



City of South Fulton, Georgia

5440 Fulton Industrial Blvd.
South Fulton, GA 30336
Phone: 470-552-4311
cityofsouthfultonga.gov

Agenda

City Council Work Session

The Honorable khalid kamau, Mayor
The Honorable Catherine F. Rowell, District 1
The Honorable Carmalitha Gumbs, District 2
The Honorable Helen Z. Willis, District 3
The Honorable Jaceey Sebastian, District 4
The Honorable Keosha B. Bell, District 5
The Honorable Natasha Williams-Brown, District 6
The Honorable Linda B. Pritchett, District 7

Tuesday, February 25, 2025

4:00 PM

**City Hall 5440 Fulton
Industrial Blvd. SW, South
Fulton, GA 30336**

SOUTH FULTON CITY COUNCIL MISSION STATEMENT:

To provide exceptional customer service that sustains a safe, inclusive, innovative, and an economically vibrant city.

Live-stream:	Public Meeting Portal (Civic Clerk): https://southfultonga.civicclerk.com
Public Comment:	https://www.cityofsouthfultonga.gov/3074/Public-Comment-at-Council-Meetings

- I. Meeting Called to Order - Mayor khalid**
- II. Roll Call - Corey Adams, City Clerk**
- III. City Manager Items - Sharon D. Subadan, City Manager**
 - A. Presentation of the RISE Employee of the Month Award
 - B. City of South Fulton Strategic Plan Presentation - Lionel Savage, Lionheart Consulting Group, LLC
- IV. Presentations**
 - A. Green Shades Foundation Presentation: Green Construction and Workforce Development (Requested by Mayor Pro Tem Pritchett)
 - B. Presentation: Agenda Planning — Part 1 (Requested by Mayor khalid)
- V. Adjournment of Meeting**



CITY OF SOUTH FULTON 2025 STRATEGIC PLAN

Overview

- Strategic Plan - Project Goals
- Process
- Survey Results
- Updated Goals
- Next Steps



Strategic Plan Goals



The Strategic Plan Update focused on the following:

- Authentic Citizen Engagement
- Quantitative Data
- Qualitative Perspectives
- Review of The Past to Inform The Future

The Process

The process involved the following activities:

- Review of the Past Survey covering 2020-2023
- Interviews with Mayor and Council Members
- Develop Survey with input from City Manager, Mayor and Council
- “Your Voice Matters” Survey released on June 13, 2024
- Participated in 4 Town Hall Meetings
- Participated in 6 Community Gatherings
- Facilitated 6 Citizen Action Committee Meetings



The Survey Components

We asked 34 questions across 5 categories:

- Demographics
- City Leadership and Engagement
- City Finance and Services
- Public Safety and Emergency Preparedness
- City Image and Community



The Survey Results

Citizens completed the survey consistent with recent regional participation %:

- 2500 citizens completed survey
- Citizen Action Committee provided deeper context
- Citizens provided feedback on vital issues via the survey to include financial health, public safety, development and entertainment choices



Survey Results

2025 Updated Goals and Objectives



1

Enhance Government
Efficiency and Productivity

2

Increase Community Collaboration
and Improve Quality of Life

3

Enhance the City's Financial Stability
and Economic Diversification

4

Strengthen and Expand
Infrastructure to Support
Sustainability

Results From Past Survey Results

2020-2023 Goals and Objectives



1

Invest in Developing Strong Teams

2

Grow Infrastructure and Solidify Finances

3

Increase Community Collaboration and Quality of Life

4

Focus on Economic Development

Next Steps

The process involved the following activities:

- Ask Mayor and Council to review draft and provide comments
- Make final adjustments and submit for adoption
- Plan community rollout
- City Government to establish future projects aligned with strategic plan
- City Government to establish key performance indicators (KPI's)
- Expand efforts with citizen action committee



Questions

CITY OF SOUTH FULTON 2025 STRATEGIC PLAN





Strategic Plan

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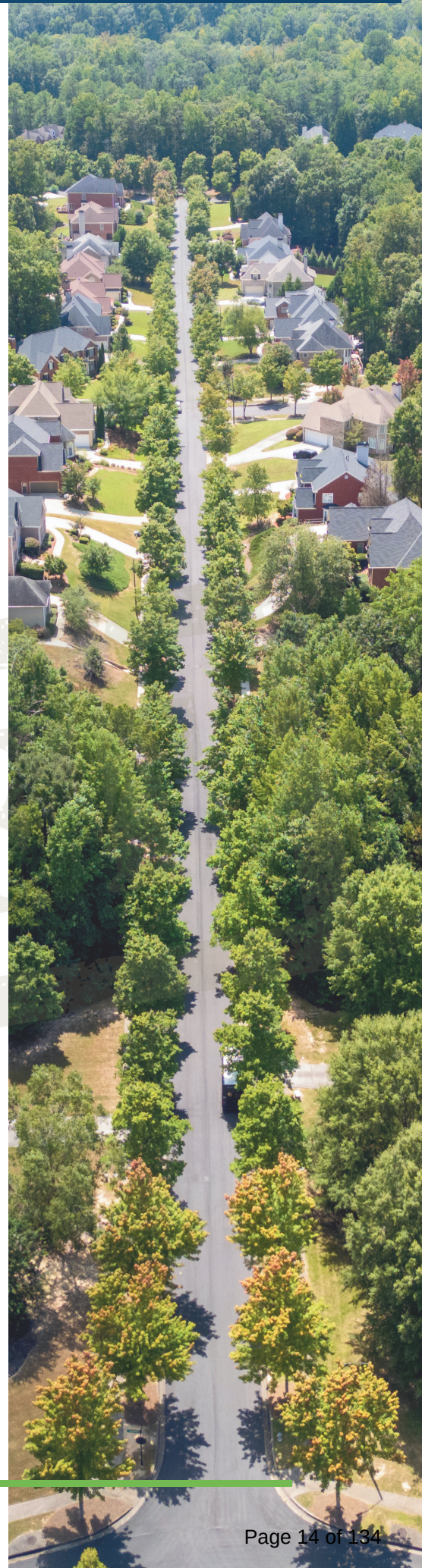
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An aerial photograph of a roundabout with a green number 1 overlay. The roundabout has a central green island with several trees. The surrounding area includes residential houses, trees, and a road with a few cars. The image is overlaid with a semi-transparent blue filter.

1

YOUR ELECTED OFFICIALS

Meet the Elected Officials

Learn the perspectives of the Mayor and City Council members.



MAYOR KOBI

The Word teaches us that without a vision, the People shall perish. Our Strategic Plan is a vision for our people, by our people.



CATHERINE FOSTER-ROWELL – DISTRICT 1

Strategic planning is more than a roadmap; it is the foundation for a prosperous future in the City of South Fulton. It ensures that we align our resources with a shared vision, enabling us to prioritize projects and initiatives. We have a responsibility to use this plan to drive results and create lasting positive impacts for city residents and businesses.



CARMALITHA GUMBS – DISTRICT 2

I am thrilled that we are embarking on this much-needed strategic plan review for our city. This initiative is a critical step in shaping a shared vision for the future, one that will guide our government and community for generations to come. I am particularly grateful for the opportunity to collaborate across all corners of our city, fostering unity and collective planning as we chart the path forward for District 2 and beyond. Together, we are building a stronger, brighter future for the City of South Fulton!



HELEN Z. WILLIS – DISTRICT 3

This strategic plan is a vital roadmap that aims to increase the city's tax base, enhance the local business climate, promote entrepreneurship, and create high-paying, high-quality jobs. We are investing in infrastructure to ensure sustainability and improve residential quality of life. We are strengthening relationships with government agencies. We are fostering a servant-leader environment of trust and cooperation between council members, staff, and citizens.

Meet the Elected Officials



JACEEY SEBASTIAN – DISTRICT 4

I am very pleased that we are finally undertaking this strategic plan review for our city. This will go a long way in informing government and citizens what the future of our city will be for a generation. I am especially grateful that we can work together across the city to plan and envision the city's future especially in the 4th district with so much open land, a lot of which we will need to conserve.



KEOSHA B. BELL – DISTRICT 5

As a newly elected Councilmember representing the great citizens of District 5, I know how important it is to engage our citizens any day, anywhere and on any topic. The feedback from our citizens will help inform our strategic plan as we strive to improve the lives of our citizens and make the City of South Fulton a city on the rise.



NATASHA WILLIAMS-BROWN – DISTRICT 6

A strategic plan is crucial to a city as it provides a clear roadmap for sustainable growth, development, and resource management. Strategic plans help a city identify and prioritize key initiatives, ensure efficient use of resources, and foster long-term economic, social, and environmental stability. Having this strategic plan will allow the City of South Fulton to effectively address challenges and maximize opportunities while improving the quality of life for our residents.



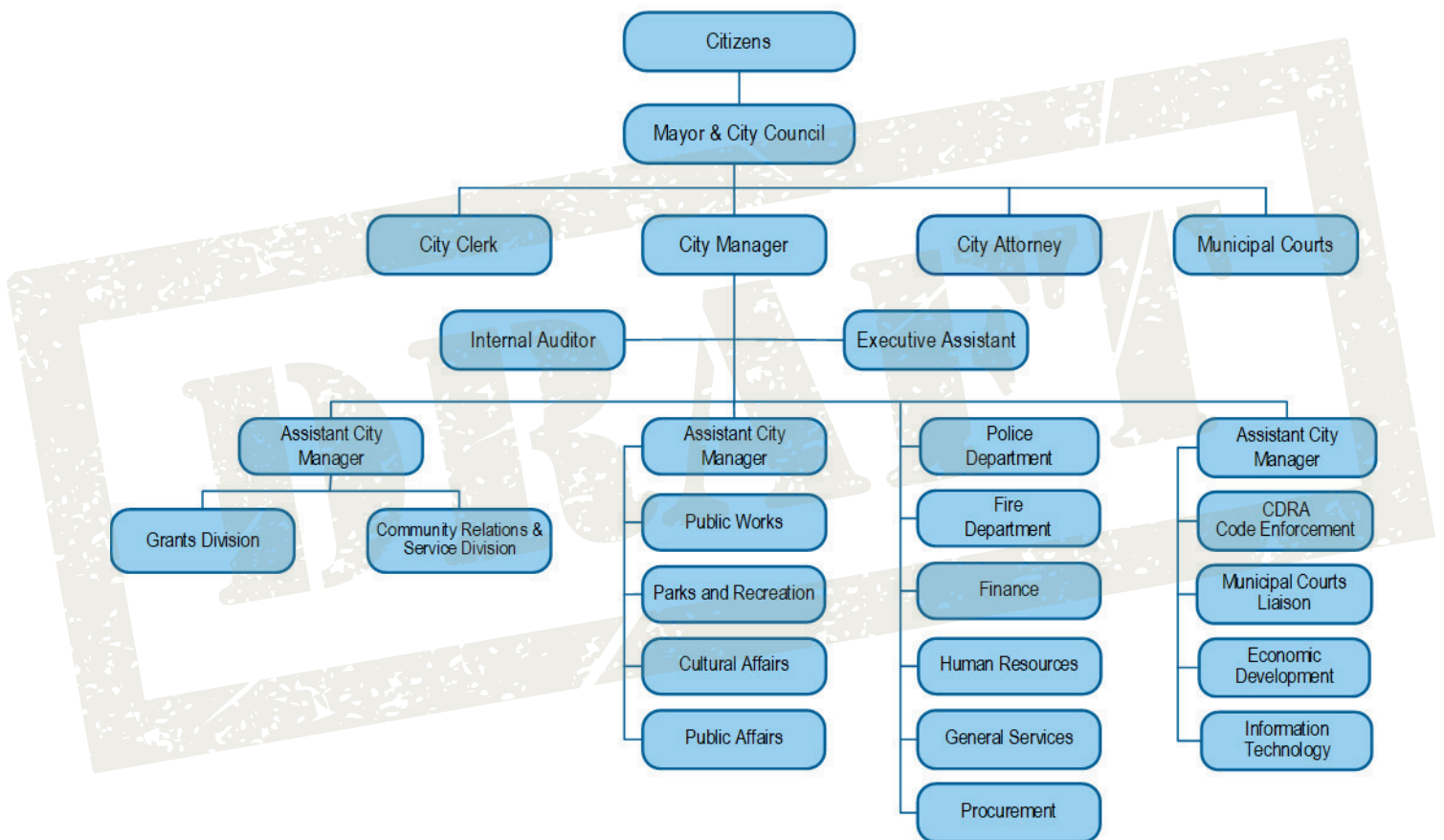
LINDA B. PRITCHETT – DISTRICT 7

It is critical to continue to push our city forward. The updated Strategic Plan will be our roadmap for future planning and successful outcomes. The citizen engagement activities along with survey results will give our leaders insights to make those future plans a reality and provide value to the citizens of District 7.

Organizational Chart

The City of South Fulton is a Council/Manager form of government where the legislative and policy arena is led by the Council and the day-to-day operations are led by the City Manager. This collaborative team made significant contributions to the development of this strategic plan to help shape the direction and near-term goals.

CITY OF SOUTH FULTON

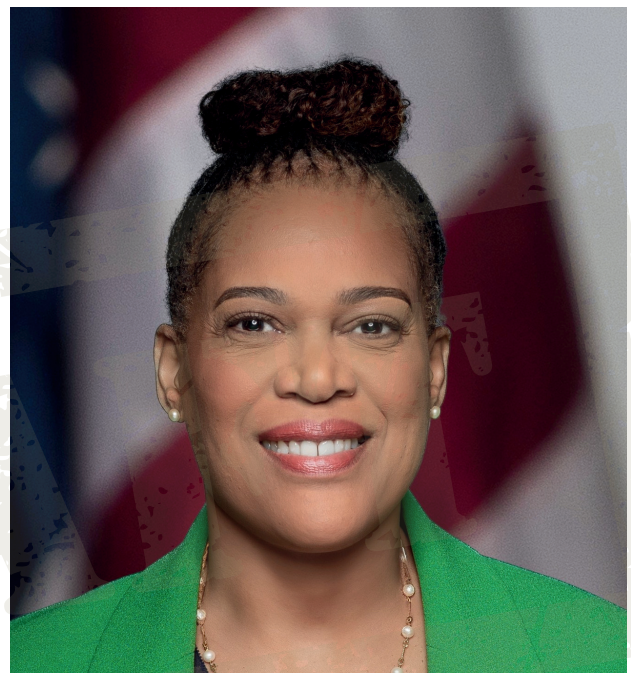


From the City Manager

As the City Manager of the City of South Fulton, I am honored to present our 5 year Strategic Plan, a vision for the growth and prosperity in our community over the next decade.

This plan is a testament to the collective aspirations, efforts, and dreams of our residents. As we look to the future, our strategic plan is built on three core pillars: **Purpose**, **People**, and **Progress**. These pillars reflect our commitment to creating a thriving city where residents are engaged, purposeful goals are pursued, and meaningful progress is achieved.

Purpose: The purpose of this strategic plan is to set a clear and sustainable direction for our city's future. By defining our vision and aligning our priorities, we will create a roadmap that addresses both immediate needs and long-term goals. Key to this purpose is our focus on providing essential services, enhancing public infrastructure, promoting economic development, and ensuring environmental sustainability.



"This strategic plan will ensure that every voice is heard and every individual has the opportunity to contribute to the city's growth."

— Sharon D. Subadan

Sharon D. Subadan, ICMA-CM, MPS, CPM

People: At the heart of our city's success are the residents who make it a unique and dynamic place to live, work, and do business. We recognize that the strength of our community lies in the diversity, talent, and energy of our people.

From our young families to our senior citizens, we aim to build an inclusive environment where all are respected, valued, and empowered. Community involvement is a central focus, and we are committed to fostering citizen action through various platforms for dialogue, collaboration, and decision-making.

Moreover, our approach to governance emphasizes accountability at every level of city management. We will set clear goals and measure our progress with regular updates to the community. Our decisions will be driven by data, evidence, and the best practices in local government, with a keen focus on long-term sustainability and equitable outcomes for all residents.



Each initiative will be rooted in the principle of making the City of South Fulton a city that works for everyone, from access to quality parks and recreation to public safety and thriving neighborhoods.

Progress: Progress is the cornerstone of our plan—both in terms of infrastructure and in fostering a culture of continuous improvement. As we look ahead, we are committed to implementing innovative solutions, leveraging technology, and making smart investments that support our growth. Our city's progress will be measured by the tangible impact on our residents' quality of life and the satisfaction of those who call the City of South Fulton home. We will prioritize transparency, accountability, and the active involvement of citizens to ensure that our progress is aligned with the aspirations of the community.

To turn this vision into reality, it is critical that we operate with one overarching commitment in mind — **good governance.**

“Good governance is the foundation of any thriving community. It ensures that our city’s resources are used wisely, that decisions are made with transparency and accountability, and that all voices are heard and respected. It is a commitment to integrity, fairness, and efficiency in every action, every policy, and every project that we undertake. As we work together to implement this strategic plan, good governance will be the key to achieving our goals and fulfilling our promises to the residents of the City of South Fulton.”



Our commitment to good governance begins with open communication and meaningful community engagement. We believe that the best decisions are made when residents have a voice in the process. Whether through town hall meetings, advisory boards, or public forums, we ensure that feedback is valued and acted upon. We are dedicated to fostering an environment where residents feel empowered to take action, whether that means volunteering for a neighborhood initiative, participating in planning processes, or contributing ideas to improve our city.

As we build our city’s future, it is essential that we remain committed to transparency in both our successes and our challenges, ensuring that all citizens are informed and engaged in the process.

In line with the strategic plan’s focus on progress, we will also embrace innovation in our governance practices. This means leveraging technology to streamline city services, increase efficiency, and improve the accessibility of information. We will adopt smart solutions that align with our values and goals, helping to make the City of South Fulton a model of modern governance for years to come.

I want to take this opportunity to thank you for your continued trust and support as we move forward with this exciting journey. The successful implementation of this strategic plan requires all of us—city leaders, employees, and citizens—to work in partnership. By embracing the principles of good governance, we can ensure that the City of South Fulton is a vibrant, inclusive, and progressive community for generations to come.

As we continue on this journey, we invite all citizens to take part in shaping the future of the City of South Fulton. Together, through collective action and commitment, we will create a city that is not only a place to live but a place to thrive.

