



## 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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### 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**

- ORDINANCE                       POLICY                                       STATUS REPORT  
 DISCUSSION ONLY               RESOLUTION                               OTHER

**Council Meeting: 12/17/2018**

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**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**

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**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**

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**SUBMITTED BY: City Attorney**

**PURPOSE:**

**HISTORY:**

**FACTS AND ISSUES:**

**OPTIONS:**

**RECOMMENDED ACTION:**

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

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

10  
11 **WHEREAS,** the Mayor and City Council of the City of Stonecrest desire to amend the expense  
12 allowance as permitted under O.C.G.A. § 36-35-4(c) for those expenses actually  
13 and necessarily incurred in carrying out their official duties; and

14  
15 **WHEREAS,** the Mayor and City Council desire to enact ordinances regarding the reimbursement  
16 of those expenses actually and necessarily incurred; and

17  
18 **WHEREAS,** the Mayor and City Council of the City of Stonecrest have determined that the City  
19 Charter should be amended by Home Rule to make the necessary change; and

20  
21 **WHEREAS,** Article IX, Section II, Paragraph II of the Constitution of the State of Georgia,  
22 which is titled Home Rule for Municipalities, allows the General Assembly of the  
23 State of Georgia to provide by law for the self-government of municipalities, which  
24 the General Assembly has done with the Municipal Home Rule Act of 1965,  
25 provided in O.C.G.A. 36-35-1 *et seq.*;

26  
27 **WHEREAS,** O.C.G.A. 36-35-3(b)(1) allows municipal charters to be amended by ordinances  
28 duly adopted at two (2) regular consecutive meetings of the municipal governing  
29 authority, not less than seven (7) nor more than sixty (60) days apart; and

30  
31 **WHEREAS,** O.C.G.A. 36-35-3(b)(1) requires a notice containing a synopsis of the proposed  
32 amendment to be published in a newspaper of general circulation in the municipal  
33 corporation once a week for three (3) weeks within a period of sixty (60) days  
34 immediately preceding its final adoption; and

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

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

48  
49 **WHEREAS**, the required notice will have been published within the statutory period of sixty  
50 (60) days immediately preceding the final adoption of this Ordinance amending the  
51 City Charter; and

52  
53 **WHEREAS**, the title of this Ordinance shall have been read and this Ordinance duly adopted at  
54 two consecutive City Council meetings not less than seven (7) nor more than sixty  
55 (60) days apart as required by Georgia law.

56  
57 **THEREFORE**, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as  
58 follows:

59  
60 **Section 1:** That the Charter of the City of Stonecrest, Georgia, is hereby amended as follows:  
61 Section 2.07 of Article II of the City Charter is amended as follows:

62  
63 The annual salary of the mayor shall be \$20,000.00 and the annual salary for each councilmember shall be  
64 \$15,000.00. Such salaries shall be paid from municipal funds in monthly installments. The mayor shall be  
65 provided an annual expense allowance of \$7,000.00 ~~5,000.00~~ and each councilmember shall be provided  
66 an annual expense allowance of \$5,000.00 ~~3,000.00~~ for the reimbursement of reasonable expenses actually  
67 and necessarily incurred by the mayor and councilmembers in carrying out their duties as elected officials  
68 of the city.

69  
70 **Section 2:**

71 1. It is hereby declared to be the intention of the Mayor and City Council that all sections,  
72 paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their  
73 enactment, believed by the Mayor and City Council to be fully valid, enforceable and  
74 constitutional.

75  
76 2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest  
77 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this  
78 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this  
79 Ordinance. It is hereby further declared to be the intention of the Mayor and City  
80 Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause  
81 or phrase of this Ordinance is mutually dependent upon any other section, paragraph,  
82 sentence, clause or phrase of this Ordinance.

83

- 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.  
93
- 94 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are  
95 hereby expressly repealed.  
96
- 97 5. The within ordinance shall become effective upon its adoption.  
98
- 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:

103  
104

105 \_\_\_\_\_  
106 Jason Lary, Sr., Mayor

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109 As to form:

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111

112 \_\_\_\_\_  
113 City Attorney

114 Attest:

115  
116

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**

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**SUBMITTED BY: City Attorney**

**PURPOSE:**

**HISTORY:**

**FACTS AND ISSUES:**

**OPTIONS:**

**RECOMMENDED ACTION:**





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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