



## CITY OF STONECREST, GEORGIA

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*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*

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### SPECIAL CALLED MEETING MINUTES

Wednesday

August 15, 2018

6:00p.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. An Ordinance to Amend the Charter, Article IV to Amend the Titles of persons serving as any Municipal Court Judge

City Attorney Kurrie gave an overview of the amendment to the charter regarding the titles of persons serving as any Municipal Court Judge. He explained the votes tonight are to authorize the clerk to advertise the items, not vote on the ordinance.

Council Member Clanton made a motion to authorize the Clerk to advertise the notice for a change to amend the titles for the Municipal Court Judges in the charter by home rule. Council Member George Turner provided the second. Council Member Adoma requested a roll call vote on all items on the Special Called Agenda. A roll call vote was taken with Council Members Clanton, George Turner, Adoma, Rob Turner, Cobble and Mayor Lary voting yes. **The motion carried unanimously.**

2. An Ordinance to Amend the Charter Section 1.03 (b) (37) (A) to Amend the Millage Rate Cap

Attorney Kurrie gave an overview of the ordinance amending the Millage Rate Cap. He said if the city took over the Police from DeKalb County the citizens would get

a reduction in their DeKalb taxes because the county would not charge anymore, but the City of Stonecrest can elect to raise the cap by what the county was charging or lower. He said to do that you would need to raise the cap. He said it can result in an overall reduction in your taxes.

Council Member Adoma said for the record “Why are we changing the language or the cap? Are we trying to become a full-service city? Will we no longer be a limited or 3 service city? If we remove the cap, what services are we seeking to add? The first Stonecrest study was unable to sustain other services however the later study which removed public safety was sustainable. Therefore, when we remove this cap, I believe we need a more comprehensive conversation and a study analysis to confirm this decision. We may be opening a piggy bank for any type of project good or bad. Also, the original cap for Brookhaven and Dunwoody is still set at the limit in their original charter of 2.74 which is much less than Stonecrest and they have been a city for years. Also, Tucker have not changed their cap which I believe is 1.5. We are changing the cap without first studying the impact or pros of this vote. So, we are in a territory that requires some research. The study needs to determine what type of city we are trying to be, and can we sustain it financially? Without this information, I am uncomfortable with pursuing this path without sound research and analysis. No other city has ventured down this path.”

Mayor Lary said there has already been 2 studies and the first study failed because of the size of the city with 82,000 residents’ versus services that were delivered and second one was the size of the city and the services we have today. He said most of the people want to see police or Public Safety and it is on deck for the City of Stonecrest.

Attorney Kurrie disagreed with Council Member Adoma regarding her statement for Brookhaven and Tucker and an article in the AJC by Tia Mitchell.

Council Member Adoma said for the record in response to Attorney Kurrie until she knows where the real numbers come from she is disputing it, but regardless what the millage rates are her biggest concern is the council has not had any comprehensive, collective, collaborative discussion on what other services they intend to offer and they are moving the cap without knowing what path or direction we are going in.

Council Member Clanton said going forward the council should make sure citizens have the right to speak at every council meeting. He said they do need to look at every item on the list and employ the public input. He said there will not be any vote on the list tonight, a vote tonight to advertise gives time for the citizens to have a chance to speak on each item.

Council Member George Turner said this is not the first time the Council has heard about this item. He furthered said it does not change the millage rate but gives the city the authority to change it if needed and you will have plenty time to discuss it within 60 days.

Council Member Rob Turner agreed the vote tonight to advertise gives the citizens a chance to speak on the items.

After much discussion, Council Member Clanton made a motion to authorize the Clerk to advertise the notice for a change by home rule to amend the Millage Rate Cap in the charter. Council Member George Turner provided the second. A roll call vote was taken with Council Members Cobble, George Turner, Clanton, Rob Turner and Mayor Lary voting yes. Council Member Adoma voted no.

3. An Ordinance to Amend the Charter Section 2.07 – Amending the Salary of the Mayor and Expense Allowance for Mayor and Council Members

Attorney Kurrie gave an overview of the ordinance to amend the Charter Section 2.07 to amend the salary of the Mayor and expense allowance for Mayor and Council Members. He said the changes would take place January 2020 after the 2019 election. Mayor Lary asked that these two items be separated, and the City Attorney said it is one ordinance, but it can be discussed separately.