This strategic plan is more than just a blueprint—it's a call to action for every member of our community to join in building a prosperous, inclusive, and resilient city.







An aerial photograph of a roundabout with a green number 2 overlaid in the center. The roundabout has a green lawn in the middle and is surrounded by trees and a road. A white car is visible on the road to the left, and a red car is on the road to the right. The background shows residential houses and more trees.

2

SOUTH FULTON TODAY

South Fulton Today

Sourced from Census.gov on December 30, 2024.

110,920
POPULATION

7 DISTRICTS

\$82K
median
household
income

54.1%
female
residents

AGE
Under 5 yrs 6.3%
Under 18 yrs 26.2%
65 yrs+ 11.3%

RACE

3.6%
WHITE

91.4%
BLACK

3.2%
HISPANIC

2.4%
TWO +

93%
HIGH SCHOOL GRADUATE
OR HIGHER

38.9%
bachelor's degree or higher





An aerial photograph of a golf course green, surrounded by a circular road and trees. A large, bright green number '3' is superimposed over the center of the green. The background is a semi-transparent blue overlay.

3

PURPOSE

Our Purpose

Vision

The City of South Fulton will be an innovative, diverse community that is safe, environmentally conscious, healthy, transparent and financially sustainable for all its citizens and visitors.



Mission

Each day we will exceed the expectations of our customers as we deliver municipal services with respect and professionalism.



Values

These values guide how we treat each other and how we serve the Citizens.

1. **Honesty/Integrity:** We agree to hold ourselves to a high ethical standard and hold each other accountable to that standard.
2. **Respect:** We respect others even when we disagree with their point of view or feel we are being misrepresented. We are open to and encourage disagreement, but we are not disagreeable.
3. **Service to Others:** We are here to serve others and we believe that public service is based in humility. We submit our individual ideas and plans to the City's larger plans and progress. This is a hallmark of a strong leader.
4. **Environmentalism:** We act in a way that preserves and protects our environment and encourage environmentalism in our community.
5. **Efficiency:** We are good stewards of our resources, efficient in how we deliver services and provide prompt, accurate service to our citizens and stakeholders.
6. **Open-Mindedness:** We are open-minded and respectful to those with whom we work. We are willing to not only listen, but to be open to change ourselves.
7. **Passion and Positivity:** We commit to finding ways to be positive and uplifting despite challenges that may come our way.





An aerial photograph of a golf course green, surrounded by a circular road and trees. A large, bright green number '4' is superimposed over the center of the green. The background is a semi-transparent blue overlay.

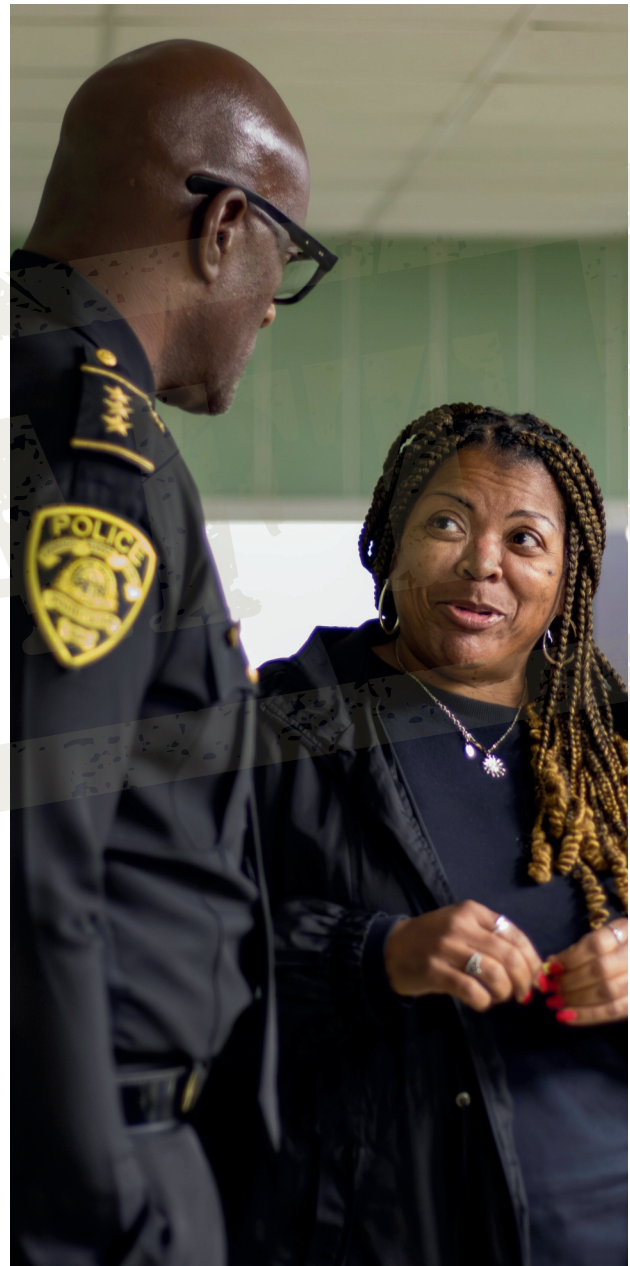
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PEOPLE

Citizen Engagement

Citizen and community involvement is a cornerstone of our strategic planning process, as it ensures the goals and objectives we set reflect the needs, concerns, and aspirations of those we serve.

Engaging residents through surveys, town halls, and citizen action committees allowed us to gather diverse perspectives and foster a sense of shared responsibility in shaping our future. The feedback collected from these initiatives included an estimated 2,500 responses from our formal survey launched in June 2024. We met with citizens along with our elected officials well over a dozen times throughout the summer and fall where we talked directly with citizens from each and every district.



Town Hall Meetings

Town Hall meetings played a pivotal role in the development of our strategic plan, serving as a vital platform for engaging with community members and gathering diverse perspectives. Throughout 2024, we hosted and attended countless town hall meetings alongside residents, local organizations, and stakeholders. These meetings fostered an open dialogue about the needs, challenges, and aspirations of the community. By attending and contributing, participants shared invaluable insights, which were instrumental in shaping the strategic goals. Their input not only ensured that the plan was aligned with the community's priorities but also promoted a sense of ownership and collaboration, ultimately strengthening the plan's relevance and potential for successful implementation.



The Citizen Action Committee

Lastly, the Mayor and Council selected citizens from each district to work closely with consultants to provide further input into our strategic planning process. The Citizen Action Committee contributions have been instrumental in refining our strategies and aligning them with community priorities. By incorporating these insights, we ensured that our plan is both responsive and inclusive, creating a strong foundation for sustainable progress and community well-being.

BRECCA CARTER
DISTRICT 1

TOSHA KEY MCDADE
DISTRICT 2

DEREK GUYTON
DISTRICT 3

SAMUEL WAKEFIELD
DISTRICT 3

PATRICK EWING
DISTRICT 4

GREG BAILEY
DISTRICT 5

BENNIE CRANE
DISTRICT 6

ELLEN MILLER
DISTRICT 7

DEBRA EASTERN
DISTRICT 1

KIMBERELY KING
DISTRICT 2

TASHEA HUFF
DISTRICT 3

REVENEL DYSON
DISTRICT 4

TONITA BAILEY
DISTRICT 5

ELEANOR ROSS
DISTRICT 5

JILL LINDSEY
DISTRICT 6

DREW DE MAN
DISTRICT 7

Citizen Survey

Results from the “Your Voice Matters” Survey Launched June 7, 2024

All data presented below are percentages, representing values out of 100%.

**31% residents age
65+ yrs old**

0.89%	18-24 yrs old
6.08%	25-34 yrs old
17.40%	35-44 yrs old
22.19%	55-64 yrs old

**70% female
respondents**

26%	Male
0.08%	Non Binary
1.89%	Prefer not to Answer

**2483
RESPONDENTS**

**7 ACROSS
DISTRICTS**

**90% Black or
African American**

0.36%	American Indian or Alaska Native
0.20%	Asian or Asian American
0.89%	Hispanic or Latino
3.83%	White

Citizen Survey

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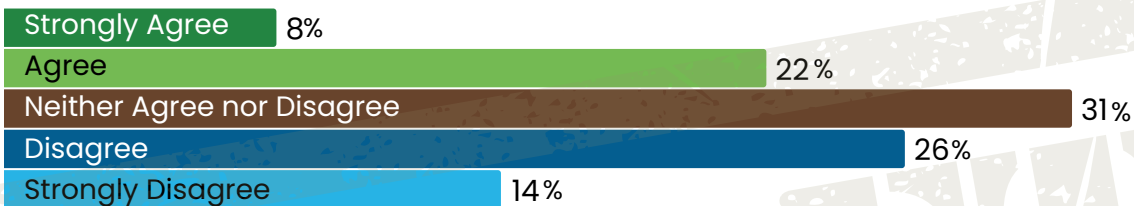
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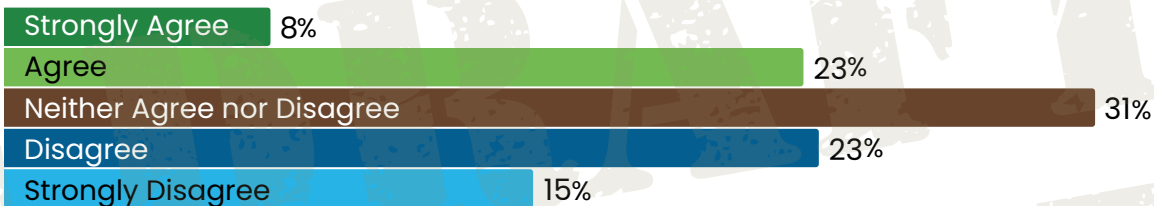
Q5: City of South Fulton leaders are committed to a shared vision for the city's future.



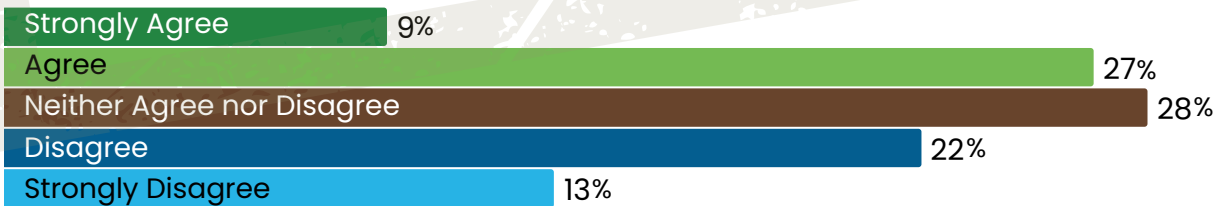
Q6: City of South Fulton leaders work cohesively to build trust and cooperation.



Q7: City of South Fulton leaders conduct business in a professional manner.



Q8: I trust the City's leadership in continuing efforts in making the City of South Fulton a "City On The Rise."



Q9: There are effective relationships between residents and the City of South Fulton elected officials.

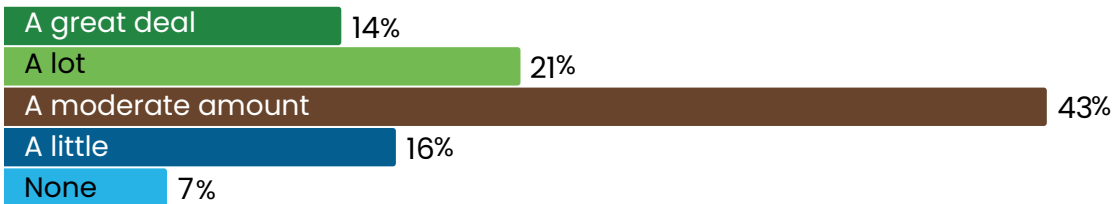


Citizen Survey

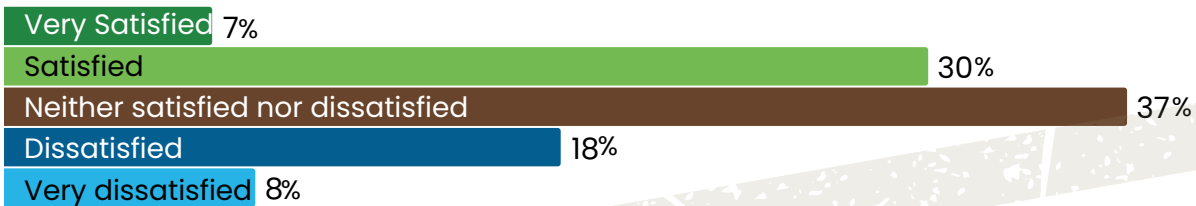
Results from the "Your Voice Matters" Survey Launched June 7, 2024

All data presented below are percentages, representing values out of 100%.

Q10: The City of South Fulton has enough financial resources to meet its most critical needs.



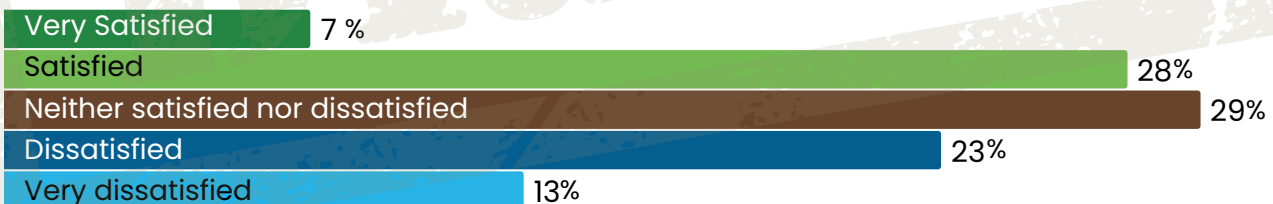
Q11: My level of satisfaction with how the City of South Fulton has budgeted resources to provide police services.



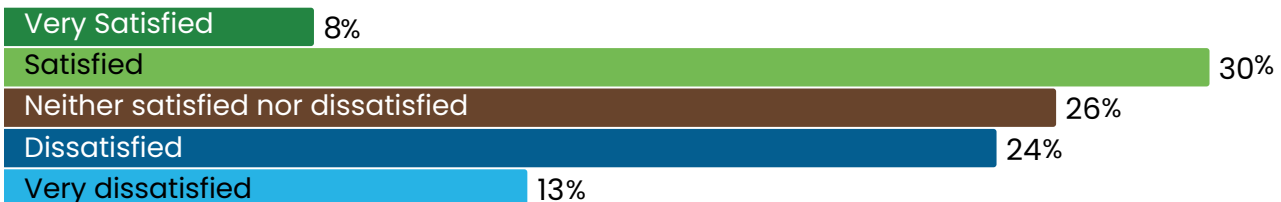
Q12: My level of satisfaction with how the City of South Fulton has budgeted resources to provide fire safety services.



Q13: My level of satisfaction with how the City of South Fulton has budgeted resources to provide parks and recreation services.



Q14: My level of satisfaction with how the City of South Fulton has budgeted resources to improve our roads and bridges.

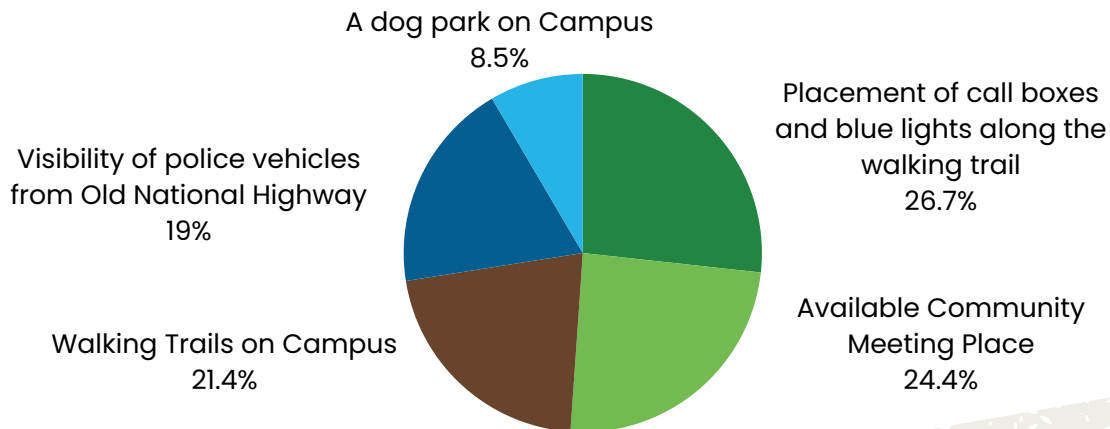


Citizen Survey

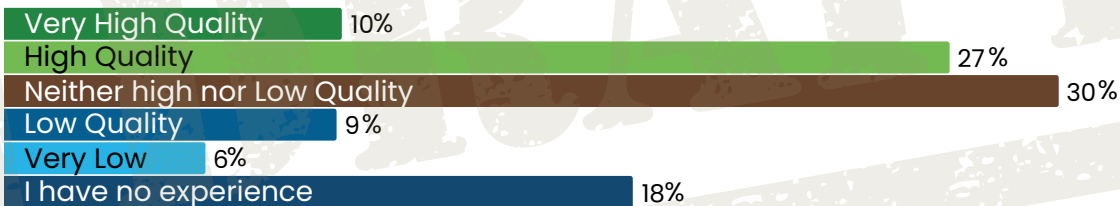
Results from the "Your Voice Matters" Survey Launched June 7, 2024

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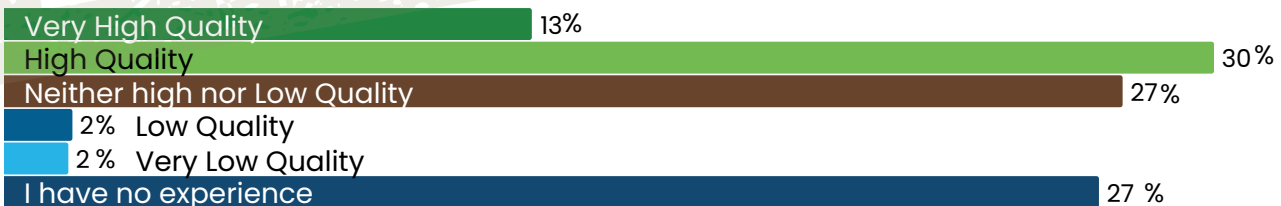
Q15: Several features are under consideration at the new Police Headquarters campus. Which will help you build a closer relationship with the Police Department?



