

# 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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## **WORK SESSION AGENDA**

December 13, 2017

6:00 P.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. Discussion on meeting dates for 2018.
  - 2. Discussion on Charter Review
- IV. MAYOR AND COUNCIL COMMENTS:**
- V. EXECUTIVE SESSION:**
- VI. ADJOURNMENT:**

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



**CITY COUNCIL AGENDA ITEM**

**SUBJECT: DISCUSSION ON CHANGES FOR THE CITY COUNCIL MEETINGS  
AND WORK SESSIONS FOR CALENDAR YEAR 2018**

- ORDINANCE                       POLICY                                       STATUS REPORT  
 DISCUSSION ONLY               RESOLUTION                               OTHER

**Date Submitted: 12/11/2017    Work Session: 12/13/22017    Council Meeting: 12/18/2017**

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**SUBMITTED BY: City Clerk**

**PURPOSE:** Attached are the dates for the first and third Mondays for Council Meetings included changes for holidays and the Wednesday before a council meeting for the Work Sessions. Also attached are Council and Work Session meetings once a month both on Mondays and one with Council Meetings once a month on Monday and Work Sessions on Wednesdays. Times are not included.

**HISTORY:**

**FACTS AND ISSUES:**

**OPTIONS:**

**RECOMMENDED ACTION:** Recommendation of Mayor and Council

2018

MEETING DATES

January 2 <sup>nd</sup>	Council Meeting
January 10 <sup>th</sup>	Work Session
January 16 <sup>th</sup> (Tuesday, 15 <sup>th</sup> is MLK Holiday)	Council Meeting
January 31 <sup>st</sup>	Work Session
February 5 <sup>th</sup>	Council Meeting
February 14 <sup>th</sup>	Work Session
February 19 <sup>th</sup>	Council Meeting
February 28 <sup>th</sup>	Work Session
March 5 <sup>th</sup>	Council Meeting
March 14 <sup>th</sup>	Work Session
March 19 <sup>th</sup>	Council Meeting
March 28 <sup>th</sup>	Work Session
April 2 <sup>nd</sup>	Council Meeting
April 11 <sup>th</sup>	Work Session
April 16 <sup>th</sup>	Council Meeting
May 2 <sup>nd</sup>	Work Session
May 7 <sup>th</sup>	Council Meeting
May 16 <sup>th</sup>	Work Session
May 21 <sup>st</sup>	Council Meeting
May 30 <sup>th</sup>	Work Session
June 4 <sup>th</sup>	Council Meeting
June 13 <sup>th</sup>	Work Session
June 18 <sup>th</sup>	Council Meeting
June 27 <sup>th</sup>	Work Session
July 2 <sup>nd</sup>	Council Meeting

July 11 <sup>th</sup>	Work Session
July 16 <sup>th</sup>	Council Meeting
August 1 <sup>st</sup>	Work Session
August 6 <sup>th</sup>	Council Meeting
August 15 <sup>th</sup>	Work Session
August 20 <sup>th</sup>	Council Meeting
August 29 <sup>th</sup>	Work Session
September 4 <sup>th</sup> (Tuesday- Monday Labor Day)	Council Meeting
September 12 <sup>th</sup>	Work Session
September 17 <sup>th</sup>	Council Meeting
September 26 <sup>th</sup>	Work Session
October 1 <sup>st</sup>	Council Meeting
October 10 <sup>th</sup>	Work Session
October 15 <sup>th</sup>	Council Meeting
October 31 <sup>st</sup>	Work Session
November 5 <sup>th</sup>	Council Meeting
November 14 <sup>th</sup>	Work Session
November 19 <sup>th</sup>	Council Meeting
November 28 <sup>th</sup>	Work Session
December 3 <sup>rd</sup>	Council Meeting
December 12 <sup>th</sup>	Work Session
December 17 <sup>th</sup>	Council Meeting