Joel Thibodeau the Internal Auditor for the City of Stonecrest said moving forward the expense account should be treated as compensation and the current one is reimbursement. They are recommending immediately the remaining funds be paid out along with the salary. Charter expense be paid with compensation with no receipts required and taxes paid on the funds. 2019 Travel and Training expense will be budgeted separate from the expense allowance. The expense allowance will be capped by the charter and the travel and training will be capped by the budget. They are recommending \$8000.00 to the Mayor and \$5000.00 to each council member for the expense accounts in the charter change. This will not take effect until January 2020 and the \$5000.00 and \$3000.00 allowances will remain in effect.

Council Member Clanton said once again, this issue will be brought before the public and no decision will be made tonight, it is only to advertise.

Council Member George Turner said the expense portion (travel and training) can be resolved without a charter change. He said we have gone around and round with this and it has gone to the General Assembly and failed, and he just wants to move on.

Mayor Lary said yes this was sent to the General Assembly and he has been told on many occasions, that the people in the State House can do whatever they want to. He said 6 out of 6 passed and then the Senate failed it.

Council Member Clanton made a motion to authorize the Clerk to advertise the notice for the change to amend the Charter Section 2.07 by home rule amending the salary of the Mayor and Expense Allowance for Mayor and Council Members with Mayor Lary providing the second for discussion.

Mayor Lary made a substitute motion to authorize the Clerk to move forward with the expense portion of the ordinance only. Council Member Clanton seconded the motion.

Council Member George Turner question if the ordinance could be separated and the City Attorney Kurrie said he would have to modify the ordinance.

A roll call vote was taken on the substitute motion and Council Members George Turner, Clanton and Mayor Lary voted yes. Council Members Rob Turner, Cobble and Adoma voted no. **The motion failed with a 3 to 3 vote.**

A roll call vote was taken on the original motion with Council Members Clanton and Mayor Lary voting yes. Council Members George Turner, Rob Turner, Adoma and Cobble voted no. **The motion failed with a 4 to 2 vote.**

4. An Ordinance to Amend the Charter Section 2.13 (e) to Eliminate the Restriction on Employment for Mayor and City Council Members

Attorney Kurrie gave an overview of the ordinance to amend the Charter section 2.13 (e) eliminate the Restriction on Employment for Mayor and City Council Members. City Clerk Brenda James stated they received a question regarding the Mayor and Council being able to work in the City of Stonecrest. The City Attorney said that does restrict them from working in Stonecrest and he would put that in writing in the ordinance.

Council Member Clanton made a motion to authorize the City Clerk to advertise the notice for a change in the charter for Section 2.13 to eliminate the restriction on employment for the Mayor and City Council and add the restriction of working for the City of Stonecrest. Council Member George Turner provided the second.

A roll call vote was taken with Council Members Cobble, Rob Turner, George Turner, Clanton, Adoma and Mayor Lary all voting yes. **The motion carried unanimously,**

5. An Ordinance to Amend the Charter Section 3.11 of Article III, to change the name of the City Accountant to the City Finance Director

Attorney Kurrie said this ordinance is to change the name of the City Accountant to the City Finance Director, define duties and change to a position appointed by the City Council.

Council Member Adoma inquired about the selection process. The City Attorney gave various ways to fill the appointment. Council Member Adoma asked would it be bias to look at Stonecrest applicants. Attorney Kurrie said you should not write that in the charter and Council Member Adoma said she would like to look at Stonecrest residents for the position.

Council Member George Turner made a motion to authorize the Clerk to advertise the notice for a change of City Accountant to the Finance Director in the City Charter by home rule to change the. Council Member Adoma seconded the motion.

A roll call vote was taken with Council Members Adoma, George Turner, Clanton, Rob Turner, Cobble and Mayor Lary voting yes. **The motion carried unanimously.**

6. Resolution Authorizing the City Clerk to publish notices and file copies with the Office of the Clerk of the Superior Court

All motions made for previous items are for this resolution and it will be changed to only apply to those that were approved.

#### **IV. ADJOURNMENT:**

Council Member Clanton made a motion to adjourn the meeting at 7:25pm with Council Member Rob Turner providing the second. The motion carried unanimously.

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

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**Mayor Jason Lary**

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**Brenda James, Interim City Clerk**