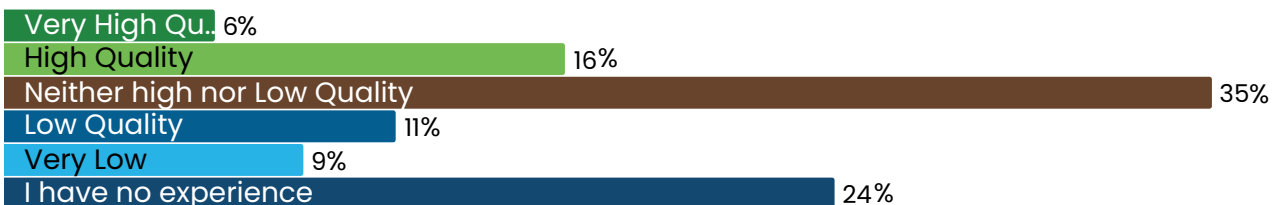
Q16: Please rate the quality of experience when you engage City of South Fulton Police Department.



Q17: Please rate the quality of experience when you City of South Fulton Fire Department.



Q18: Please rate the quality of experience when you engage the City of South Fulton Code Enforcement Division.

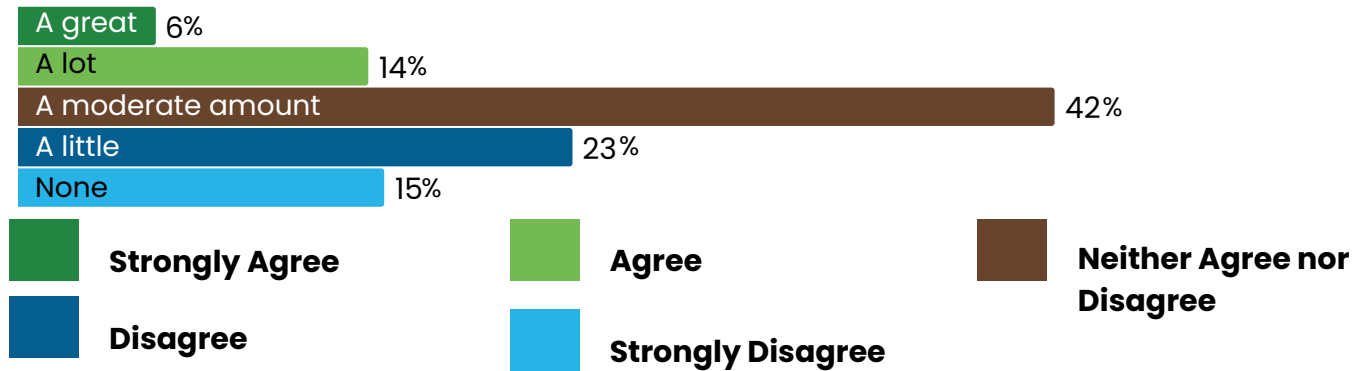


Citizen Survey

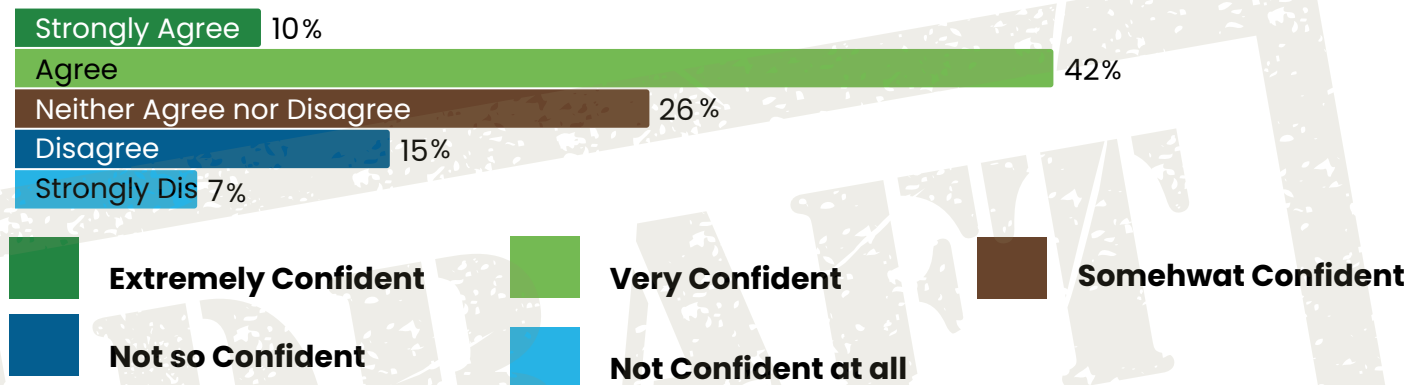
Results from the "Your Voice Matters" Survey Launched June 7, 2024

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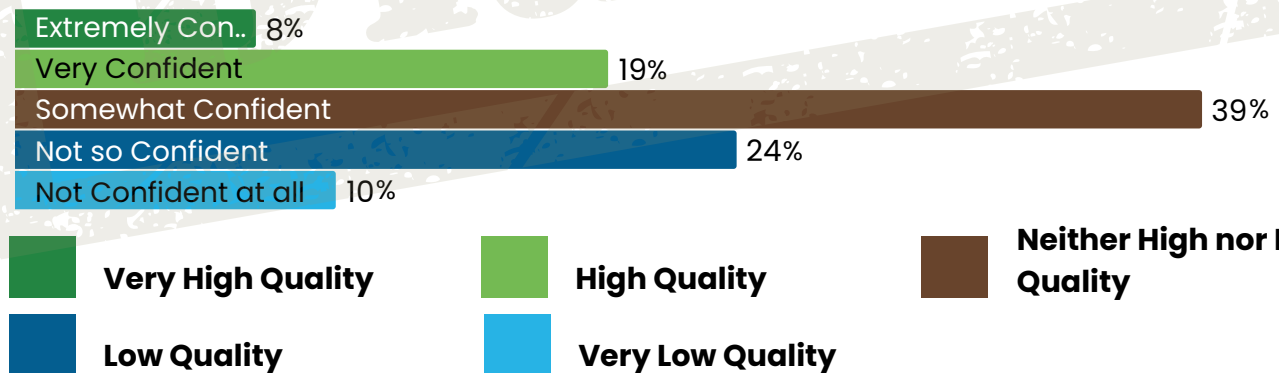
Q19: Please rate your level of confidence in the City of South Fulton to handle Natural Disasters or Public Health Emergencies.



Q20: I feel safe in in the City of South Fulton.



Q21: I am confident in how to contact the City of South Fulton for services that I need.



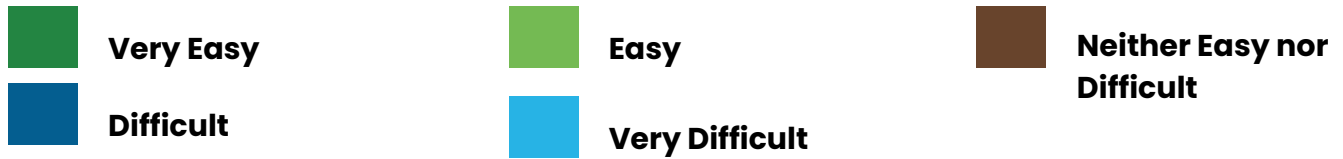
Q22: Please rate the level of customer service when I contact the City of South Fulton.



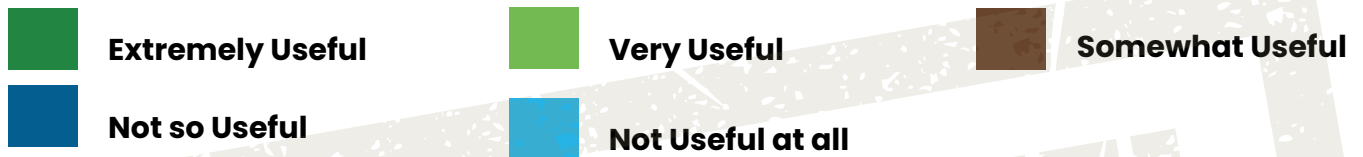
Citizen Survey

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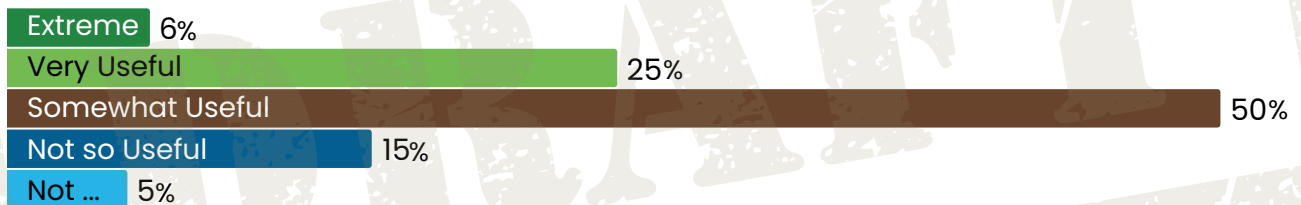
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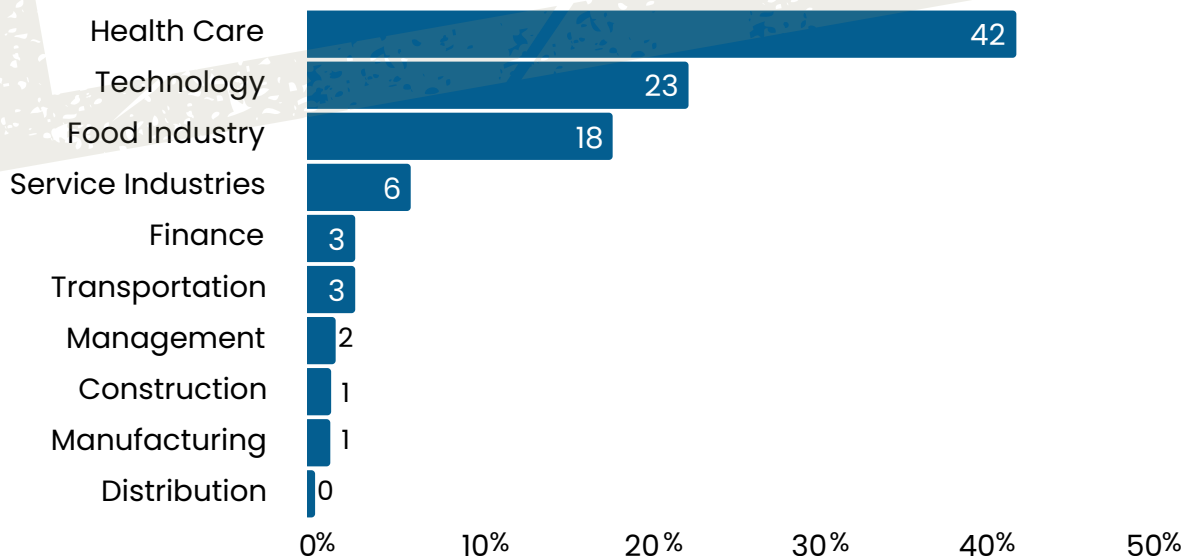
Q23: How easy is it to register for Parks and Recreation programs.



Q24: The City of South Fulton's website is user friendly and informative to citizens.



Q26: What industries do you want to see in the City of South Fulton?

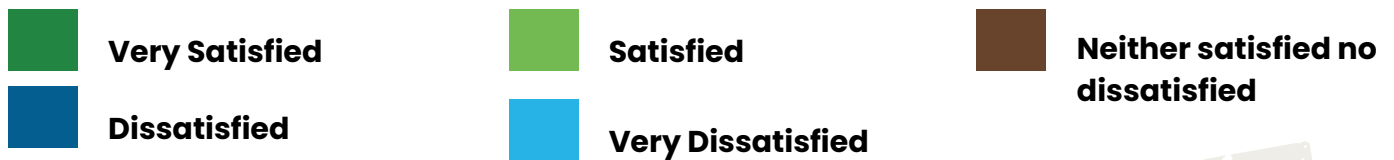
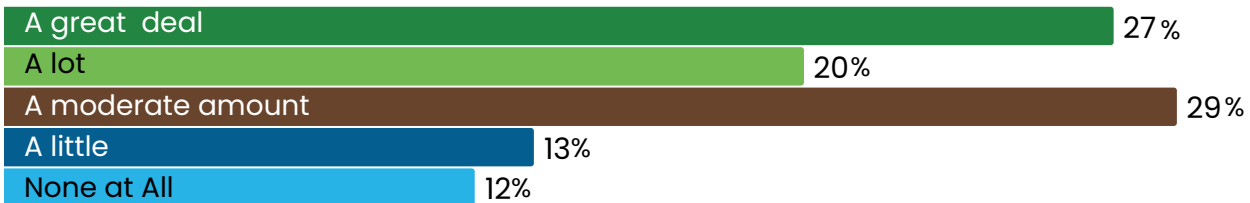


Citizen Survey

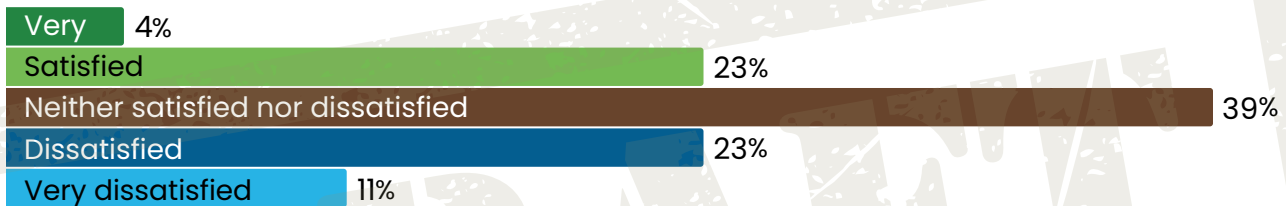
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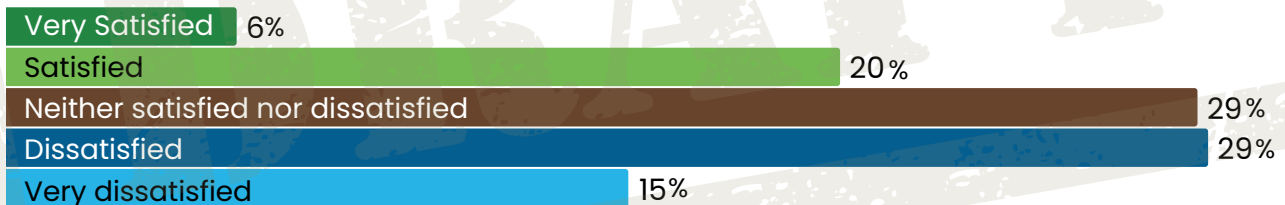
Q27: What is your level of comfort with providing more density to attract retail, grocery, dining and entertainment.



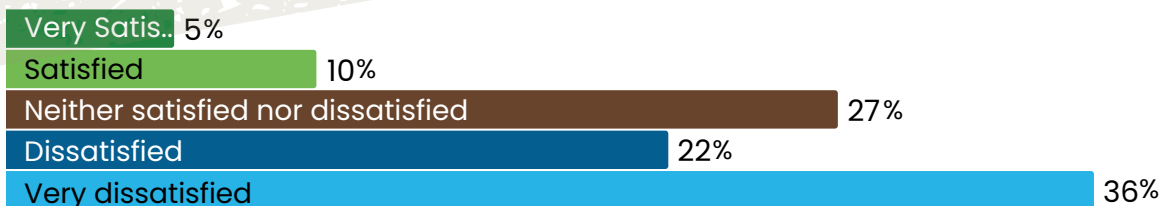
Q29: I am satisfied with the overall Housing Development options in the City of South Fulton.



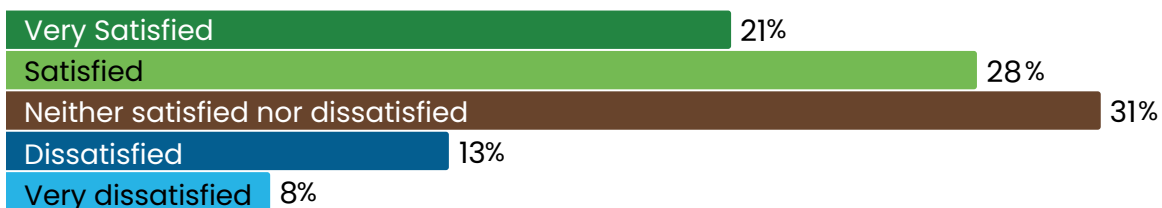
Q31: I am satisfied with the image of the City of South Fulton.



Q32: I feel that the City of South Fulton's brand is distinct and stands out compared to neighboring cities.



Q33: I am familiar about the history of South Fulton and its story.

