



## 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 Tammy Grimes – District 5*

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### SPECIAL CALLED MEETING AGENDA

#### VIRTUAL MEETING

June 17, 2021, at 5:30 P.M.

Citizen Access: [Stonecrest YouTube Live Channel](#)

- I. CALL TO ORDER:** Mayor Pro Tem, George Turner
- II. ROLL CALL:** Sonya Isom, Deputy City Clerk
- III. AGENDA DISCUSSION ITEMS:**
  - a. Approval of Resolution Regarding Approved Check Signers
  - b. Approval of Ordinance Sec 2-180 – Execution of Checks or Financial Instruments, 2<sup>nd</sup> Reading.
  - c. Approval of Ordinance Sec 2-6 – Leave of Absence, 2<sup>nd</sup> Reading.
- IV. ADJOURN**

#### *Americans with Disabilities Act*

*The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.*

*If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Megan Reid, as soon as possible, preferably 2 days before the activity or event.*



## CITY COUNCIL AGENDA ITEM

**SUBJECT: CHECK SIGNER RESOLUTION**

ORDINANCE                       POLICY                       STATUS REPORT  
 DISCUSSION ONLY               RESOLUTION               OTHER

**Date Submitted: 06/16/21      Work Session:                      Council Meeting:**

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**SUBMITTED BY: Winston A. Denmark, City Attorney**

**PRESENTER: Winston A. Denmark, City Attorney**

**PURPOSE:** The City Council by public vote taken at its special called meeting on Monday, June 7, 2021 removed Jason Lary as an authorize signer on all city bank accounts. Further, the city council enacted an ordinance making the Finance Director an authorized signer on city bank accounts. Based on these enactments, the City Council will consider and adopt the following resolution to confirm and memorialize its prior actions:

**A RESOLUTION TO REMOVE JASON LARY, MAYOR, AS AN AUTHORIZED SIGNER ON ALL CITY BANK ACCOUNTS; TO ADD GIA SCRUGGS, FINANCE DIRECTOR, AS AN AUTHORIZED SIGNER ON ALL CITY BANK ACCOUNTS; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

**OPTIONS:**

**RECOMMENDED ACTION:** The recommendation is for the City Council to adopt the resolution as presented.

**ATTACHMENTS:** The resolution is attached.

**STATE OF GEORGIA**

**CITY OF STONECREST**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO REMOVE JASON LARY, MAYOR, AS AN AUTHORIZED SIGNER ON ALL CITY BANK ACCOUNTS; TO ADD GIA SCRUGGS, FINANCE DIRECTOR, AS AN AUTHORIZED SIGNER ON ALL CITY BANK ACCOUNTS; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the City of Stonecrest maintains bank accounts at multiple banking institutions, including BB&T (Truist), Iberia Bank, and Citizens Trust Bank; and

**WHEREAS**, Jason Lary, Mayor of the City of Stonecrest, is presently designated as an authorized signer with the above stated banks on checks, drafts, and other financial instruments issued by or on behalf of the City; and

**WHEREAS**, the City Council believes it is necessary to ensure the security of City funds to remove Jason Lary as an authorized signer with the above stated banks on all checks, drafts, and other financial instruments issued by or on behalf of the City; and

**WHEREAS**, the City Council by public vote taken at its special called meeting on Monday, June 7, 2021 removed Jason Lary as an authorize signer with the above stated banks on all checks, drafts, and other financial instruments issued by or on behalf of the City; and

**WHEREAS**, Gia Scruggs is the Finance Director for the City of Stonecrest; and

**WHEREAS**, a duly enacted ordinance of the City authorizes the Finance Director to sign checks, drafts, and other financial instruments issued by or on behalf of the City; and

**WHEREAS**, the City Council desires to add Gia Scruggs as an authorized signer with the above stated banks on all checks, drafts, and other financial instruments issued by or on behalf of the City;

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Stonecrest, Georgia, and by the authority thereof, as follows:

**Section 1.** The authority of Jason Lary to sign checks, drafts, and other financial instruments issued by or on behalf of the City of Stonecrest is hereby fully revoked.

**Section 2.** The authority of Jason Lary to withdraw City funds from banks and other financial institutions; to transfer funds to, from, and between City bank accounts; or to review or access City banking information, electronically or otherwise, is hereby fully revoked.

**Section 3.** Gia Scruggs is hereby added as an authorized signer with the above stated banks on all checks, drafts, and other financial instruments issued by and on behalf of the City.

