIGNATION STATE		ACCOUNT OPENING DATE 12/02/2015	REVISED CARD DATE 04/02/2025
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DOWNTOWN DEVEL	OPMENT AUTHORITY			
875 MAIN ST				
STONE MOUNTAIN		GA	30083-3620	
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NAME AND ADDRESS OF D	EPOSITOR			
CITY OF STONE MOU	NTAIN			
RPA FUND 12				
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OCCUPATIVITIES	OWNERSHIP DESIGNATION STATE		ACCOUNT OPENING DATE 08/24/2021	REVISED CARD DATE 04/02/2025
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ACCOUNT NUMBER	OWNERSHIP DESIGNATI	ON	ACCOUNT OPENING DATE 08/24/2021	REVISED CARD DATE 04/02/2025
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TRUIST SIGNATURE CARD GEORGIA NAME AND ADDRESS OF DEPOSITOR CITY OF STONE MOUNTAIN PAYROLL ACCT 875 MAIN ST STONE MOUNTAIN GΑ 30083-3620 COUNT NUMBER OWNERSHIP DESIGNATION ACCOUNT OPENING DATE REVISED CARD DATE STATE 04/02/2025 04/18/2007 Branch Location 8750276 Opened/Updated By BRIGETTE HYRAMS 34805 ... Approved By Type of ID_ IDENTIFICATION _ Issued By GA ID Number ___ Expiration Date ____ ____ Date of Birth ___ Second Type of ID_ ___ Expiration Date __ ___ Home Phone Number (____) __ Employer___ Cell Phone Number (____) ____ Work Phone Number (_____) Address as listed on ID. IDENTIFICATION ___ Issued By____ ID Number __ Expiration Date __ ___ Date of Birth Second Type of ID - Issued By _____ IO Number ____ ____ Expiration Date ___ Cell Phone Number (__ Home Phone Number (.... Work Phone Number (____) __ Check Appropriate Box for Depositor Individual / Sole Proprietor / single-member LLC Corporation S Corporation Partnership Trust/Estate Limited Liability Company Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) or the corporation of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is of disregarded from the owner unless the owner of the LLC is another LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. Other (See Instructions.) exemptions: See Instructions Exempt Payee code (if any) Exemption from FATCA reporting code (if any) N/A (applies to accounts maintained outside the U.S.) Certification - Under penalities of perjury, I, as authorized agent of the Depositor certify that: 1. The Depositor's correct taxpayer identification number is printed below (or the Depositor is waiting for a number to be issued), and 2. The Depositor is not subject to backup withholding because: (a) the Depositor is exempt from backup withholding, or (b) the Depositor has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified the Depositor that it is no longer subject to backup withholding, and 3. The Depositor is a U.S. cilizen or other U.S. person (defined in the instructions); and 4. The FATCA codes(s) entered on this form (if any) indicating that the Depositor is exempt from FATCA reporting is correct. Certification instructions. You must cross out item 2 above if the Depositor has been notified by the IRS that the Depositor is currently subject to back withholding because the Depositor has failed to report all interest and dividends on the Depositor's tax return. Form W-9 Instructions. Instructions to the Form W-9, including definitions, are available upon request. Complete as applicable - only one beneficiary permitted if an entity. Name of Beneficiary: SSN/EIN: Relationship: Address of Beneficiary: _ Name of Beneficiary: SSN/EIN: Relationship: Address of Beneficiary: _ By my/our signature below, I/We certify that: (1) I/We have received the "Commercial Bank Services Agreement" and the "Business Deposit Accounts Fee Schedule and on behalf of the Depositor agree to the terms of each document; and (2) I/We give consent to verify my/our credit references, Please sign beside the Printed Name(s) only. If signature line does not have a Printed Name, then a signature is not required on that line. The Internal Revenue Service does not require your consent to any provision of this document other than the certifications in the box above which are required to avoid backup withholding.