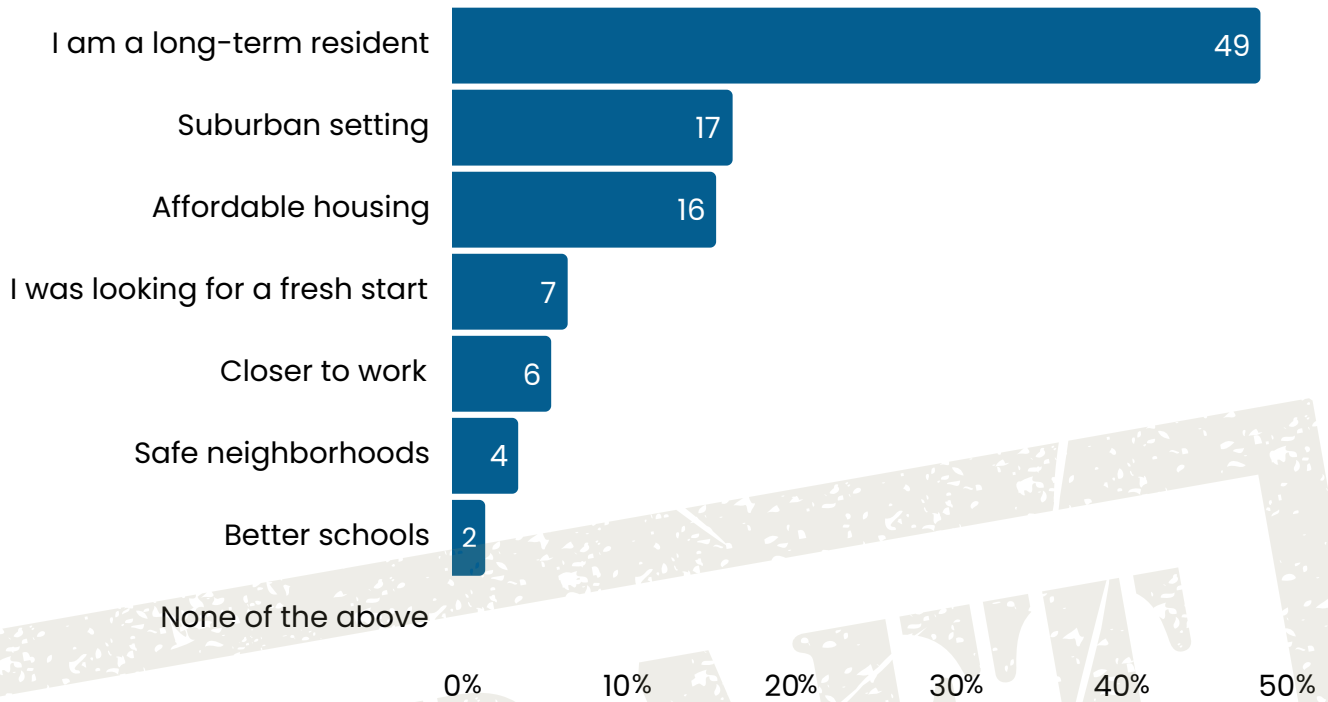


Citizen Survey

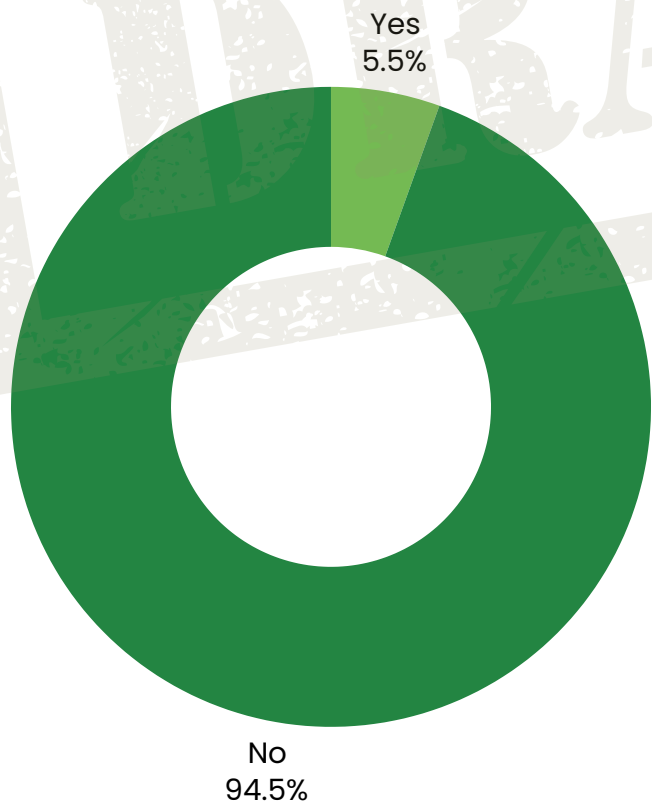
Results from the "Your Voice Matters" Survey Launched June 7, 2024

All data presented below are percentages, representing values out of 100%.

Q34: Why did you move to South Fulton?



Q35: Do you own an electric vehicle?



5

PROGRESS

Our Progress

The City of South Fulton has made remarkable strides since its inception, thanks to the strong foundation laid by our initial strategic plan. Much has been accomplished in terms of infrastructure development, community services, and economic growth, with numerous initiatives still in progress and continuing to shape our city's future. This new strategic plan serves as an important update, building upon the successes of the past while recognizing that many of our key initiatives are ongoing and require sustained attention. As we look ahead, we remain committed to advancing these efforts and ensuring that the momentum we have built continues to drive positive change, fostering long-term progress for all of our residents.

2020–2023 Goal 1: Invest in Developing Strong Teams

Over the past several years, we have worked on a series of initiatives that support good governance that by their nature are ongoing activities that will continue to evolve over time.

- We acquired a new Administration Building and remodeled City Hall, providing room for growth and development. We've included state-of-the-art technology and equipment for increased networking across worksites throughout the city, standing desks for all employees to encourage healthier work habits, open-concept workspaces to encourage communication and collaboration, and modern offices that our employees are proud to come to every morning.
- We continue to provide internal trainings and formalized the city's salary administration through a comprehensive classification and compensation study, while introducing activities to improve recruitment, retention, and leadership development.
- We implemented our RISE Employee of the Month Award Program, with an employee selection committee. Employees who demonstrate our core values are recognized by their supervisors and peers, and selected by a committee of their peers to be formally awarded at a council meeting every month.

- We have expanded our Tuition Reimbursement Policy to increase reimbursement limits and include professional certifications. We have put an emphasis on professional development and training to develop our workforce now and for the future.
- We are hosting more team-building events than ever before. We encourage our teams to meet, interact, learn from each other, and get to know the city. We have moved away from small, individual department-focused team-building events to citywide, all-employee-included team-building events.

All of these efforts are essential to strengthening our teams and ensuring the city's continued success.



2020–2023 Goal 2: Grow Infrastructure and Solidify Finances

We have made significant strides in our goal to “grow infrastructure and solidify finances” through a range of strategic initiatives.

- Removed Procurement and Grants from the Finance Department and created a separate Procurement Department, and Grants Division reporting to the City Manager.
- Our investment portfolio was diversified to maximize interest earning, which amounted to \$12.54 million earned since the beginning of the initiative in 2023. Interest is used as a hedge against increased project costs.
- To enhance our future bond financing capabilities we adopted financial policies for fund balances and reserves.
- We utilized fund balance on immediate infrastructure needs to decreased deferred maintenance.
- For the first time, a five-year Capital Improvements Plan and budget, that systematically plans for the most critical infrastructure improvement needs, was adopted.
- We systematically analyzed revenues and cashflows for transportation projects funded by Transportation Special Purpose Local Option Sales Tax(TSPLOST) and developed proposed amendments that prioritize critical projects that can also be timely completed.
- The use of grants, such as the Local Maintenance & Improvement Grant (LMIG), was increased to reduce reliance on City operating funds.

These efforts collectively support the City of South Fulton’s growth and financial stability.



2020–2023 Goal 3: Increase Community Collaboration and Quality of Life

We have made significant progress toward our goal of “increasing community collaboration and quality of life” through a combination of completed initiatives and ongoing efforts. We have provided citizens with better ways to engage with the city through technology, making it easier to stay informed and involved. Economic Development Stakeholder Sessions remain ongoing, engaging regional interests in the City of South Fulton.

- We established a city-wide Local Emergency Operation Plan (LEOP) and in conjunction with Fulton County EMA, completed the County Hazard Mitigation Plan.
- We successfully developed the Parks Master Plan in 2022, including walking and bike trails, and have since continued to implement initiatives supporting youth diversity programming and services for the aging population.
- We are in the process of completing automatic aid by finalizing agreements with neighboring cities.
- We have increased art activities for citizens and established the Cultural Affairs Department to further enrich cultural programming.
- Our sidewalk plan has improved community walkability.
- 21st Century Policing continues to support crime prevention. Through community meetings, positive publicity, and hotspot plans, we are working to improve public perceptions of crime.
- Additionally, we have documented and implemented community-enhancing initiatives, including back-to-school events.
- We continue to work on a Comprehensive Plan for the City.

All these efforts foster collaboration and improve the quality of life for our residents.

2020–2023 Goal 4: Focus on Economic Development

The nature of this goal is ongoing as we continue to implement and refine key initiatives.

- We have increased communication between Elected Officials from the City of South Fulton and neighboring cities thereby fostering stronger regional collaboration.
- We are in the process of implementing citywide branding for all public-facing materials, ensuring a cohesive identity for residents and others.
- Upgrading our website (cityofsouthfultonga.gov) aims to increase transparency and engage the community even more. The new features will include podcasts and improved user-friendliness.
- Additionally, we are working toward improving our Fire Insurance (ISO) rating from a 3 to a 2, by enhancing our staffing, equipment, training, and support functions. These improvements should help reduce insurance premiums for both businesses and residents.

These efforts are part of our continued commitment to fostering economic growth and improving the city's business environment.



2020–2023 Goal 5: Create an Efficient Government

We have made significant progress toward creating a more efficient government through various ongoing initiatives aimed at improving communication, technology, training, and employee engagement.

- We are working to implement systems to manage workflow, Enterprise Resource Planning (ERP) software programs, and standard operating procedures, along with cross-training employees and integrating risk management software for safety.
- Additionally, the city is working to enhance staff training, improve morale, and align employee performance with city goals.
- Streamlining processes such as benefits administration, implementing mobile technology in vehicles, and auditing IT systems are also underway.
- Completed initiatives include the centralization of technology processes, maximizing online parks tools, and the establishment of Comm-Stat for crime reduction.

These efforts collectively drive greater efficiency and alignment with the city's objectives.



Progress has been made; there is more to do. Building on this progress, we are incorporating elements of these goals into this strategic plan update. Our city is evolving, and these goals will need to be continuously tended to as we grow.



An aerial photograph of a golf course green, surrounded by a circular road and trees. A large, bright green number '6' is centered over the green. The background is a semi-transparent blue overlay.

6

2025 UPDATE

2025 Updated Goals and Objectives

The City of South Fulton aspires to be a vibrant and inclusive community where sustainability, innovation, and economic opportunity flourish. Guided by thoughtful development, responsible resource management, and environmental stewardship, we aim to create a city where growth enhances both the natural environment and the well-being of current and future generations.

1 Enhance Government Efficiency and Productivity

2 Increase Community Collaboration and Improve Quality of Life

3 Enhance the City's Financial Stability and Economic Diversification

4 Strengthen and Expand Infrastructure to Support Sustainability

1

Enhance Government Efficiency and Productivity

Recognizing that transparency is essential for cultivating a citizen-focused, open, and accountable government, we commit to executing a robust framework that encourages collaboration and trust among all stakeholders. We commit to increasing government efficiency and productivity of services through continued evaluation and process development. This will create a more efficient, responsive, and transparent government that serves the best interests of our community.

Our objectives are to:

1. **Implement Performance Management:** Develop a performance management system aligned with strategic plan goals, focusing on enhancing customer satisfaction delivery for all city employees.
2. **Standardize Procedures:** Develop, implement, and adapt standard operating procedures for each department, ensuring public access to guidelines for interacting with city services.
3. **Empower Workforce Development:** Continue to attract, develop, engage, and retain a diverse, highly skilled workforce that reflects the community's needs and enhances overall service delivery.
4. **Enhance and Sustain Communication:** Continuously strengthen communication and collaboration with community members to foster transparency, build trust, and promote shared decision-making in resource allocation.



2

Increase Community Collaboration and Improve Quality of Life

In recognition of the vital role that community collaboration plays in enhancing the quality of life for all residents, this strategic approach fosters safety, inclusivity, and sustainability across our city. By uniting diverse voices and resources, we aim to create an environment where every individual can thrive, feel secure, and engage meaningfully in the community.

Our objectives are to:

1. **Foster a Welcoming Culture:** Cultivate an environment characterized by safety, success, livability, well-being, resilience, sustainability, and inclusivity within the city organization, ensuring that all residents feel valued and embraced.
2. **Ensure Safe and Inclusive Neighborhoods:** Develop neighborhoods where safety and inclusivity are paramount, empowering all residents to thrive in a supportive community atmosphere.
3. **Empower Community Voices:** Strengthen the influence of local community organizations in policymaking processes, particularly concerning human and environmental health issues, ensuring that diverse perspectives inform decisions that affect the lives of our residents.
4. **Enhance Recreational Opportunities:** Provide engaging entertainment and modern recreational venues that cater to the needs of current residents while accommodating the growth and interests of future generations.
5. **Support Community Safety Initiatives:** Collaborate with programs and organizations dedicated to enhancing community safety, promoting neighborhood engagement, and building public trust through transparent and responsive practices. We have supported these efforts with our citizen academies and other initiatives to educate the public.

3 Enhance the City's Financial Stability and Economic Diversification through Strategic Leadership and Community Partnership

We commit to creating a resilient financial foundation and a thriving economic environment that meets the diverse needs of its citizens.

Our objectives are to:

1. **Diversify Revenue Streams:** Ensure that Financial Policies adopted in 2024 are regularly reviewed and updated to meet current conditions and best practices. Identify new revenue opportunities through innovative economic development and the City of South Fulton initiatives.
2. **Foster a Thriving Entrepreneurial Ecosystem:** Partner with stakeholders to include development authorities and other organizations to attract, grow, and support local entrepreneurship. Create incentives and resources for attracting new diverse businesses to support the creation of jobs. Support environmentally conscious businesses that align with sustainable principles and generate long-term prosperity.
3. **Promote Financial Literacy:** Partner with local educational institutions to develop financial literacy programs aimed at empowering all residents— young and old—to make informed financial decisions that strengthen and enhance economic participation.
4. **Evaluate Legislative Impact:** Conduct focus group discussions across all districts to assess the potential impacts of financial and legislative proposals on various citizen segments, ensuring equitable outcomes.
5. **Cultivate Community Attractions:** Identify and enhance the City's unique features and attractions to draw in and welcome newcomers and visitors, fostering a vibrant community atmosphere.
6. **Increase Government Accountability Through Community Participation:** Formalize the Citizen Action Committee and establish regular engagement with the City Manager and designated representatives to increase the accountability of the City Government through collaboration with city leaders. Produce monthly City Government newsletter to give public regular updates on the status of projects, accomplishments and other noteworthy information.

4 Strengthen and Expand Infrastructure to Support Sustainability

To ensure the continued vitality and resilience of South Fulton, we will prioritize the improvement, maintenance, and expansion of our infrastructure. This includes modernizing transportation systems, enhancing street lighting, traffic calming, and pedestrian safety improvements. By addressing current needs and anticipating future demands, we will create a robust, efficient, and adaptable infrastructure that supports the city's growth, fosters economic development, and enhances the quality of life for all residents. This goal will be achieved through strategic investments, innovative technologies, and ongoing community engagement.

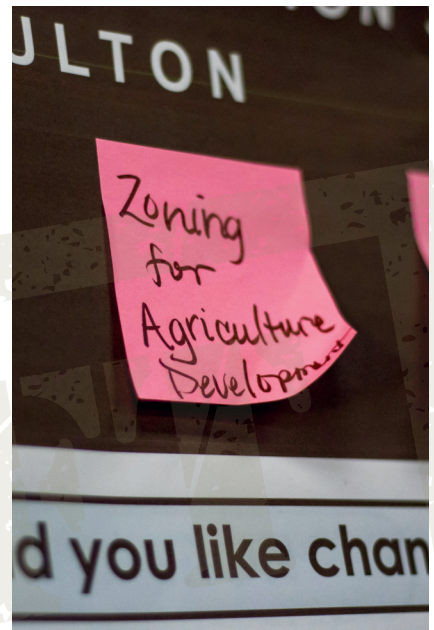


4

Strengthen and Expand Infrastructure to Support Sustainability

Our objectives are to:

1. **Support Diverse Housing Developments:** Plan for a balanced mix of housing options, including affordable starter homes, low-density apartments, and live-work lofts to accommodate diverse community needs. Leverage federal housing programs through the U.S. Department of Housing and Urban Development (HUD) to support new families and first-time homeowners.
2. **Enhance Transportation Infrastructure:** Collaborate and partner with the Metropolitan Atlanta Rapid Transit Authority (MARTA) to bring clarity to public transportation plans and current strategy. Expand rail connections to serve Districts where new commerce centers can be established to boost economic activity, connectivity, and opportunity. Connect routes and schedules with community communications, GIS or mobile apps.
3. **Conserve and Create Green Spaces:** Invest in the purchase of wooded parcels and other natural areas adjacent to new developments to preserve conservation areas and create parklands that benefit the community. Establish significant green corridors throughout the city, particularly in low-lying areas and along waterways, to enhance ecological health and recreational opportunities for residents. Sustain a robust tree canopy and increase tree planting initiatives to create natural shade structures in built environments, enhancing comfort in neighborhoods and public spaces.
4. **Revamp the Waste Management Program:** Reimagine the current waste management program and launch a comprehensive city-wide recycling initiative to promote sustainability and resource efficiency.
5. **Safeguard Agricultural Zones:** Protect agricultural-zoned areas around the city to support community gardens and local commercial farms, fostering local food production and sustainable practices.



An aerial photograph of a golf course green, surrounded by a circular road and trees. A large, bright green number '7' is superimposed over the center of the green. The background is a semi-transparent blue overlay.

7

CLOSING

Closing

The City of South Fulton Council and Staff would like to express our sincere appreciation for your continued support and input regarding the direction and state of our City. Our team pledges to provide the highest quality of service possible to you – our valued citizens, visitors, and stakeholders. We look forward to implementing this plan and making the City of South Fulton a City on the Rise.