**Section 4.** All resolutions, ordinances, and parts thereof in conflict herewith are hereby expressly repealed.

**Section 5.** The effective date of this Resolution shall be the date of adoption, unless otherwise specified herein.

**SO RESOLVED** this \_\_\_\_ day of June, 2021.

CITY OF STONECREST, GEORGIA

\_\_\_\_\_  
**George Turner**, Mayor Pro Tempore

APPROVED AS TO FORM:

\_\_\_\_\_  
**Winston A. Denmark**, City Attorney

Attest:

\_\_\_\_\_  
**Patricia Wheeler**, City Clerk



**CITY COUNCIL AGENDA ITEM**

**SUBJECT: SECOND READING OF EXECUTION OF CHECKS OR  
FINANCIAL INSTRUMENTS**

**(X) ORDINANCE ( ) POLICY ( ) STATUS REPORT ( )**

**DISCUSSION ONLY ( ) RESOLUTION ( ) OTHER**

**Date Submitted: 06/16/21 Work Session: Council Meeting: X**

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**SUBMITTED BY: Winston A. Denmark, City Attorney**

**PRESENTER: Winston A. Denmark, City Attorney**

**PURPOSE: The City Council reviewed and performed a first reading of this ordinance at its special called meeting on May 28, 2021. City Council will now perform a second reading and consider final adoption of the following:**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA, BY ADDING CHAPTER 2 (ADMINISTRATION), ARTICLE VI (FINANCE), SECTION 2.180 (EXECUTION OF CHECKS OR FINANCIAL INSTRUMENTS); TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.**

**OPTIONS:**

**RECOMMENDED ACTION: The recommendation is for the City Council to adopt the ordinance as presented.**

**ATTACHMENTS: The ordinance is attached.**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA, BY ADDING CHAPTER 2 (ADMINISTRATION), ARTICLE VI (FINANCE), SECTION 2-180 (EXECUTION OF CHECKS OR FINANCIAL INSTRUMENTS); TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.**

**WHEREAS**, the governing authority of the City of Stonecrest, Georgia (the “City”) is the Mayor and Council thereof; and

**WHEREAS**, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

**WHEREAS**, the Mayor and City Council are authorized by the City Charter, as amended by Senate Bill 21, adopted April 1, 2021, to adopt ordinances for the administration of the City, to create departments of the City and its bodies, and to provide for the financial administration of the City; and

**WHEREAS**, the Mayor and City Council are charged with the protection of the public health, safety, and welfare of the citizens of the City of Stonecrest; and

**WHEREAS**, the City Council has determined that adding this section regarding financial security for checks and financial instruments will serve the health, safety, and welfare of the citizens of the City; and

**WHEREAS**, this Ordinance shall be adopted to amend part of the City code;

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

**Section 1.** The Code of Ordinances of the City of Stonecrest, Georgia, is hereby amended by adding Chapter 2 (Administration), Article VI (Finance), Section 2.180 (Execution of Checks or Financial Instruments) as set forth in Exhibit A attached hereto and made a part by reference.

**Section 2.** (a) 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. (b) 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

**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_\_**

Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance. (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 3.** All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

**Section 4.** The effective date of this Ordinance shall be the date of its adoption by Mayor and Council unless otherwise stated herein.

**Section 5.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

**Section 6.** It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

**SO ORDAINED**, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

{SIGNATURE PAGE TO FOLLOW}

**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_\_**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**George Turner, Mayor Pro Tempore**

Approved as to Form:

\_\_\_\_\_  
**Winston Denmark, City Attorney**

Attest:

\_\_\_\_\_  
**Patricia Wheeler, City Clerk**



**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_\_**

**EXHIBIT A  
(SEE ATTACHED)**

**Sec 2-180. - Execution of Checks or Financial Instruments**

(a) All orders, checks, instruments, and warrants for payment of money may be signed by the mayor, mayor pro tempore, city manager, or finance director, provided that the amount thereof does not exceed \$25,000, and provided further that such signature is otherwise authorized by law. However, to safeguard public funds and ensure the integrity of financial transactions, all orders, checks, instruments, and warrants for payment of money in the amount of \$25,000 or greater shall require the signature of two duly authorized signers.

(b) Within ninety (90) days of appointment, all elected officials, employees, and contractors of the city who are authorized signers pursuant to subsection (a) hereof shall obtain and at all times maintain a surety bond in an amount to be established by policy, naming the City of Stonecrest as the obligee. The city may pay any costs or fees associated with obtaining and maintaining the surety bond required herein.

(c) Notwithstanding the provisions of subsection (a) hereof, the city council may temporarily suspend or permanently revoke the check signing authority of any person upon evidence of misuse, theft, or misappropriation of city funds or upon evidence of unauthorized transactions or any activity that jeopardizes the safety and security of city funds. If the city council suspends or revokes a person's check signing authority, the city manager shall promptly notify the city's banking institutions and take whatever steps necessary to ensure that the city council's decision is effectuated immediately.