2018

MEETING DATES

All meetings on Monday

January 2 <sup>nd</sup>	Council Meeting
January 16 <sup>th</sup> (Tuesday, 15 <sup>th</sup> is MLK Holiday)	Work Session
February 5 <sup>th</sup>	Council Meeting
February 19 <sup>th</sup>	Work Session
March 5 <sup>th</sup>	Council Meeting
March 19 <sup>th</sup>	Work Session
April 2 <sup>nd</sup>	Council Meeting
April 16 <sup>th</sup>	Work Session
May 7 <sup>th</sup>	Council Meeting
May 21 <sup>st</sup>	Work Session
June 4 <sup>th</sup>	Council Meeting
June 18 <sup>th</sup>	Work Session
July 2 <sup>nd</sup>	Council Meeting
July 16 <sup>th</sup>	Work Session
August 6 <sup>th</sup>	Council Meeting
August 20 <sup>th</sup>	Work Session
September 4 <sup>th</sup> (Tuesday- Monday Labor Day)	Council Meeting
September 17 <sup>th</sup>	Work Session
October 1 <sup>st</sup>	Council Meeting
October 15 <sup>th</sup>	Work Session
November 5 <sup>th</sup>	Council Meeting
November 19 <sup>th</sup>	Work Session
December 3 <sup>rd</sup>	Council Meeting

December 17<sup>th</sup>

Work Session

2018

MEETING DATES

Council Meeting on Mondays

Work Sessions on Wednesday

January 2 <sup>nd</sup>	Council Meeting
January 17 <sup>th</sup>	Work Session
February 5 <sup>th</sup>	Council Meeting
February 21 <sup>st</sup>	Work Session
March 5 <sup>th</sup>	Council Meeting
March 21 <sup>st</sup>	Work Session
April 2 <sup>nd</sup>	Council Meeting
April 18 <sup>th</sup>	Work Session
May 7 <sup>th</sup>	Council Meeting
May 23 <sup>rd</sup>	Work Session
June 4 <sup>th</sup>	Council Meeting
June 20 <sup>th</sup>	Work Session
July 2 <sup>nd</sup>	Council Meeting
July 18 <sup>th</sup>	Work Session
August 6 <sup>th</sup>	Council Meeting
August 22 <sup>th</sup>	Work Session
September 4 <sup>th</sup> (Tuesday- Monday Labor Day)	Council Meeting
September 19 <sup>th</sup>	Work Session
October 1 <sup>st</sup>	Council Meeting
October 17 <sup>th</sup>	Work Session
November 5 <sup>th</sup>	Council Meeting

November 21<sup>st</sup>

Work Session

December 3<sup>rd</sup>

Council Meeting

December 19<sup>th</sup>

Work Session





**CITY COUNCIL AGENDA ITEM**

**SUBJECT: DISCUSSION ON RESOLUTION OF THE CITY OF STONECREST  
AUTHORIZING THE SUBMITTAL OF CERTAIN CHARTER  
AMENDMENTS TO THE LOCAL DELEGATION OF DEKALB COUNTY**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> ORDINANCE       | <input type="checkbox"/> POLICY                | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input checked="" type="checkbox"/> RESOLUTION | <input type="checkbox"/> OTHER         |

**Date Submitted: 12/11/2017    Work Session: 12/13/22017    Council Meeting: 12/18/2017**

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**SUBMITTED BY: City Clerk**

**PURPOSE:** This Resolution was brought to the November 20, 2017 City Council Meeting and deferred until December 4<sup>th</sup> and at the December 4<sup>th</sup> meeting is was deferred until January 16<sup>th</sup>. Mayor Lary asked that it be brought to the work session for discussion.

**HISTORY:**

**FACTS AND ISSUES:**

**OPTIONS:**

**RECOMMENDED ACTION:** Recommendation of Mayor and Council

1 **A RESOLUTION OF THE CITY OF STONECREST, GEORGIA, AUTHORIZING THE**  
2 **SUBMITTAL OF CERTAIN CHARTER AMENDMENTS TO THE LOCAL**  
3 **DELEGATION OF DEKALB COUNTY**

4 **WHEREAS**, the City of Stonecrest was created by Senate Bill 208, passed in the Georgia  
5 General Assembly during the 2016 Session and subsequently confirmed by  
6 referendum;

7  
8 **WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the "City Charter");

9  
10 **WHEREAS**, the mayor and councilmembers desire that various provisions of the City Charter  
11 be amended;