In service,

Mayor Kobi

Catherine Foster-Rowell

Helen Z. Willis

Keosha B. Bell

Linda B. Pritchett

Carmalitha Gumbs

Jaceey Sebastian

Natasha Williams-Brown

Sharon D. Subadan, ICMA-CM, MPS, CPM

DRAFT

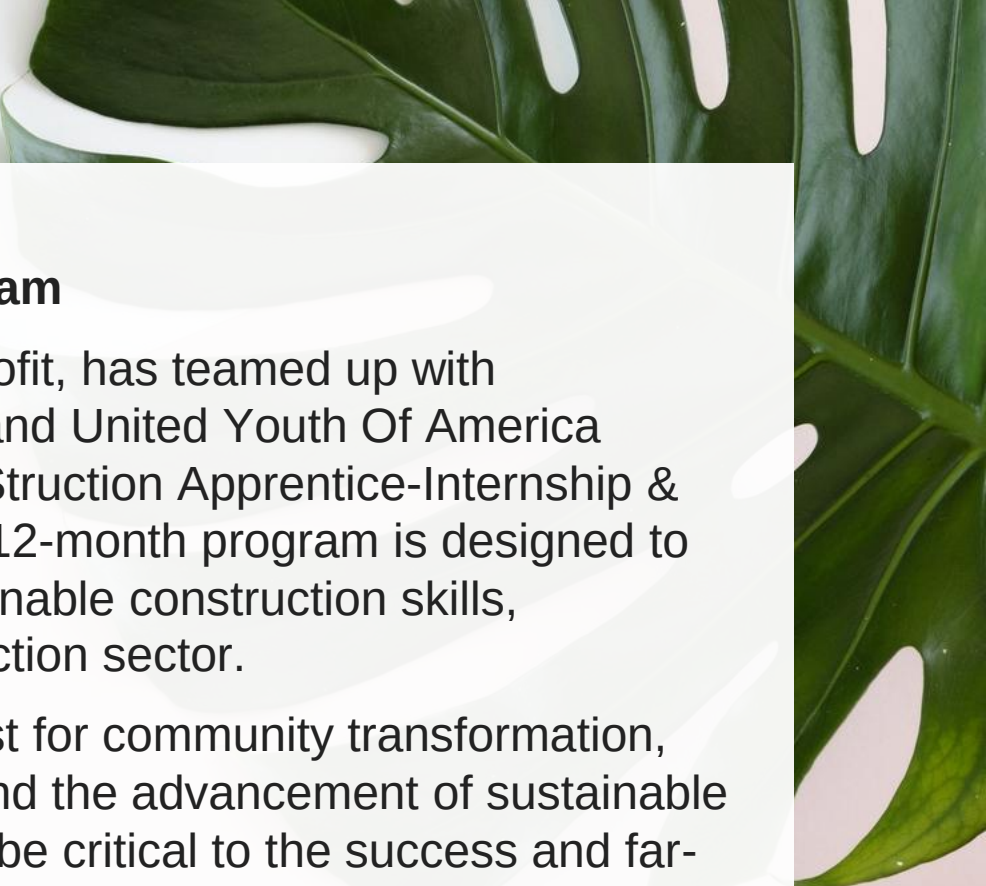
DRAFT



(Apprentice-Internship & Green Workforce Development Initiative)

**Dr. Debra L. Clark- Founder/Project Manager, Project Managers- Instructors
Warren Crawley, Tyrone Williams. Kyle Elliot**





Introduction to GreenSHADES and the Eco-Struction Program

The GreenSHADES Foundation, a recognized 501(c)(3) non-profit, has teamed up with Atelier7LLC, ADU Depot and Aevolve Green Solutions (AGS) and United Youth Of America (National Certification Organization (UYOA)) to launch the Eco-Struction Apprentice-Internship & Green Workforce Development Program. This groundbreaking 12-month program is designed to equip and to certify up to 100 participants with advanced, sustainable construction skills, empowering them to thrive in the rapidly growing green construction sector.

Eco-Struction is more than just a training program; it is a catalyst for community transformation, individual empowerment through job creation and placement, and the advancement of sustainable practices to help Keep Georgia Beautiful. Your partnership will be critical to the success and far-reaching impact of this initiative, helping to establish a national standard for training the next generation of green construction professionals.

Green Building Materials Training

As part of the Eco-Struction training, apprentices will have hands-on training in the use of one of three innovative green building materials to construct affordable, sustainable homes:

How Our Program Supports Key Initiatives

The Eco-Struction program is in alignment with several strategic initiatives, including:

- *Mayor Andre Dickens' Rapid Rehousing Initiative: "Quality Housing for Everyone"*
- *Senator Donzella James' ZERO Waste By 2020 Initiative*
- *GreenSHADES' "Get Your Hands Green/Keep Georgia Beautiful" Campaign*
- *The White House's Net Zero by 2050 Goal*
- *Senate Bill 118/1688 Yes In My BackYard (YIMBY) Act*
- *H.R. 1856 "Ending Homelessness Act of 2019", spearheaded by Rep. Maxine Waters*



Agenda1: Introduction to Eco-Struction-Welcome to Eco-Struction: Pioneering Sustainable Building

Eco-Struction is a forward-thinking initiative undertaken by GreenSHADES, aimed at transforming the construction industry through innovative and sustainable practices. It primarily focuses on developing affordable housing solutions by utilizing eco-friendly materials, thereby addressing the dual challenges of environmental degradation and housing shortages.

A2: Eco-Friendly Building Materials-Innovative Building Materials

Eco-Bricks: Made from recycled plastics, these bricks not only reduce waste but also provide excellent insulation, leading to energy-efficient buildings.

Shipping Container/Modular Construction: Offers a quick and cost-effective solution, repurposing steel containers into durable and adaptable living spaces.

Simulated Insulated Panels (SIM): Known for their high thermal resistance, SIM panels help in reducing heating and cooling costs significantly, promoting energy savings.

A3: Workforce Development Platform-Empowering Tomorrow's Workforce

Eco-Struction acts as a catalyst for workforce development by offering apprenticeships and internships that equip participants with vital skills in sustainable construction practices. This hands-on experience prepares them for future careers in a rapidly evolving industry, ensuring they are well-versed in the latest eco-friendly technologies and methodologies.

A4: Job Creation Potential-Driving Employment Opportunities

Our initiative opens up a plethora of employment opportunities across various sectors:

Construction and Assembly: Direct jobs in building homes and assembling modular structures.

Design and Architecture: Opportunities for creative professionals to design sustainable and functional spaces.

Material Production and Innovation: Jobs in developing and producing eco-friendly materials.

A5: Economic Benefits and ROI-Return on Investment. Analysis of ROI for the tax base, highlighting increased employment and economic activity. : Economic Benefits and ROI-Investing in Eco-Struction yields substantial economic returns:

Tax Revenue: Increased employment leads to higher income tax collection.

Cost Savings: Lower construction and maintenance costs due to efficient building methods.

Community Growth: Enhanced economic activity stimulates local businesses and infrastructure development.

Agenda

A6: Environmental Impact and Resource Savings- Protecting Our Planet. Comparison of environmental impact and resource savings of eco-friendly vs. traditional building methods. By shifting to sustainable building methods, Eco-Struction dramatically reduces the environmental footprint:

Carbon Emissions: Significant reduction in emissions compared to traditional construction. **Resource Efficiency:** Less reliance on non-renewable resources, preserving them for future generations. **Waste Reduction:** Utilization of recycled materials minimizes landfill use.

A7: Government and Community Contributions: Collaborative Efforts for Success. How county governing entities can support Eco-Struction. Collaboration with county governing entities is crucial for the success of Eco-Struction.

Financial Support: Grants and subsidies to offset initial costs. **Resource Donations:** Contributions of land or materials for training purposes. **Live Build Projects:** Community-driven projects that provide practical experience for apprentices.

A8: Legislative Support: Crafting Supportive Legislation- The importance of legislative backing for eco-friendly building initiatives and suggested policies. Supportive legislation can accelerate the adoption of sustainable building practices:

Incentives for Green Building: Tax breaks and incentives for projects meeting sustainability criteria.

Regulations on Waste Reduction: Policies encouraging the use of recycled materials.

Zoning Laws: Adaptations to accommodate modular and container homes. **Allotment of Electronic Waste Recycling and Resale:** Allocating a portion of the counties' Electronic Waste Contracts to R2 Recycler to properly dispose of waste and to resell equipment.

A9: Case Studies and Success Stories” Proven Impact. Examples of successful eco-friendly construction building projects and their impact on the community.

Introduction to the Manufacturers/ Project Managers who will provide the training & Q-A opp of their housing models.

Community Testimonial Stories from apprentice-interns who are benefitting from the training opportunities

Economic Data: Evidence of cost savings and environmental benefits from completed projects.

A10: Call to Action- Join the Eco-Struction Movement: An Invitation to partners, sponsors, and supporters to join the initiative. The presentation concludes with a compelling call to action, urging stakeholders to join the Eco-Struction movement. By becoming partners, sponsors, or advocates, how they can contribute to a more sustainable future while reaping the economic and social benefits of this innovative initiative.



Proclamation

City of South Fulton

WHEREAS, on this day, we recognize Dr. Debra Clark, environmentalist and founder of GreenSHADES Community, Inc., Hope@the Holidays, ECO Struction, and GreenSHADES Foundation for her contributions which began over a decade ago in the City of South Fulton; and

WHEREAS, as Dr. Clark continues in her passionate pursuit to Keep Georgia Beautiful through recycling, eco-education, and partnerships through Earth friendly community events. Through these activities, she has been able to provide sustainable solutions to underserved populations and address food and shelter insecurity; and

WHEREAS, GreenSHADES has entered into partnership with The City of South Fulton District 7 Councilwoman Linda Pritchett to host a series of Hello Fresh Food Giveaways and other activities to provide nutritious food to seniors, veterans, and those experiencing food insecurities; and

WHEREAS, Dr. Debra Clark has developed a visionary and revolutionary project through ECO Struction that will manufacture alternative and sustainable housing solutions that will divert the disposal of shipping containers, use modular, and/or green brick structures that which will be used to create affordable homes; and

WHEREAS, through the ECO Struction Apprenticeship program model, GreenSHADES will create jobs and teach valuable trade skills to unsheltered seniors, veterans, and those ready to work in the South Fulton Area and other communities of need throughout Georgia. By converting recycled cargo containers into affordable dwelling units, Dr. Clark has proven that it is possible to reduce the cost of building affordable housing.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council recognize and salute Dr. Debra Clark, GreenSHADES, Hope@the Holidays, and ECO Struction and do hereby proclaim, June 24, 2023, as **DR. DEBRA CLARK APPRECIATION DAY** in the City of South Fulton, Georgia.

Councilwoman Linda Becquer Pritchett, District 7



WORLD
GREEN
BUILDING
COUNCIL

SUSTAINABLE DEVELOPMENT GOALS



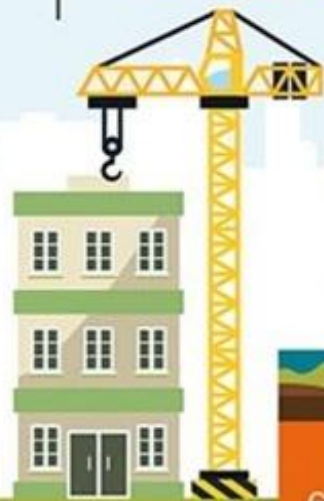
Green buildings can improve people's health & wellbeing

3 GOOD HEALTH AND WELL-BEING



Green buildings can use renewable energy, becoming cheaper to run

7 AFFORDABLE AND CLEAN ENERGY



Building green infrastructure creates jobs & boosts the economy

8 DECENT WORK AND ECONOMIC GROWTH



Green building design can spur innovation & contribute to climate resilient infrastructure

9 INDUSTRY, INNOVATION AND INFRASTRUCTURE



Green buildings are the fabric of sustainable communities & cities

11 SUSTAINABLE CITIES AND COMMUNITIES



Green buildings use 'circular' principles, where resources aren't wasted

12 RESPONSIBLE CONSUMPTION AND PRODUCTION



Green buildings produce fewer emissions, helping to combat climate change

13 CLIMATE ACTION



Green buildings can improve biodiversity, save water resources & help to protect forests

15 LIFE ON LAND



Through building green we create strong, global partnerships

17 PARTNERSHIPS FOR THE GOALS



Introduction to GreenSHADES and the Eco-Struction Program

The GreenSHADES Foundation, a recognized 501(c)(3) non-profit, has partnered with **Atelier7 LLC, ADU Depot, Aevolve Green Solutions (AGS), AEMGTV Media and United Youth of America (UYOA)** to launch the **Eco-Struction Apprentice-Internship & Green Workforce Development Program**. This groundbreaking 12-month initiative is designed to train and certify up to 100 participants in advanced sustainable construction techniques, preparing them for careers in the rapidly expanding green building sector.

Eco-Struction goes beyond traditional training—it serves as a catalyst for community revitalization, job creation, and the widespread adoption of sustainable building practices, directly supporting efforts to Keep Georgia Beautiful. By partnering with this initiative, you play a crucial role in shaping the future of green construction and establishing a national training standard for the next generation of eco-conscious professionals.

Green Building Materials Training

Through hands-on, real-world experience, apprentices will gain expertise in three cutting-edge sustainable building materials used to construct affordable, energy-efficient homes:

- ◆ **Simulated Insulated Modules (SIM Panels):** Lightweight, high-performance insulation panels that enhance energy efficiency and reduce construction time.
- ◆ **Modular & Shipping Container Homes:** Prefabricated, adaptable structures that optimize resource use and lower environmental impact.
- ◆ **Green Bricks & Recycled Materials:** Eco-friendly alternatives to traditional building materials, minimizing carbon footprints while ensuring durability.

This comprehensive training program equips apprentices with essential skills, industry-recognized certifications, and direct job placement opportunities, fostering a skilled workforce ready to lead the future of green construction.

The Eco-Struction Apprentice-Internship & Green Workforce Development Program is designed to train, certify, and place participants in careers within the sustainable construction industry. It bridges the gap between traditional trades, modern green technologies, and workforce development, ensuring that apprentices gain practical, hands-on experience with cutting-edge eco-friendly building materials and methods.

Core Features of the Eco-Struction Program

1. Industry-Aligned Curriculum & Certifications

- Duration: 12 months (divided into classroom learning, hands-on training, and on-site construction projects).
- National Certifications: Participants earn industry-recognized credentials through the United Youth of America (UYOA) and other certifying organizations.
- Job Readiness: Includes OSHA safety training, leadership development, and entrepreneurship education to prepare participants for long-term careers.

2. Hands-On Training with Green Building Materials

Participants will work with three innovative, sustainable building materials that redefine affordable and net-zero housing:

- ◆ Simulated Insulated Modules (SIM Panels)
 - What They Are: Prefabricated, high-performance insulated panels designed for quick, cost-effective, and energy-efficient construction.
 - Why They Matter:
 - Faster build times compared to traditional framing.
 - Superior insulation properties for energy-efficient homes.
 - Reduced labor costs and waste.

◆ **Modular & Shipping Container Homes**

- What They Are: Prefabricated modular homes and repurposed shipping containers converted into sustainable living spaces.
- Why They Matter:
 - Speed: Modular and container homes can be built 50% faster than traditional structures.
 - Adaptability: Easily scalable for ADUs, tiny homes, disaster relief housing, and workforce housing.
 - Resource Efficiency: Repurposing shipping containers reduces steel waste and extends their lifecycle.

◆ **Green Bricks & Recycled Materials**

- What They Are: Environmentally friendly bricks made from recycled materials, including construction waste, fly ash, or bio-based components.
- Why They Matter:
 - Lower Carbon Footprint: Reduces reliance on traditional concrete, a major CO₂ emitter.
 - Energy Efficiency: Enhances insulation, reducing heating and cooling costs.
 - Local Sourcing: Can be produced using regionally available recycled materials, cutting down transportation emissions.

How the Program Works

1. Recruitment & Enrollment

- Open to young adults, veterans, second-chance individuals, and career changers interested in green construction.
- No prior experience required training is structured to accommodate all skill levels.

2. Technical Training & Certifications

- Apprentices receive in-depth education in eco-friendly construction methods, energy-efficient design, and sustainable material usage.
- Safety and compliance training, including HVAC, OSHA 30 and CPR certification, ensures job site readiness.

3. Hands-On Construction Projects

- Apprentices work on real-world housing projects, using SIM panels, modular systems, and green bricks to construct affordable, energy-efficient homes.
- Opportunities to build tiny homes, ADUs (Accessory Dwelling Units), and community housing.

4. Job Placement & Entrepreneurship Support

- Graduates transition into full-time employment, enter union apprenticeship programs, or launch their own sustainable construction businesses.
- Partnerships with local governments, businesses, and non-profits ensure high placement rates.

Benefits to Stakeholders & Communities For Apprentices & Interns

- Hands-on experience in cutting-edge green construction.
- Industry-recognized certifications and direct job placement.
- Opportunities for high-demand, well-paying careers.

For Local Governments & Counties

- Supports workforce development and reduces unemployment.
- Provides skilled labor for affordable housing and infrastructure projects.
- Enhance sustainability initiatives and net-zero community goals.

For Businesses & Investors

- Access to a trained, job-ready workforce in the green construction sector.
- Tax incentives and government grants for hiring apprentices.
- Increased profitability through sustainable and cost-effective building methods.

Why This Matters: The Future of Green Construction

The Eco-Struction Program is more than just job training—it's a movement to redefine the construction industry, making it more sustainable, efficient, and accessible. With the integration of SIM Panels, modular housing, and green bricks, this initiative has the potential to revolutionize affordable housing and create a new wave of skilled workers in the green economy.

By investing in this program, you are empowering individuals, transforming communities, and driving a more sustainable future.