## CITY COUNCIL AGENDA ITEM

**SUBJECT: SECOND READING OF LEAVE OF ABSENCE POLICY**

**ORDINANCE**                       **POLICY**                       **STATUS REPORT**

**DISCUSSION ONLY**               **RESOLUTION**               **OTHER**

**Date Submitted: 6-16-21**

**Work Session:**

**Council Meeting: X**

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**SUBMITTED BY: Winston A. Denmark, City Attorney**

**PRESENTER: Winston A. Denmark, City Attorney**

**PURPOSE: The City Council reviewed and performed a first reading of this ordinance at its special called meeting on June 14, 2021. City Council will now perform a second reading and consider final adoption of the following:**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA, BY ADDING CHAPTER 2 (ADMINISTRATION), ARTICLE I (IN GENERAL), SECTION 2-6 (CITY COUNCIL LEAVE OF ABSENCE POLICY); TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

**OPTIONS:**

**RECOMMENDED ACTION: The recommendation is for the City Council to adopt the ordinance as presented.**

**ATTACHMENTS: The ordinance is attached.**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA, BY ADDING CHAPTER 2 (ADMINISTRATION), ARTICLE 1 (IN GENERAL), SECTION 2-6 (CITY COUNCIL LEAVE OF ABSENCE POLICY); TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the governing authority of the City of Stonecrest, Georgia (the “City”) is the Mayor and Council thereof; and

**WHEREAS**, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

**WHEREAS**, the Mayor and City Council are authorized by the City Charter, as amended by Senate Bill 21, adopted April 1, 2021, to adopt ordinances for the administration of the City, and to create rules to govern the Mayor and City Council; and

**WHEREAS**, the Mayor and City Council are charged with the protection of the public health, safety, and welfare of the citizens of the City of Stonecrest; and

**WHEREAS**, the City Council has determined that adding this section creating a leave of absence policy for the Mayor and City Council will serve the health, safety, and welfare of the citizens of the City; and

**WHEREAS**, this Ordinance shall be adopted to amend part of the City code;

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

**Section 1.** The Code of Ordinances of the City of Stonecrest, Georgia, is hereby amended by adding Chapter 2 (Administration), Article I (In General), Section 2-6 (Leave of Absence Policy), as set forth in Exhibit A, attached hereto and incorporated herein by reference.

**Section 2.** (a) 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. (b) 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. (c) In the event that any phrase, clause, sentence, paragraph, or section of this

**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_\_**

Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional, or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 3.** All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

**Section 4.** The effective date of this Ordinance shall be the date of its adoption by Mayor and Council unless otherwise stated herein.

**Section 5.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

**Section 6.** It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

**SO ORDAINED**, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

{SIGNATURE PAGE TO FOLLOW}

**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_\_**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**George Turner, Mayor Pro Tempore**

Approved as to Form:

\_\_\_\_\_  
**Winston Denmark, City Attorney**

Attest:

\_\_\_\_\_  
**Patricia Wheeler, City Clerk**

**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_\_**

**EXHIBIT A  
(SEE ATTACHED)**

**Sec 2-6. City Council Leave of Absence Policy**

(a) Any member of the city council, which includes the mayor, may declare and place him or herself on a leave of absence from public office at any time and based on any reason which, in the member's sole judgment, warrants a leave of absence. The leave of absence provided for herein shall become effective immediately upon the member delivering to the city clerk a written notification declaring the leave of absence. Such notice shall contain a brief description of the reason(s) for the leave, the date the leave is to commence, and the date the leave is expected to end. No leave of absence shall be effective if it is less than 72 hours in duration.

(b) A leave of absence shall not require action by or acceptance from the city council in order to be effective; however, the city clerk shall notify the city council within 24 hours of receiving a notice of leave of absence. Further, the presiding officer shall inform the public of the leave of absence at the next regular meeting of the city council.

(c) A leave of absence shall terminate on the date set forth in the notice without the necessity of further action by the member in question or action by the city council; provided however that the member may end the leave of absence sooner than the date declared in the original notice by submitting a second written notice to the city clerk setting the earlier ending date.

(d) While a member is on a leave of absence, he or she shall be automatically excused from attending meetings of the city council, and any missed meetings shall not count towards the forfeiture of elected office under Section 2.03 of the Charter.

(e) A member shall be precluded from exercising any of the duties of their office or taking any official action whatsoever while on a leave of absence, except as provided in subsection (g) herein. Further, no city funds shall be expended by such member or on such member's behalf for costs or expenses incurred while the member is on a leave of absence or for any period during which a leave of absence was effective. Nothing herein shall be construed to prevent a member from receiving emails, correspondence, or other information provided to the city council.

(f) During any period that the mayor is on a leave of absence, the mayor pro tempore shall fully assume all of the duties and powers of the office of the mayor. If both the mayor and the mayor pro tempore are on leaves of absence at the same time, then the remaining members of city council shall select a member to perform the duties of mayor pro tempore.

(g) The sole official act that a member may take and that city staff may recognize while such member is on a leave of absence is delivering written notice to the city clerk ending the leave of absence sooner than the date set forth in the original notice.