12  
13 **WHEREAS**, Article IX, Section II, Paragraph II of the Constitution of the State of Georgia,  
14 which is titled Home Rule for Municipalities, allows the General Assembly of the  
15 State of Georgia to provide by law for the self-government of municipalities,  
16 which the General Assembly has done with the Municipal Home Rule Act of  
17 1965, provided in O.C.G.A. 36-35-1 *et seq.*;

18  
19 **WHEREAS**, O.C.G.A. 36-35-6 provides that the power granted to municipal corporations in  
20 subsections (a) and (b) of O.C.G.A. 36-35-3 shall not be construed to extend to  
21 action affecting the composition and form of the municipal governing authority,  
22 the procedure for election or appointment of the members thereof, and the  
23 continuance in office and limitation thereon for such members, among other  
24 things, or to any other matters which the General Assembly by general law has  
25 preempted or may hereafter preempt, but such matters shall be the subject of  
26 general law or the subject of local Acts of the General Assembly to the extent that  
27 the enactment of such local Acts is otherwise permitted under the Constitution of  
28 the State of Georgia;

29  
30 **WHEREAS**, Section 2.10(a) of Article II and Section 3.01(a)(6) of Article III of the City  
31 Charter provides that the mayor has one vote on matters brought before the city  
32 council for official action; and

33  
34 **WHEREAS**, the mayor and the councilmembers of the City of Stonecrest desire that the above  
35 provisions be amended to provide that the mayor relinquish the privilege of voting  
36 on matters brought before the city council for official action, except to break a tie  
37 of the councilmembers; and

38  
39 **WHEREAS**, the mayor and councilmembers of the City of Stonecrest desire that in connection  
40 with the mayor relinquishing the privilege of voting that the Article II of the

41 Charter be further amended to add new Section 2.34 to provide for the veto power  
42 of ordinances; and

43  
44 **WHEREAS**, Section 2.02 of Article II of the Charter discusses the eligibility requirements for  
45 service of the mayor and each councilmember; and

46  
47 **WHEREAS**, the mayor and councilmembers of the City of Stonecrest desire that the eligibility  
48 requirements for service of any elected official be amended to add the attainment  
49 of the age of 21 as an additional requirement for eligibility of service; and

50  
51 **WHEREAS**, the mayor and councilmembers of the City of Stonecrest desire that Article III of  
52 the Charter be amended to provide that Section 3.13 be designated for the  
53 establishment of the office of chief operating officer to be appointed by the mayor  
54 subject to the confirmation of a majority of the councilmembers; and, in  
55 furtherance thereof, Section 3.01(a)(8), Section 3.04(a)(14), and Section 3.05 of  
56 Article III of the Charter be designated to provide the mayor will provide  
57 supervision and guidance to the chief operating officer, the city manager will  
58 perform the duties of the chief operating officer if such office is vacant and  
59 neither the city council nor its members shall interfere with the performance of  
60 services by the chief operating officer; and

61  
62 **WHEREAS**, Section 3.01(a)(10) of Article III of the Charter provides that the mayor serve in  
63 the position of mayor and be compensated accordingly; and

64  
65 **WHEREAS**, the mayor and councilmembers of the City of Stonecrest desire that Section  
66 3.01(a)(10) of the Charter be amended to reflect that the service of the mayor is  
67 fulltime and further, that Section 2.07 of Article II of the Charter be amended to  
68 increase the annual salary of the mayor to \$85,000; and

69  
70 **WHEREAS**, the mayor and councilmembers of the City of Stonecrest have determined that the  
71 City Charter amendments provided herein should be amended by local act of  
72 General Assembly; and

73  
74 **WHEREAS**, the mayor and councilmembers of the City of Stonecrest hereby request that the  
75 DeKalb County local delegation submit such proposed amendments to the City  
76 Charter to the General Assembly.

77  
78 **THEREFORE**, the mayor and councilmembers of the City of Stonecrest, Georgia, hereby  
79 resolve as follows:

STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST

RESOLUTION 2017-\_\_\_\_\_

80 **Section 1:** That proposed amendments attached hereto and incorporated herein by reference  
81 to the Charter of the City of Stonecrest, Georgia, be submitted to the local delegation of DeKalb  
82 County for presentation to the General Assembly during the 2018 session.

83  
84 This Resolution shall be effective immediately upon its adoption.

85 **SO RESOLVED** this the \_\_\_\_\_ day of November, 2017.