Dr. Debra L. Clark



Dr. Debra L. Clark
Founder, GreenSHADES Foundation

Direct 678-887-7033 | **Mobile** 770-203-3929

Email drdebralclark@gmail.com

Parent Company 501(c)(3)
GreenSHADESFoundation.com

Construction & Operations
GreenSHADESCommunity.com

Community Outreach
HopeAtTheHolidays.org





AN ORDINANCE TO AMEND SECTION 1-3002, SUBSECTION (e.1), CHAPTER 3 - MAYOR AND COUNCIL OF TITLE 1 – ADMINISTRATION, REGARDING THE ORDER OF BUSINESS FOR WORK SESSIONS; AND FOR OTHER LAWFUL PURPOSES

(Sponsored by Councilmember Williams-Brown)

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof ("City Council"); and

WHEREAS, pursuant to City Charter Section 3.13, the City Council shall hold regular and, where necessary, specially called public meetings to transact the City's business; and

WHEREAS, pursuant to City Charter Section 3.22, the Mayor shall have prepared an "agenda for each meeting of the city council which shall include all business submitted by the mayor, any councilmember, the city manager, and the city attorney"; and

WHEREAS, work sessions are subject to the Open Meetings Act and must be posted and open to the public except for those issues that by law are permitted to be addressed in closed session; and

WHEREAS, work sessions provide the opportunity for city council to focus on long-term decisions rather than the day-to-day management issues that confront the city; and

WHEREAS, work sessions can help make regular sessions more productive and shorter and can be used for goal-setting, budget review, staff briefings or to provide opportunities for council/board members to study difficult issues, clarify problems and gather and analyze information; and

WHEREAS, the format for the work sessions shall promote efficiency in council operations but not to take action; and

WHEREAS, the City Council on [date] adopted Ordinance number 2022-019 that established work session criteria and/or procedures; and

WHEREAS, this ordinance is in the best interest of the City, its citizens and the efficient operation of the City.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as follows:

Section 1. That Section 1-3002, Subsection (e.1) (Order of Business for Work Sessions) of Chapter 3 (Mayor and Council) of Title 1 (Administration) of the City of South Fulton Code of Ordinances is hereby amended as follows:

(e.1) *Order of business for work sessions.* When a quorum is present the council shall proceed to the business before it, which shall be conducted in the following order:

The first meeting of the month:

(1) City manager items.

a. Staff reports. **The City Manager's monthly report shall include an update on City Initiatives aligned with the Strategic Plan.**

b. ~~Update city initiatives aligned with strategic plan.~~ **Finance reports shall be provided at least quarterly.**

c. ~~Briefing on city contracts/purchases exceeding \$25,000.00.~~

(2) Staff Presentations (not to exceed three)

(3) Executive Session (if necessary)

The second meeting of the month:

~~(2)~~**(1)** Presentations at the request of the mayor and/or city council (not to exceed two presentations by request of the mayor and two presentations at the request of city council, by order of request and documented by official city email).

~~(3)~~ **(2)** Executive session (if necessary).

~~(4)~~ City attorney report, if action taken in executive session.

~~(5)~~ **(3)** Adjournment.

The work session agenda for the meeting may be amended upon two-thirds vote of the council.

All reports and presentations shall be submitted in writing to the city clerk by 5:00 p.m. on the Thursday preceding the work session for inclusion in the work session agenda packet.

The Work Session agenda for the meeting may be amended upon two-thirds vote of the council.

All reports and presentations **listed on the approved agenda** shall be submitted in writing to the city clerk **no later than** by 5:00 pm on the Thursday preceding the work session for inclusion in the work session agenda packet.

Section 2. Amendments are shown with strikethrough to denote text to be deleted and bold underline to denote text to be added. Where new sections or paragraphs are added that change the numbering of existing sections or paragraphs, all references throughout the Ordinance will be updated accordingly.

Section 2. That Title 1 (ADMINISTRATION), Chapter 3 (MAYOR AND COUNCIL), Section 1-3002 (Presiding officer and rules for debate), subsection (g) (Agenda, preparation of; public comment), subsection (2)(a), be amended to read as follows:

(g) *Agenda, preparation or,- public comment.*

(2) (a) To have an item placed on the agenda for consideration at a City Council work session meeting, it must be submitted electronically for consideration to the City Clerk **by 5:00 p.m. at least eleven (11) days (Friday) prior to the work session date.** ~~12:00 p.m. (noon) on the Wednesday immediately preceding the work session date.~~ Any supporting documents germane to the item should also be submitted. To have an item placed on the agenda for consideration at a City Council regular monthly meeting, it must be timely submitted for consideration at the City Council work session which precedes such regular monthly meeting.

Section 3. It is hereby declared to be the intention of the Mayor and Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. 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 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 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.

Section 4. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section 5. The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

Section 6. The effective date of this Ordinance shall be the date of adoption unless provided otherwise by the City Charter or state and federal law.

[signatures and voting tabulations appear on the following page



MAYOR'S SIGNATURE PAGE

Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within two business days following the adoption of such ordinance, resolution, or other action by the city council. The mayor shall have the right to veto any ordinance, resolution, or other action adopted by the city council, in accordance with the procedures set forth in this section. The mayor, within five business days following receipt of an ordinance, resolution, or other action adopted by the city council, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance, resolution, or other action adopted by the city council has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance, resolution, or other action adopted by the city council to the city clerk within five business days of receipt, it shall become law at 12:00 Midnight on the fifth business day after receipt. If an ordinance, resolution, or other action adopted by the city council is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reason for the mayor's veto. The city clerk shall record upon the ordinance, resolution, or other action adopted by the city council the date of its delivery to and its receipt from the mayor. An ordinance, resolution, or other action adopted by the city council vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. Votes to override mayoral vetoes shall only occur at regular scheduled meetings of the city council and cannot occur at a special meeting or emergency meeting. If the minimum number of councilmembers necessary to vote to override the veto are not present, the action may be continued until the next meeting at which such minimum number of councilmembers are present. The city council may override a veto by the mayor and adopt any ordinance, resolution, or other action adopted by the city council that has been vetoed by the mayor by the affirmative votes of at least five councilmembers, not including the mayor.

The mayor acknowledges receipt of the noted Item listed below:

Date of Adoption: November 28, 2023 **Item Number:** ORD2023-035

Subject: AN ORDINANCE TO AMEND SECTION 1-3002, SUBSECTION (e.1), CHAPTER 3 - MAYOR AND COUNCIL OF TITLE 1 – ADMINISTRATION, REGARDING THE ORDER OF BUSINESS FOR WORK SESSIONS; AND FOR OTHER LAWFUL PURPOSES

Date Received by Mayor: _____ November 30, 2023 _____

☐ APPROVED

☐ DISAPPROVED

Mayor's Signature: _____

Date to City Clerk: _____

** Mayor did not sign*

CS

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE No. 2017-003

ADOPTION OF ORDINANCES GOVERNING CITY COUNCIL MEETINGS.

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, Act 421, 2016 p. 3726, passed during the 2016 session of the Georgia General Assembly, creates the City of South Fulton Charter (the "Charter");

WHEREAS, the Charter provides that the City of South Fulton incorporates on May 1, 2017;

WHEREAS, Section 7.15(c) of the City Charter authorizes the elected Mayor and City Councilmembers to meet prior to May 1, 2017 and take actions to bind the City;

WHEREAS, on April 23, 2017, the Fulton County City Council of Elections certified the election results of the runoff elections of the Mayor and City Councilmembers;

WHEREAS, the City is charged holding and conducting meetings;

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS
as follows:

Section 1: The City of South Fulton Code of Ordinances, Part 2, Title 1 is established as follows:

Title 1: USE OF THE CODE

CHAPTER 1. - GENERAL PROVISIONS

Sec. 1-1001. - How Code designated and cited.

The ordinances embraced in the following parts, chapters, articles and sections shall constitute and be designated "The Code of Ordinances, City of South Fulton, Georgia," and may be so cited.

Sec. 1-1002. - Reserved.

Sec. 1-1003. - Rules of construction.

In the construction of this Code and all ordinances, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the city council:

- (1) *Charter*. The word "Charter" shall mean the Charter of the City, as it now exists or as it may be amended in the future.

- (2) *City*. The words "city," "the city" or "this city" shall be construed as if the words "of South Fulton, Georgia" followed them.
- (3) *Code*. Whenever the term "Code" or "this Code" is referred to without further qualification, it shall mean The Code of Ordinances, City of South Fulton, Georgia, as designated in section 1-1001.
- (4) *Computation of time*. Unless otherwise specifically provided, the time within which an act is required by law to be done shall be computed by excluding the first day or the last; except that if the last day shall fall on Saturday, Sunday or a legal holiday, another day shall be added in the computation.
- (5) *Council*. The words "council" or "city council" shall be construed as if the words "of South Fulton, Georgia" followed them.
- (6) *County*. The words "the county" or "this county" shall mean Fulton County, Georgia.
- (7) *Court*. The word "court" shall mean the recorder's court of the city.
- (8) *Gender*. The masculine gender includes the feminine and the neuter.
- (9) *Joint authority*. All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers, or to a quorum.
- (10) *Judge*. The word "judge" shall mean the judge of the city court of the city.
- (11) *Keeper and proprietor*. The words "keeper" and "proprietor" shall mean and include persons, firms, associations, corporations, clubs and co-partnerships, whether acting by themselves or as a servant, agent or employee.
- (12) *Land*. "Land" and "real estate" includes rights and easements of an incorporeal nature.
- (13) *Month*. The word "month" shall mean a calendar month.
- (14) *Number*. The singular or plural shall each include the other, unless expressly excluded.
- (15) *Oath*. The word "oath" includes affirmation. When an oath is required or authorized by law, an affirmation in lieu thereof may be taken by a person having conscientious scruples against taking an oath. An affirmation has the same force and effect as an oath.
- (16) *Officers, departments, boards, commissions*. Any reference to the title of an officer, department, board or commission shall be construed as if the words "of South Fulton, Georgia" followed them.
- (17) *O.C.G.A.* The abbreviation "O.C.G.A." shall mean the Official Code of Georgia Annotated, as amended.
- (18) *Or, and*. "Or" may be read "and," and "and" may be read "or" if the sense requires it.
- (19) *Owner*. The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, and joint tenant or person in possession under a bond for title.
- (20) *Person*. The word "person" shall extend and be applied to associations, firms, partnerships and bodies politic and corporate as well as to individuals.

- (21) *Personal property.* The term "personal property" means all tangible personal property and all intangible personal property as the terms are defined in O.C.G.A. § 48-1-2(19).
- (22) *Preceding, following.* The words "preceding" and "following" mean next before and next after, respectively.
- (23) *Property.* The term "property" includes real and personal property.
- (24) *Public place.* The term "public place" shall mean any place where the conduct involved may reasonably be expected to be viewed by people other than members of the actor's family or household.
- (25) *Real property.* The term "real property" shall include all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest, right, and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.
- (26) *Shall, may* The word "shall" is mandatory; the word "may" is permissive.
- (27) *Sidewalk.* The word "sidewalk" shall mean that portion of a street between the curb lines or the lateral lines of a railway, and the adjacent property lines, intended for by use pedestrians.
- (28) *Signature or subscription.* "Signature" or "subscription" includes the mark of an illiterate or infirm person.
- (29) *State.* The words "the state" or "this state" shall be construed to mean the State of Georgia.
- (30) *Street.* The word "street" shall mean the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (31) *Tenant or occupant.* The words "tenant" or "occupant," applied to a building or land, shall include any person holding a written or oral lease of, or who occupies, the whole or a part of, such building or land, either alone or with others.
- (32) *Tense.* Words used in the past or present tense shall include the future as well as the past and present.
- (33) *Written, in writing.* "Written" or "in writing" shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.
- (34) *Year.* The word "year" shall mean a calendar year.

Sec. 1-1004. - Severability of parts of Code.

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code, or its application to any persons or circumstances, shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or other invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code or their application, since the same would have been enacted by the city council without the incorporation in this Code of any such unconstitutional or otherwise invalid phrase, clause, sentence, paragraph or section.

Sec. 1-1005. - Catch lines of sections, etc.

The catch lines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of the sections nor as any part of the section, nor unless expressly so provided, shall they be so deemed when any of the sections, including the catch lines, are amended or re-enacted. No provision of this Code shall be held invalid by reason of deficiency in any catch line or any heading or title to any part, chapter or article.

The history notes appearing in parenthesis after sections in this Code are not intended to have any legal effect but are merely intended to indicate the source of matter contained in the sections.

The editor's notes, Charter references, cross references and state law references in this Code are not intended to have any legal effect but are merely intended to assist the user of this Code.

Sec. 1-1006. - General penalty; continuing violations.

Whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of such provision of this Code any such ordinance shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment in the city jail for not more than ninety (90) days, or labor on the public works or streets in the city for not more than ninety (90) days, or community service work for not more than ninety (90) days, subject to all limitation contained in the charter of the city. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

Sec. 1-1007. - Reserved

Sec. 1-1008. - Reserved

Sec. 1-1009. - Reserved

Sec. 1-1010. - Formal motion, resolution or recommendation required for passage of new ordinance.

No proposed ordinance for introduction or consideration and enactment thereof shall be drawn, prepared or considered for enactment, which shall not have been previously requested by a formal motion, resolution or recommendation of someone (1) or more members of the city council, and entered on the minutes of the city council.

Sec. 1-1011. - Altering Code.

It shall be unlawful for any person in the city to change or amend by additions or deletions, any part or portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever except by ordinance or resolution or other official act of the city council, which will cause the law of the city to be misrepresented thereby.

Sec. 1-1012. - Official city time.

- (a) Time referred to in ordinances, resolutions, rules and regulations of the city shall mean Eastern Standard Time, and acts and deeds of commission prohibited after a named hour or before a named hour shall be held and understood to mean such

hour by Eastern Standard Time, and wherever any reference to time is made in any of the ordinances and regulations of the city, the rules, ordinances and regulations are hereby amended to provide that the time provided therein shall be and is hereby made Eastern Standard Time in accordance with the laws of this state.

- (b) Notwithstanding the provisions of subsection (a), Eastern Daylight Saving Time shall apply when such time is in effect in this state.

Sec. 1-1013. - Reserved

Sec. 1-1014. - Supplementation of Code.

- (a) By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the mayor and council. A supplement to the Code shall include all substantive parts of permanent and general ordinances passed by the mayor and council during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In the preparation of a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:
- (1) Organize the ordinance material into appropriate subdivisions;
 - (2) Provide appropriate catch lines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catch lines, headings, and titles;
 - (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
 - (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be or to "sections _____ to _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated in the Code); and
 - (5) Make other nonsubstantive changes necessary to preserve the original meaning of the ordinance sections inserted in the Code; but in no case, shall the codifier make any change in the meaning or effect of ordinance material included in the supplement of already embodied in the Code.

Title 2: Legislature

Ch. 1. General Provisions

Ch. 2. Mayor and Council

Ch. 3. Elections

Ch. 4. Ethics Policy

CHAPTER 1. - GENERAL PROVISIONS

Sec. 2-1001. - Public records; ordinances, resolutions; removal from office; penalty.

No original book, record, paper, document, bond, receipt, order, check, writing, or entry thereon shall be removed from the office, agency, or department wherein it belongs, except by special permission of the city council or written direction of the mayor, and then only for such temporary time and legitimate purpose as may be lawful and necessary, nor shall any unauthorized erasure, alteration, obliteration, mutilation, concealment, or destruction of any of the foregoing be allowed.

Sec. 2-1002. - Same; bonds, contracts, etc.; duty to file with city clerk.

It shall be the duty of every officer, agent and employee of the city and of every officer, agent and employee of every board, bureau, commission, committee and department of the city, to promptly file and deposit, for safekeeping with the city clerk, every bond, contract and writing required of him by the city, or required by any board, bureau, commission, committee, department, officer, agent or employee of the city.

Sec. 2-1003. - Same; reception and safekeeping by clerk; withdrawal from custody.

It shall be the duty of the city clerk to receive and safely keep any and all bonds, contracts, papers and writings required by the city or required of officers, agents and employees of the several departments, boards, bureaus, commissions and committees of the city; and bonds, contracts, papers and writings filed and deposited with the city clerk, as required by this section and the preceding section of this chapter, shall not be withdrawn from the custody of the city clerk, except with the approval of the city council.

Sec. 2-1004. - Same; issuance of certificate showing presence or absence of liens.

On completion of an examination of land records the clerk or his assistant shall furnish the person making written request for the examination, his agent or attorney a certified statement under the corporate seal of the city, showing whether the city has any tax, sewer, sidewalk or other liens, assessments or charges against the property particularly described in such written request, which certified statement shall be in substantially the following form:

CITY OF SOUTH FULTON CERTIFICATE

I do hereby certify that all that tract or parcel of land situated, lying and being in the City of South Fulton, and more particularly described on the books of said city as follows:

(Here insert city description of property)

is not subject to any City of South Fulton liens, assessments or charges except as follows:

Taxes			Sewers			Sidewalks			Other		
Prin.	Int.	Cost	Prin.	Int.	Cost	Prin.	Int.	Cost	Prin.	Int.	Cost
\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Year _____											
Year _____											
Year _____											
Year _____											
Year _____											
Year _____											
Year _____											
Year _____											
Year _____											
Year _____											

I do not certify as to any particular description, size, frontage, depth, lines or boundaries of said property except as indicated above, nor do I certify anything as to the ownership of said property.

IN WITNESS WHEREOF, I have hereunto set my official signature and the seal of said city this _____ day of _____, year _____.

South Fulton City Clerk

Sec. 2-1005. - Correspondence, writings, to be spread upon minutes of council; exceptions.

Letters to the mayor, city council, councilman committees, or to any other employee, officer, or agencies of the city, and any other writings relating to contracts or proposed contracts, and all formal appeals, claims, complaints, offers, proposals, acceptance, agreements, objections and refusals requiring action by the city council shall be included in and spread upon its minutes, but such minutes shall not include mere complimentary communications or letters of appreciation or thanks which do not require action thereon by the city council or some agency of the city, nor admit proper performance of a contract or duty imposed on the city by law.

Sec. 2-1006. - Documents to which city is a party to be approved by authorized agent.

It shall be unlawful for any officer or employee of the city to prepare any ordinance or resolution or fill out any claim, complaint, blank form or application or to type any letter, or answer or reply to any of them, against, or for presentation to the city or any agency thereof; or to prepare any notice, advertisement, deed or contract to which the city, or any agency thereof may be a party for the protection of anyone other than the city, its officers or employees, but all of such documents to which the city or any agency thereof may be or become a party shall be subject to the approval by the city's duly authorized agent in such case.

Sec. 2-1007. - Right-of-way deed or easement; approval; waiver.