58-6000670 TIN of Depositor CITY OF STONE MOUNTAI

Printed Name of Depositor BEVERLYJONES

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TIN of Signer

Printed Name of Signer

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ACCOUNT NUMBER	OWNERSHIP DESIGNAT STATE	ION	ACCOUNT OPENING DATE 04/18/2007	REVISED CARD DATE 04/02/2025
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BUSINESS ACCOUNTS				
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STONE MOUNTAIN		GA 3	30083-3620	
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	STATE		07/18/2003	04/02/2025
pened/Updated By BRIGETT	E HYRAMS 34805	Approved By	Branch Lo	8750276
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Form W-9 Instructions. Instruction	s to the Form W-9, including defini	itions, are available upon request.		
Complete as applicable - o	nly one beneficiary permit	tted if an entity.		
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TIN of Signer	Printed Name of Signer		*****	DATE

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222 WEBB STREET CUMMING, GEORGIA 30040 ANGELA E. DAVIS
PARTNER
ADAVIS@JARRARD-DAVIS.COM

PHONE: 678-455-7150 FAX: 678-455-7149 WWW.JARRARD-DAVIS.COM

May 13, 2025

VIA EMAIL ONLY TO:

Mr. Chris Balch, Esq. Balch Law Group 830 Glenwood Ave Suite 510-220 Atlanta, GA 30316 chris@balchlawgroup.com

Re: Retention Agreement and Investigative Scope of Work

Matter: Investigation into Mayor Jones' Contact with Truist Bank

Client: City of Stone Mountain, Georgia

Dear Mr. Balch,

The City of Stone Mountain ("Client") desires to engage you to perform an independent and impartial investigation into allegations set forth in in that certain email correspondence from Shawn Edmondson, City Manager, to the Mayor and City Council Members dated May 7, 2025, regarding Mayor Beverly Jones' recent interactions with Truist Bank related to the management and control of the City's bank accounts. A copy of that email is enclosed, together with a Resolution recently adopted by the City Council related to the same. Please allow this correspondence to set forth the terms of your retention concerning the above-referenced matter and the scope of work for the investigation.

Terms of Engagement

The engagement is provided under the following terms and conditions:

- 1. This matter will be handled on an hourly fee basis. No retainer is required because the entity financially responsible is the City of Stone Mountain. The hourly rate will be \$350 for your attorney-time billed to the nearest 1/10 of an hour. You will be responsible for all billable work performed on this matter.
- 2. The Client will pay for all reasonable and ordinary expenses of the engagement, which may include copy costs, computerized research, postage, and other out-of-pocket expenses incurred. You shall not be authorized at this time to hire any additional consultants or experts to provide support in the investigation, but should such additional retention become necessary or desirable, you shall seek additional billing authority in writing before incurring such expenses on behalf of the Client.

JARRARD & DAVIS, LLP Page 2 of 3

- 3. Bills will be submitted directly to the Client on a monthly basis, and such invoices will be paid within thirty (30) days of review and approval by Client.
- 4. This communication constitutes the entire agreement between the parties with respect to the terms of the engagement.

Scope of Work

The email referenced above and the allegations contained therein shall form the foundation for the investigation. At a minimum, the City Council would specifically like the following related questions to be addressed in the investigation:

- 1. How was the Mayor's contact with personnel at Truist Bank regarding this matter initiated?
- 2. Who all did the Mayor interact with at Truist Bank regarding this matter and how often?
- 3. What was the extent and nature of the Mayor's interactions with personnel at Truist Bank?
- 4. What representations did the Mayor make to the personnel at Truist Bank and what was the outcome of those representations?
- 5. What actions did the Mayor take with Truist Bank and what was the outcome of those actions?
- 6. What documentation was provided to Truist Bank by the Mayor (and please provide copies of all to the Client)?

The listing of questions is not intended to limit your investigation into the matter. The City Council simply wants to ensure that, at a minimum, the above-referenced questions are specifically addressed. At the conclusion of your investigation, we would ask that you produce a final written report that includes findings of fact (including witness summaries for any interviews that you conduct and affidavits to the extent feasible) and conclusions of law as to whatever laws may, or may not have been, violated as alleged.

As an independent investigator, you have the liberty to conduct the investigation as you see fit. The City Attorney's office will be available to assist you with logistics and contact information for witnesses as you deem necessary, but neither our Firm nor the City will have any role in shaping the investigation, except as outlined herein. We would ask that the investigation be completed by no later than May 30, 2025, but understand that the variables of the investigation may alter that estimated completion date.

JARRARD	& DAVIS,	LLP
Page 3 of 3		

Upon your review and approval of these terms and the scope of work, please sign below and return to me. Thank you for your assistance.

Sincerely,

JARRARD & DAVIS, LLP

	Angela E. Davis
Agreed and Accepted by:	
Christopher Balch, Esq.	