Approved:

86  
87  
88  
89 \_\_\_\_\_  
90 Jason Lary, Sr., Mayor

91  
92 \_\_\_\_\_  
93 Diane Adoma, Councilmember

94  
95 \_\_\_\_\_  
96 Jazzmin Cobble, Councilmember

97  
98 \_\_\_\_\_  
99 Jimmy Clanton, Councilmember

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101 \_\_\_\_\_  
102 George Turner, Councilmember

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104 \_\_\_\_\_  
105 Rob Turner, Councilmember

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118 Attest:

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121 \_\_\_\_\_  
122 Brenda James, City Clerk

EXHIBIT TO RESOLUTION  
CITY OF STONECREST  
2018 CHARTER AMENDMENTS

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**Amendment 1: Amend the voting power of the mayor from voting to non-voting except in the event of a tie.**

“Section 2.10(a) of Article II of the Charter is amended as follows: (a) Four councilmembers shall constitute a quorum and shall be authorized to transact business for the city council. The mayor shall be counted toward the making of a quorum. Voting on the adoption of ordinances shall be taken by voice vote and the yeas and nays shall be recorded in the minutes, but on the request of any member there shall be a roll-call vote. In order for any ordinance, resolution, motion, or other action of the city council to be adopted, the measure must receive at least three affirmative votes and must receive the affirmative votes of a majority of those voting. ~~No~~Neither any councilmember nor the mayor shall abstain from voting on any matter properly brought before the city council for official action except when such councilmember has a reason which is disclosed in writing prior to or at the meeting and made a part of the minutes. ~~The mayor and e~~Each councilmember when present at a meeting shall have one vote on all matters brought before the council. In the event of a tie in the vote on any matter, the mayor, if present, shall vote to break the tie.

In furtherance thereof, Section 3.01 (a)(6) of Article III of the Charter is amended as follows: (a) The mayor shall:... (6) ~~Not vote~~ ~~Vote in~~ anyall matters before the city council except as provided in Section 2.10(a) of this charter;”

147 **Amendment 2: Grant the mayor the power to veto certain ordinances.**

148 Article II of the Charter is amended to add new Section 2.17 as follows:

149 **“SECTION 2.34.**

150 Veto power of mayor of ordinances.

151 (a) The mayor, within ~~ten~~ <sup>5 Business</sup> calendar days of the adoption of an ordinance by  
152 councilmembers pursuant to Section 2.10(a), shall return it to the clerk with the mayor's  
153 written approval or disapproval. If the ordinance has been approved by the mayor, it shall  
154 become law upon its return to the clerk; if the ordinance is neither approved nor  
155 disapproved, it shall become law at 12:00 Noon on the <sup>5TH BUSINESS</sup> ~~ten~~ calendar day after its  
156 adoption; if the ordinance is disapproved, the mayor shall submit to the councilmembers  
157 through the clerk a written statement of reasons for the veto. The clerk shall record upon  
158 the ordinance the date of its delivery to and receipt from the mayor.

159 (b) Any ordinance vetoed by the mayor shall be presented by the clerk to the city council  
160 at its next meeting. If the city council at its next meeting adopts the ordinance by an  
161 affirmative vote of four councilmembers, it shall become law.

162 (c) The mayor may disapprove or reduce any item or items of appropriation in any  
163 ordinance. The approved part or parts of any ordinance making appropriations shall  
164 become law, and the part or parts disapproved shall not become law unless subsequently  
165 passed by the city council over the mayor's veto as provided herein. The reduced part or  
166 parts shall be presented to city council as though disapproved and shall not become law  
167 unless overridden by the council as provided in subsection (b) of this section.

168 (d) The mayor shall have no power to veto any ordinance in which he or she voted to  
169 break a tie in the manner provided in Section 2.10(a).”