- (a) No right-of-way deed or easement shall hereafter be accepted on behalf of the city by its city council unless nor until the same shall have been approved in writing by the head of the city agency involved and the city engineer, nor unless the form and legality is also approved in writing by the city attorney; provided, that such prior written approval of any or all of such persons may be waived, by resolution of the city council when the reasons of such persons for their failure to so approve such conveyance or easement are submitted in writing to the city council with such proposed conveyance or easement, and after consideration of such reasons the city council shall consider the same, and may waive the condition and accept the right-of-way deed or easement.
- (b) The city shall not hereafter accept any right-of-way conveyance or easement for the purpose of opening, widening, extending, straightening, curbing, grading, paving, constructing, improving or relocating any street, sidewalk, street curb, storm drain, water, or electric lines, or other public improvement, other than those acquired by the exercise of the power of eminent domain, without express formal approval thereof by the city council, unless the form of such conveyances or easements are of the uniform standards required by the city, including the rights of ingress to and egress from all parts of the rights-of-way, at all reasonable times for the purpose of inspecting and to clear and maintain the same, and to install, construct, repair and maintain therein, the public improvements for which the rights-of-way are obtained with easements for necessary fills, slopes, embankments, supports, walls, approaches, excavations, tree trimming, and all other rights, powers, and authority necessary or incident to a proper exercise of the rights expressly granted; and no exceptions or favors shall apply in any case which do not apply in all other similar cases unless it is expressly authorized by resolution of the city council.

Sec. 2-1008. - Contracts to contain authorization source.

All formal or written contracts of the city shall state when and how they were authorized, and if authorized by a resolution of the city council, the numbered paragraph of the city council minutes containing the resolution.

Sec. 2-1009. - Performance of work, services, etc. by city on private property; deed, easement, covenant of indemnity required.

It shall be unlawful for any officer, employee, agency or department of the city to perform any work, render any service or furnish any materials in the improvement of any private property before a formal recordable deed or easement, and release covenant of indemnity running with the land shall have been obtained therefor; whereby the city, its officers, agents, employees and contractors shall be granted the necessary right-of-

way, with rights of ingress and egress, and released from and indemnified against any and all liability for personal injury and property loss, damage, costs, and expenses or claims therefor for alleged willful or negligent acts or conduct of the city and its officers, employees, agents or contractors, or any of them in performance of such work, or in connection therewith, and even then no such materials, service or work shall be furnished in improvement of private property except to such extent as the city shall have contributed to the creation of conditions requiring it.

Sec. 2-1010. - Submission, referral of applications to city, agency, department, officer, employee; action thereon.

All applications to the city, or to any agency, department, officer or employee of the city for which applications no other ordinance shall have specifically been provided, shall be made in writing in duplicate, dated, consecutively numbered, and shall be signed by the applicant, and then considered approved, granted or denied within a reasonable time, or referred in writing to the appropriate city agency, committee, officer or employee for investigation, study, report and recommendation, and a copy thereof, together with a copy of the writing referring the same, shall be retained by the officer, agency or employee so referring.

Sec. 2-1011. - Execution of written contracts.

Every written contract to which the city is a party shall be executed on behalf of the city by the mayor thereof in the name of the city, or in event of his absence, disability, or disqualification by the mayor pro tem of the city and attested by the city clerk, or in event of his absence, disability or disqualification by the assistant clerk of the city, unless and except when the city council shall authorize and direct some other officer or agent to execute the written contract on behalf of the city.

Sec. 2-1012. - Applications, claims, petitions, similar matters; writing required.

No application, claim, complaint, demand, objection, offer, petition or report, nor any answer or reply thereto, will be entertained or considered by the city or any agency, department, officer, agent or employee thereof unless nor until the same is reduced to writing, dated and signed by the person or persons making such application, claim, complaint, demand, objection, offer, petition or report, or making the answer or reply thereto.

Sec. 2-1013. - Same; indexing, filing, retention.

Every application, claim, complaint, demand, objection, offer, petition, report, answer or reply made to or filed with the city or any agency or department thereof, shall be properly indexed, filed and safely kept, and a copy of every application, claim, complaint, demand, objection, offer, petition, report, answer or reply by the city or any agency or department thereof shall be likewise properly indexed, filed and retained by the officer or agent making the same.

Sec. 2-1014. - Same; contents generally.

Every application, claim, complaint, demand, objection, offer, petition, report, answer or reply shall consist of a plain, simple, clear and distinct statement of the facts stating the time, place and circumstances, and the nature of the facts set forth as the basis of the application, claim, complaint, demand, objection, offer, petition, report,

answer or reply with the names of the persons involved if possible, but if this be not possible then by a description or other identifying information.

Sec. 2-1015. - Same; injury, damage, prejudice to be indicated.

Every application, claim, complaint, demand, objection, offer, petition or report made to or filed with the city or any officer or agency thereof shall indicate how and wherein the persons filing the same have been or will be injured, damaged or prejudiced unless the relief sought by them is granted.

Sec. 2-1016. - Same; scope of hearing restricted.

In any hearing on any application, claim, complaint, demand, objection, offer, petition, report, answer or reply before the city council or before any officer, agency or authority of the city, the chairman or presiding officer in such hearing shall restrict and confine discussion to the issues defined by the writings, and unnecessary, irrelevant matters shall not be considered.

Sec. 2-1017. - Official organ; designation.

The official newspaper of the city shall be determined by resolution of the mayor and city council. It shall be a newspaper of general circulation within the city.

Sec. 2-1018. - Same; advertisement of tax sales, etc.

All sales under tax or other executions due the city, unless otherwise provided by law, shall be advertised in the official newspaper. All other advertisements for and in behalf of the city shall be advertised in the official newspaper unless required by law to be advertised in some other paper.

Sec. 2-1019. - Franchises; grant, amendment, abandonment, discontinuance; notice, hearing requirements.

No final action, except in case of necessity, shall be taken on any application for a franchise, or for an amendment of one already granted, if the applicant be a common carrier of passengers or goods, such as a railroad, express company, bus, truck, motor, taxicab or other line, person, firm or corporation, engaged in transportation of passengers or goods for hire; nor on any original application for a franchise, nor for an amendment of one already granted if the applicant be engaged in transportation or transmission of electricity, power, gas, telephonic or telegraphic service or petroleum products, without prior publication of notice by the city at the applicant's expense of the time and place when the action will be taken, which notice shall state that the application has been filed, and shall be published and directed to all persons at interest. It shall be published in each of the two (2) consecutive weeks in the official newspaper of the city; provided, an original franchise shall in no case be granted, unless nor until such notice shall have been so published; provided, further, that permanent abandonment, stoppage, discontinuance or removal of service now being rendered, shall in no case be approved or granted, unless nor until such notice shall have been so published, and parties at interest afforded an opportunity to be heard; provided, further, that any substantial change in location, route, size, type, color, height or appearance of any such facilities, including relocation from overhead to underground, and vice versa, shall be so material that final action shall not be taken on any application in relation thereto, unless nor until the notice has been so published and such hearing afforded, except in such case of necessity that time will not permit publication of the notice, in which latter case notice which circumstances of the case will reasonably permit shall be given by the city at the expense of the applicant, and such hearing afforded; provided, further, that the

City Council of South Fulton shall be the final judge of the necessity, or absence thereof, which will excuse publication of notice in any cases, except where the application is for an original franchise, or is for approval of abandonment or discontinuance of service under an existing franchise.

CHAPTER 2. - MAYOR AND COUNCIL

Sec. 2-2001. - Time, place for meetings; Open Meetings.

- (a) Unless otherwise noted by the Council, all meetings of the Council shall be held at 7:00 pm. In the event that there is no quorum present at the scheduled starting time for that meeting, the mayor shall wait 30 minutes to see whether a quorum will be present. If a quorum is not obtained after this waiting period, the mayor shall adjourn the meeting and readvertise it in accordance with state law. Meetings are held at 7:00 p.m. on the second and fourth Tuesday of each month unless special circumstances dictate a different meeting date, time, or place. In the event that special circumstances dictate a different meeting date, time, or place, the public shall be duly notified in accordance with O.C.G.A. § 50-14-1 et seq., the Georgia Open Meetings Act. The Council holds regularly scheduled work sessions commencing at 5:00 p.m. on the second and fourth Tuesdays of each month.
- (b) All meetings of the Council shall be held in accordance with O.C.G.A. § 50-14-1 et seq., the Georgia Open Meetings Act. The public shall be granted access to all meetings at all times except closed executive sessions. The law states that where a quorum of the governing authority or agency thereof are present, and where official action is to be discussed or taken, the meetings must be open and the public granted access.

Sec. 2-2002. - Presiding officer and rules for debate.

- (a) *Generally.* In accordance with the City Charter, the Mayor shall preside over meetings of the Council, and he or she serves as the presiding officer. In order to ensure a fair, orderly, and efficient meeting, the mayor must enforce the rules of procedure adopted by the Council. In the absence of the mayor, the Mayor Pro Tempore shall preside. Where a quorum is present and neither the Mayor nor the Mayor Pro Tempore is present, the Council may designate an acting presiding officer. Meetings are conducted in accordance with these procedural rules, applicable state law, and Robert's Rules of Order, Newly Revised. Where a Councilmember raises a procedural question and these rules are silent, and in the absence of a specific statute, ordinance, or resolution, the question shall be resolved in accordance with the provisions of Robert's Rules of Order, Newly Revised, so long as the provision used to answer the question is not in violation of local, state or federal laws. The parliamentarian shall advise the Mayor on parliamentary inquiries for which such advice is sought.
- (b) *Debate.* All resolutions, contracts, and items of business which require Council approval prior to the expenditure of funds, as well as any other item which requires Council action, shall be acted upon by the Council only after a councilmember makes a motion and receives a second to the motion. A motion and proper second is recorded by the clerk. Each councilmember, by virtue of his/her election to the Council, has the right and obligation to debate any and all issues which come before the Council for consideration. However, to ensure an

orderly and efficient meeting, each councilmember shall observe the following rules in regards to debate:

- (1) The mayor, as presiding officer (or Mayor Pro Tempore in the mayor's absence), shall call for discussion on an item. No debate on an item should begin until the item has been sounded by the clerk to the Council (the clerk), or in the clerk's absence, the mayor's designee.
- (2) Once the item has been properly moved and seconded, the mayor shall call for discussion.
- (3) Thereafter, the mayor shall open debate by recognizing each councilmember who wishes to speak for a period not to exceed ten total minutes, with the additional stipulation that no councilmember shall hold the floor for more than five consecutive minutes of their allotted time. However, at the opening of each Council meeting, a councilmember may ask their colleagues to waive the normal time limits on issues they deem need more time. The Council will vote on each request before the agenda begins and decide among themselves what additional amount of time to allot to each councilmember. The clerk shall be the official timekeeper for the Council.
- (4) If a councilmember believes that debate on an issue is too lengthy or that a vote should be called for immediately on an issue, he or she can "call the question" or "move the previous question." This motion is out of order if it is made while another Councilmember has the floor or if the maker of the motion is not recognized by the mayor. This is a motion that is not debatable and requires a second. Once the motion has been properly made and seconded, the mayor shall immediately stop debate on the issue being debated and announce that there is a call the question motion on the floor. Immediately thereafter, the mayor shall call for a vote on the call the question motion, not on the main motion. If the call the question motion fails, debate on the issue may continue, and then the mayor may allow debate on the issue to resume. If it passes, the mayor must immediately call for a vote on the issue which was the subject of the call the question motion.
- (5) Any action by the Council, including final action on applications for changes in land use status, but excluding a reconsideration of any action previously considered, i.e., motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table, or to take from the table, shall be subject to a motion to reconsider. After a motion to reconsider is made, a motion to rescind must also be made. After the motion to rescind is made, the matter would be appropriate for an additional passed motion and discussion thereon. Such motions can only be made by a member of the prevailing side on the original action. A motion to reconsider may be made immediately after it fails to prevail but in no case can it be made any later than the next scheduled Council of councilmembers meeting. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter shall be considered anew without regard to previous Council action. No reconsideration can be made on a zoning request at a subsequent meeting.
- (6) Any zoning matter which is deferred or on which discussion is otherwise postponed by the Council shall be heard at the next appropriate scheduled zoning meeting. Zoning matters are heard only on the first meeting of the month, in accordance with a schedule set by the director of developmental services. Ordinarily, no new zoning cases are heard in January.

- (c) *Quorum.* A quorum must be present for the transaction of business of the Council. In accordance with the Georgia law, four of the seven elected councilmembers must be present to constitute a quorum. It is the duty of the mayor to enforce this rule. Any councilmember may raise a point of order if that councilmember believes that a quorum is not present. If during the course of a meeting a quorum is lost, the Council cannot transact business. If, however, members of the Council are in the councilmembers' conference room adjacent to the assembly hall and are able to hear the business of the Council through the public address system, the Council has not lost a quorum. If a quorum is not attained within 30 minutes, the mayor must adjourn the meeting.
- (d) *Duties and privileges of the presiding officer.* The presiding officer shall preserve order and decorum, and shall immediately speak to points of order and shall decide all questions of order, subject to appeal. In case of any disturbance or disorderly conduct, the presiding officer shall have the power to require the chamber to be cleared or request that the sergeant at arms, (chief of police and or the designee) to remove those individuals ruled by the chair as being out of order. In the event the chair fails to rule individuals out of order that are causing a disturbance, any member of council may call for a point of order and present a motion to have the individual ruled out of order and to instruct the sergeant of arms to remove those individuals ruled as out of order. The motion to remove will require a two-thirds (2/3) vote. The presiding officer shall require the observation of rules of conduct to protect the rights of all council members and citizens.
- (e) *Order of business.* When a quorum is present the council shall proceed to the business before it, which shall be conducted, as much as practicable, in the following order:

Order of business:

- (1) Meeting called to order.
- (2) Quorum roll call.
- (3) Invocation.
- (4) Pledge to the Flag.
- (5) Presentation/announcements.
- (6) Committee reports.
- (7) Approval of the council agenda.
- (8) Approval of city council minutes.
- (9) Public hearings.
- (10) Public comments.
- (11) Consent agenda items. Any council member may move an item from the consent agenda to the council agenda.
- (12) Agenda items. Only a council member who places an item on the council agenda may remove the item.
- (13) Comments from council.
- (13) Recess to executive session.
- (14) Adjournment.

The chair, without debate, subject to appeal, shall decide all questions relating to the priority of business. The agenda for the meeting may be amended upon two-thirds (2/3) vote of the council.

- (f) *Voting.* The affirmative vote of at least four members shall be required for said Council to take official action. Each councilmember shall record his or her vote in the manner called for by the mayor.

- (g) *Agenda, preparation of; public comment.*

- (1) The Council holds regular meetings on the second and fourth Tuesdays of each month. Work sessions of the Council are held on the same days. Regular meetings commence at 7:00 pm, and work sessions commence at 5:00 pm. All times are eastern standard time. The agenda is prepared at the direction of the mayor and by the clerk's office in concert with the city manager's office. The deadline for submitting items for regularly scheduled Council meetings to the clerk's office for inclusion on the next agenda is 10:00 a.m. on Friday prior to the meeting. A final copy of the agenda is distributed to the councilmembers, city attorney, city manager and appropriate staff by 2:00 p.m. on the Friday preceding the scheduled meeting of the Council. Copies are also made available to the public at that time. A post agenda is provided after the meeting. The post agenda is a precursor to the final minutes and reflects actions taken by the Council at a particular meeting. Post agendas/preliminary minutes are distributed by the clerk's office within 48 hours of a meeting.

- (2) The agenda preparation procedure is as follows:

- i. Any councilmember wishing to place an item on the agenda may do so and should submit a memorandum to the clerk stating the item to be placed on the agenda. Any supporting documents germane to the item should also be submitted.
- ii. Adding of items to the agenda during the meeting is disfavored. Where there is a showing of an emergency or extraordinary circumstances exist, an item may be added to the agenda when it is adopted during the meeting by four affirmative votes. A motion shall be properly made and must carry to add each item to the agenda on the day of the meeting. That item shall appear on the post agenda under the "added during the meeting" heading.
- iii. Under the public comment section of the agenda, members of the public may be placed on the agenda to discuss a particular item of importance. To do so, the member of the public should first contact the office of the county manager who will ensure that the relevant department heads and other individuals have been contacted in an attempt to resolve the issue. In the event that the issue cannot be resolved by the county manager in consultation with the department heads, the citizen may then contact any councilmember so that councilmember may place that person on the agenda. The councilmember should then inform the clerk by memorandum stating the subject to be discussed, the person who will discuss it, a contact address, and a phone number for the person who will discuss the matter. Any supporting material germane to the item being discussed should also be submitted.

- iv. Whenever any agenda item, via resolution, seeks Council approval of a written agreement, a copy of the written agreement shall be attached to the agenda item or resolution and shall be distributed by the clerk as with other agenda items. Upon approval of the item, the clerk shall include a copy of the written agreement in the official minutes of the Council meeting at which such approval occurred.
- (h) *Consent agenda.* The Council uses a consent agenda which lists items of routine nature, such as renewal of grants, subdivision confirmations, refund reports, etc. Any items of business that are expected to receive unanimous approval and for which debate is not expected, should be placed on the consent agenda. Items may be removed from the consent agenda for further discussion, but may not be added. The consent agenda is adopted with one motion.
- (i) *Decorum.* All councilmembers are expected to conduct themselves in a courteous and respectful manner. Councilmembers seeking information from staff should do so within the confines of proper decorum. A councilmember shall not speak until recognized by the mayor and likewise shall not interrupt another councilmember's remarks. All comments made by a councilmember shall directly address the motion or item being discussed. The mayor shall enforce the rules of decorum and if a councilmember believes that a particular rule is being broken he/she shall raise a point of order when recognized by the mayor. A second on a point of order issue is not required, and the mayor may either rule on the question or allow the Council to decide the issue by majority vote. Any councilmember shall have the right to express dissent from or protest against any resolution or action of the Council and have the reason entered into the minutes.
- (j) *Public hearings and participation.*
 - (1) In accordance with law and policy, the Council frequently conducts public hearings on a number of matters and issues. These public hearing rules are intended to ensure that the public has the opportunity to fairly participate in the meeting while promoting the orderly, efficient, and effective flow of the meeting.
 - (2) Rules for conducting public hearings and allowing for public comment are as follows:
 - i. Agenda.
 - a. Public comment shall be at or near the start of the Council meeting.
 - b. If a public hearing is required, or if it is requested by the Council, the mayor shall announce that the public hearing on a matter is now open and should call forth those persons who wish to speak in favor, against, or otherwise on the particular issue. The mayor shall inform the public that all comments by proponents, opponents, or the public shall be made from the podium and that any individual making a comment should first give their name and address. The mayor shall also inform the public that comments will only be received from the podium.
 - ii. Members of the public who wish to speak should complete a speaker's card and should hand it to a representative of the clerk's office. Members of the public are expected to adhere to the rules of decorum

outlined herein and should be informed of such at the beginning of the public hearing by the mayor. There should be no vocal, boisterous, or other disruptive demonstrations which will disrupt the orderly flow of the meeting. Any persons engaging in this type of behavior shall be ruled out of order by the mayor and shall, at the mayor's discretion, be removed from the assembly hall.