170

171 Amendment 3: Amend the eligibility requirements for service as mayor or  
172 councilmember.

173 “Section 2.02(a) of Article II of the Charter is amended as follows:

174 (a) For all elections subsequent to the first election, the mayor and councilmembers shall  
175 serve for terms of four years and until their terms shall expire upon the administration of  
176 the oath of office to their successors. No person shall be eligible to serve as mayor or  
177 councilmember unless that person has attained the age of 21, shall have been a resident of  
178 the City of Stonecrest for a continuous period of at least 12 months immediately prior to  
179 the date of the election for mayor or councilmember, shall continue to reside therein  
180 during that person's period of service, and shall continue to be registered and qualified to  
181 vote in municipal elections of the City of Stonecrest. In addition to the above  
182 requirements, no person shall be eligible to serve as a councilmember representing a  
183 council district unless that person has been a resident of the district such person seeks to  
184 represent for a continuous period of at least six months immediately prior to the date of  
185 the election for councilmember and continues to reside in such district during that  
186 person's period of service.”

187

188 **Amendment 4: Establish the office of chief operating officer.**

189 “Article III of the Charter is amended to renumber Section 3.13 to Section 3.14, to  
190 renumber Section 3.14 to 3.15, to renumber Section 3.15 to Section 3.16 and to further  
191 add the following language to Section 3.13 as follows:

192 **SECTION 3.13.**

193 Chief Operating Officer

194 (a)The mayor may appoint, an officer whose title shall be the "chief operating officer",  
195 subject to the confirmation thereof by a majority of the councilmembers. The chief  
196 operating officer shall be appointed without regard to political beliefs and solely on the  
197 basis of his or her education and experience. The chief operating officer need not be a  
198 resident of the City of Stonecrest. The chief operating officer shall be supervised and  
199 directed by the mayor and shall have the power, and it shall be his or her duty to:

200 (1) Appoint and employ all necessary employees of the department of public works  
201 and the department of public safety;

202 (2) Remove employees appointed and employed under paragraph (1) of this section,  
203 without the consent of the city council or city manager and without assigning any  
204 reason therefor;

205 (3) Exercise supervision and control of the department of public works and the  
206 department of public safety and all divisions of either created or that may hereafter be  
207 created by the councilmembers;

208 (4) Recommend to the city council, after prior review and comment by the mayor, for  
209 adoption of such measures as the chief operating officer may deem necessary or  
210 expedient with respect to the department of public works and the department of public  
211 safety;



212 (5) Operate his or her office and the department of public works and the department  
213 of public safety for the amounts appropriated therefor by the city council in the annual  
214 budget;

215 (6) Have no authority to perform any function reserved to the city manager under this  
216 charter or by ordinance of the councilmembers; and

217 (7) Perform such other duties as required by ordinance or resolution of the  
218 councilmembers.

219 (b) In the event of a vacancy in the office of chief operating officer, the city manager  
220 shall exercise all powers, duties, and functions of the chief operating officer until a chief  
221 operating officer is appointed.

222 In furtherance thereof, Section 3.01 (a)(8) of Article III of the Charter is amended as  
223 follows: (a) The mayor shall:... (8) Provide supervision and guidance to the City  
224 Manager and the Chief Operating Officer;

225 In furtherance thereof, Section 3.04 (a)(14) of Article III of the Charter is renumbered to  
226 be Section 3.04(a)(15) and the following language is added to Section 3.04(a)(14) as  
227 follows: (a) The city manager shall:... (14) Perform the duties of the office of the chief  
228 operating officer (i) until such time the initial chief operating officer takes office and (ii)  
229 in the event of a vacancy in such office thereafter;

230 In furtherance thereof, Section 3.05 of Article III of the Charter is amended as follows:

231 **SECTION 3.05.**

232 City council interference with administration.

233 Except for the purpose of inquiries and investigations under Section 2.08 of this charter  
234 or as provided in Section 3.01, ~~and~~ Section 3.03 and Section 3.13 of this charter neither  
235 the city council nor its members shall interfere with the performance of services by or  
236 give orders to any such officer or employee, either publicly or privately.”

237 **Amendment 5: Increase the annual salary of the mayor to \$85,000 from \$20,000.**

238 “The first sentence of Section 2.07 of Article II of the Charter “Compensation and  
239 expenses” is amended as follows: Commencing January 1, 2018, theThe annual salary of  
240 the mayor shall be \$85,000.00~~\$20,000.00~~ and the annual salary for each councilmember  
241 shall be \$15,000.00.

242 In furtherance thereof, Section 3.01 (a)(10) of Article III of the Charter is amended as  
243 follows: (a) The mayor shall:...Serve full