(3) Time.

- i. At all meetings other than those addressed in subparagraph B of this paragraph, the time for public comment shall be limited to thirty (30) minutes, and each speaker will have two (2) minutes to address the Council. Time provided to one speaker may not be transferred to another. The Council may allow for more time, either in total or per speaker, by a majority vote.
 - ii. At hearings on proposed rezonings, use permit, modification and/or concurrent variance petitions, as well as amendments to the text of the Fulton County Zoning Resolution (hereinafter "land-use petitions"), proponents and opponents are allowed ten minutes per side to present data, evidence and opinions. Each side's time period may be divided among multiple speakers in whatever manner desired. In the event a public hearing is conducted and final action on a land-use petition is deferred by the Council, a second public hearing (conducted under the same rules as set forth above) will be allowed when the petition is again considered by the Council following the deferral. No land-use petition shall be the subject of more than two public hearings before the Council, regardless of the number of times final action is deferred by the Council, unless four or more members of the Council vote to conduct such additional public hearing(s).
- (4) Once the public hearing has concluded, the mayor shall so announce, and the Council shall convene into open executive session to make its decisions.
- (5) As a general rule, members of the public do not speak on agenda items unless those items have been advertised for public hearing, have been placed in the public hearing segment of the agenda or unless the Council, by four affirmative votes, has decided that public participation is necessary in its deliberative process. The Council shall follow its public hearing rules when such participation is warranted.
- (6) Persons claiming to represent a homeowners association must sign an affidavit stating that the homeowners association for which they claim to speak has authorized them to do so. The clerk shall maintain copies of such affidavits and bring them to the Council meetings.
- (k) *Amendments.* Any amendment to this division by a councilmember shall be submitted to the clerk in writing one week before the designated meeting. The proposed amendment shall be included on the agenda for that meeting and distributed to all councilmembers. All amendments require four affirmative votes by the Council for adoption.
- (l) *Special meetings and rescheduled regular meetings.* Whenever the mayor cancels, reschedules, or moves the regularly scheduled meeting, it must be done in accordance with O.C.G.A. § 50-14-1 et seq., the Georgia Open Meetings Act which requires that notice of the change is posted for at least 24 hours at the

place of the regular meeting. In addition, written or oral notice shall be given by the clerk at least 24 hours in advance of the meeting to either the legal organ of the county or a newspaper having a general circulation at least equal to that of the legal organ and to each member of the Council. Other special meetings known as special call meetings may be scheduled by the mayor at the request of four councilmembers. Special call meetings are also governed by the notice requirements set forth above. When emergency circumstances occur, the Council may hold a meeting with less than 24 hours' notice. When such meetings are held, the clerk shall provide notice to the legal organ of the county, or a newspaper with at least the general circulation of the legal organ, and to each member of the Council as soon as practical. The notice shall include those subjects expected to be discussed at the meeting. In addition, the minutes shall reflect the reason for the emergency meeting and the nature of the notice.

- (m) *Executive sessions.* Executive sessions of the Council may be held for the purpose of conducting business excepted by O.C.G.A. § 50-14-1 et seq., the Georgia Open Meetings Act. Where a meeting is devoted in part to matters within the authorized exceptions to the Georgia Open Meetings Act, any portion of the meeting not subject to any such exception shall be open to the public. No executive session shall be held except pursuant to a majority affirmative vote of the Council taken in a public meeting. The minutes of the public meeting shall reflect the names of the councilmembers present, those voting for the executive session, and the reasons for the session. Only necessary staff shall be present at the executive session
- (n) *Suspending the rules of order.* Rules of order may be suspended where a motion to suspend is properly moved and seconded. The term "rules of order" in this context means suspending the order of business, moving an item up or down on the agenda, or removing an item from the agenda. Four affirmative votes shall be required to suspend the rules of order. Rules governing a quorum, voting methods and requirements, the notification to councilmembers of meetings, and rules necessary for compliance with state and/or federal law may not be suspended.
- (o) *Parliamentarian.* The Council shall designate a person as its parliamentarian. The parliamentarian shall serve as the parliamentarian for the Council, and in that capacity will answer point of order questions when directed by the mayor.
- (p) *Establishment and appointment of committees, commissions, city authorities, boards, and taskforces.*
 - (1) The creation of any committee composed exclusively of councilmembers, commission, or any city authority, or board by the mayor or council shall require approval by a majority vote of the council, except those exempted by state law.
 - (2) Appointment of members to such committees composed exclusively of councilmembers, commissions, city authorities, or boards will be made by the mayor and confirmed by majority vote of the council, except those exempted by state law, or unless the creating ordinance specifies another method of appointment. All appointments to standing committees, commissions, city authorities, or boards shall be made and approved within thirty (30) days of a vacancy.

- (3) The mayor or council may create task forces to analyze and recommend solutions to specific issues, opportunities, or problems. Task forces may be created by resolution or by ordinance, and the number of members, qualifications, and term shall be provided in the resolution or ordinance. The method of appointment shall be as described in paragraphs (ii) of this rule, above. Task forces shall have no quasi-judicial or quasi-legislative functions, and shall not be delegated the power of subpoena.
- (q) *Attorney-Client Privilege.* Should attorney-client privileged material be disclosed to the city council in a closed meeting with the city attorney or other counsel engaged to represent the city, or in written legal opinions drafted by the city attorney or outside counsel, the privilege shall belong to the City of South Fulton. Therefore, the decision to waive that attorney-client privilege by disclosing either orally or in writing the contents of the attorney-client privileged material may only be made by majority vote of the council and not by an individual member of the city council.
- (r) *Request for legal opinion.* Requests by one (1) or more council members for a formal written legal opinion shall require approval by a majority vote of the full council.
- (s) *Hiring of department heads.* At least ten (10) business days prior to the council vote to fill a vacant department head position, the city manager shall provide the mayor and council with the resumes of the top three (3) candidates.
- (t) *Representation of private interests.* In keeping with their role as stewards of the public interest, councilmembers shall not appear on behalf of the private interests of third parties before the council or any board or commission, or proceeding of the city, nor shall members of boards and commissions appear before their own bodies or before the council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
- (u) *Advocacy.* Councilmembers shall represent the official policies or positions of the city council, board and commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, whether publicly or privately, councilmembers shall explicitly state they do not represent the governing body or the city, nor will they allow the inference that they do.
- (v) *Independence of boards and commissions.* Because of the value of the independent advice of boards and commissions to the public decision-making process, members of council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.
- (w) *Positive work place environment.* Councilmembers shall support the maintenance of a positive and constructive work place environment for city employees and for citizens and businesses dealing with the city. Councilmembers shall recognize their role in interactions with city employees as delineated in charter section 2-401 and refrain from creating the inference of inappropriate direction to staff.
- (x) *Implementation of the Code of Ethics.* As an expression of the standards of conduct for members expected by the city the code of ethics, as codified in sections 2-4001 through 2-4030, is intended to be self-enforcing. In order to be effective, council members must be thoroughly familiar with it and embrace its

provisions. For this reason, ethical standards shall be included in the regular orientations for city councilmembers, appointees to boards and commissions, and newly appointed officials. Councilmembers entering office shall sign a statement affirming they have read and understood the city code of ethics.

Sec. 2-2003. – Reserved.

Sec. 2-2004. - Reserved.

Sec. 2-2004.5. - Reserved.

Sec. 2-2005. - Budget policies.

The following budget policies are adopted and are included in each annual budget of the city:

- (1) The finance director shall review and approve by signature all agenda items requiring expenditure or encumbrance of city funds presented to council, representing that the agenda item presents the appropriate corresponding budget allocation, and that funds are available within such budget line item.
- (2) No unbudgeted agenda item will be presented to the city council for consideration without a corresponding budget amendment ordinance duly prepared and presented for adoption in accordance with Article V of the City Charter.
- (3) The city manager will advise council of intra-department budget transfers from compensation budget line items.
- (4) All non-compensation expenses attributable to individual council members will be charged to such member's budget lines.
- (5) All council travel and training expenditure items in excess of twenty-five dollars (\$25.00) shall require a written receipt for reimbursement.
- (6) The city council member per diem for travel shall be equal to or less than the established employee per diem amount.

Sec. 2-2006. – Reserved.

Sec. 2-2007. - Removal of elected officials.

An action to remove the mayor or a councilmember arising from misconduct, malfeasance, nonfeasance, malpractice, or willful neglect of duty of the official while in office pursuant to Charter section 2-107, as it shall be amended from time to time, shall be accomplished by one (1) of the following methods:

- (a) As provided by O.C.G.A. §45-5-6.1, as it shall be amended from time to time.
- (b) By an order of the Superior Court of Fulton County following a hearing on a complaint seeking such removal brought by any resident of the city.

Sec. 2-2008. – Reserved.

Sec. 2-2009. - Reserved.

Sec. 2-2010. - Compensation and expenses for the mayor and councilmembers.

- (a) Effective May 1, 2017, the mayor shall receive an annual salary of fourteen thousand two hundred dollars (\$23,000.00). Said salary shall be paid in a manner established by the City Council.
- (b) Effective May 1, 2017, each other member of council shall receive an annual salary of eleven thousand dollars (\$13,000.00). Said salary shall be paid in a manner established by the City Council.
- (c) Allowable expenditures for the purpose of communication with constituents shall be capped at an amount set by the City Council, and shall only be permitted for:
 - (1) Printed and robotic communicating with residents.
 - a. No greeting cards sent by mail or email.
 - b. No postcards except to inform residents of an upcoming meeting where information concerning a current/future council agenda item(s) will be discussed.
- (d) All reimbursements shall contain the original itemized receipt/vendor bill.
- (e) A copy of all printed materials shall be turned in with the copy of the receipt/vendor bill within five business days of the initial distribution date. This also applies to contracted email materials.

CHAPTER 3. - ELECTIONS

Sec. 2-3001. - Election defined.

For the purpose of this chapter, an election is defined to mean any state, county, city or federal election, whether such election be a general, primary, special or referendum on any subject submitted to the citizens for vote.

Sec. 2-3002. - Elections for office of mayor or councilperson; requirement—Official ballot; duty of city clerk.

- (a) All persons who desire to seek election to the office of mayor or councilperson of the city shall file notice of candidacy as provided in O.C.G.A. § 21-2-132, as amended; the notice shall be in the form of a written statement of intention and shall be filed with the city election superintendent; the statement shall state the full and complete name of the candidate and the street number address of his or her residence in the city; provided the person may choose to campaign under a name other than his or her full and complete name, but which campaign name shall contain a combination of the names and/or initials of his or her given name, and may use or designate any nickname by which the person is commonly known; the statement of intention shall also request the election superintendent to have their respective names as candidates for the offices they respectively seek to fill to be printed upon the official election ballot to be used in the general city elections for mayor or councilperson, and any run-off election if same be applicable. All such persons shall accompany his or her notice of candidacy with an affidavit in the general format as promulgated by the election superintendent and in compliance with O.C.G.A. § 21-2-132(e), as amended. Any person desiring to qualify for election to the office of city councilperson shall, in the notice of candidacy and the accompanying affidavit, shall state the post number and ward.

- (b) The mayor and council, shall, by resolution; set the actual opening and closing qualifying dates pursuant to this section.
- (c) The city clerk shall be and is hereby designated as the municipal election superintendent.

Sec. 2-3003. - Same—Qualification fee.

- (a) Any person desiring to qualify for election to the office of mayor of the city shall first pay a qualification fee to the election superintendent in an amount equal to three (3) percent of the annual salary for that position.
- (b) Any person desiring to qualify for election to the office of city councilperson shall first pay a qualification fee to the election superintendent in an amount equal to three (3) percent of the annual salary for said position.

Sec. 2-3004. - Special elections—Registration list.

- (a) Special elections, other than elections to fill a vacancy, shall be governed, as to registrations for same, by the particular charter provisions or ordinance under which the election is called.
- (b) When special elections shall be called for the purpose of filling any vacancy on the city council or in the office of the mayor, the city clerk shall obtain from Fulton County an up-to-date registration list.

Sec. 2-3005. - Solicitation, etc.—Within two hundred feet of polling place.

It shall be unlawful for any person, verbally, by written or printed means or by cards, literature or other advertisement, to solicit any person or attempt in any manner to influence the vote of any person within a distance of two hundred (200) feet of a polling place when an election is being held within the city.

Sec. 2-3006. - Same—By election officials.

It shall be unlawful for any manager or clerk of any primary or general election in the city to solicit, counsel or advise any person to vote for any particular candidate. This section shall not be construed to make it unlawful for an election manager publicly to explain any other question a voter may ask in order to enable the voter to mark his ballot intelligently.

Sec. 2-3007. - Voting precincts.

Voting precincts shall be established, with a minimum of one (1) such precinct in each ward, by the city elections superintendent in conjunction with the county elections superintendent so as to facilitate voting by the citizens of the city. Said ward locations shall be established at least thirty (30) days in advance of any election hereafter held by the city.

Sec. 2-3008. - Persons taking oath to be registered.

The city registrar shall receive registrations of all persons who take the prescribed oath of a voter.

Sec. 2-3009. - Forms of oath.

The oath to be required of all persons registering their names for elections shall be on forms furnished by Fulton County.

Sec. 2-3010. - Registration office hours designated.

The registration office of the city shall be opened to registration at all times during normal business hours of the city.

Sec. 2-3011. - Registrar designated; duty to register qualified voters.

The city clerk or his authorized representative shall act as chief registrar for the city, and it shall be the duty of the clerk or his authorized representative to register the qualified voters of the city.

Sec. 2-3012. - Procedure when voter moves from one ward to another.

Whenever a registered voter shall move from one ward of the city to another ward, he shall request the city clerk in writing to change his address and registration to the ward of his new residence; every qualified and registered voter shall be entitled to vote in one of the wards and shall not be refused the right to vote for failure to change or cause to be changed the address of his residence.

Sec. 2-3013. - Reinstatement of persons erroneously removed from registration list.

When it shall be made to appear sufficient to the city registrar that the name of any voter has been erroneously removed from the city registration list, or through error has been omitted therefrom, where the voter in no wise contributes to the error but same is an error solely of the registrar or of the county registrar, the city registrar shall be and is hereby authorized to reinstate such name and the person shall be eligible to vote in any election wherein he would have been eligible had it not been for such error.

Secs. 2-3014, 2-3015. - Reserved.

Sec. 2-3016. - Disposition of unused ballots.

Ballots not used in an election shall be returned to the city clerk by the election managers when the election polls close on the date of the election for which the ballots were prepared.

Sec. 2-3017. - Same—Form for special elections.

The form of ballot to be used in special elections shall be the same as in general elections, except it shall state that it is a special election instead of a general election; and except that when the special election is for the purpose of submitting to the qualified voters some question other than the election of candidates for office, the ballot shall so state, and appropriate directions shall be printed thereon to enable voter to intelligently mark his ballot.

CHAPTER 4. - ETHICS POLICY

Sec. 2-4001. - Declaration of policy.

- (a) Our government is a representative democracy. Those who are elected, appointed, hired, volunteer, or campaign to serve the public as representatives accept a public trust, which they share with those whom they elect, appoint, hire or otherwise enlist to help them serve the public. The public entrusts its power and resources to its servants to use only in the public interest. Public trust requires public servants to fulfill their public duties faithfully and honestly, and to subordinate any personal interest which conflicts with the public interest. Public trust also requires that

government be conducted in an open manner, when appropriate, so that the official actions of public servants may be subject to public scrutiny and so that members of the public have access to information upon which decisions and policies affecting them are made; but public trust also requires that government be conducted in a manner which respects the rights of its constituents to privacy and confidentiality. Public trust also requires that acts which are contrary to the public interest be defined and prohibited; that there be an orderly procedure for raising and addressing ethical questions; that ethical behavior be encouraged and suitably rewarded; and that unethical behavior be discouraged and suitably disciplined through a process which is fundamentally fair.

- (b) It is the responsibility of each public servant to act in a manner which contributes to cultivating public trust in the integrity of government. Public trust in the integrity of government is cultivated when individual public servants act with integrity and when the public is aware that its servants act with integrity. Therefore, dedicated public servants not only act with integrity, but also choose to avoid even lawful activity when the appearance of impropriety would lessen the public's confidence in the integrity of its servants and its system. As a result, sometimes public servants sacrifice opportunities which would be open to them if they were not public servants.
- (c) Most public servants strive to live by these standards most of the time, but because sometimes some do not, some formal policies are necessary. In adopting these formal policies, this community recognizes that:
 - (1) Public servants are also members of society and, therefore, share the same general personal and economic interests in the decisions and policies of government as all members of the community do; and
 - (2) Public servants retain their rights to publicly express their views on matters of general public interest, and to express their opinions on the effect of public actions on their personal or economic interests or rights; and
 - (3) It is sound public policy for standards of ethical conduct for public servants to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are personal, material and avoidable; and
 - (4) Public servants are entitled to engage in employment, professional or business activities, other than official duties, in order to support themselves and their families and to maintain a continuity of professional or business activity, and are entitled to maintain investments; and
 - (5) In this community it is possible and reasonable to require public servants to engage in employment, professional or business activities and to maintain investments which do not impede or undermine the integrity of their service to the community.
- (d) Although this chapter is necessary to identify minimum standards below which a public servant's conduct cannot fall without the risk of penalty, it is understood that a healthy ethical environment for the provision of public service cannot be achieved or maintained by mere adherence to minimum standards. Therefore, this chapter also requires that the community provide additional, positive means of encouraging ethical behavior among its public servants. It is also understood that no external activity can replace the internal commitment which motivates those who act ethically. The principal policy which forms the foundation of this chapter is to

encourage internal commitment by establishing and maintaining a work environment which supports integrity with pride and enthusiasm.

- (e) A work environment which supports integrity includes public servants who:
- (1) Recognize with gratitude that the primary reason they hold a public position is to serve the public; and
 - (2) Recognize with pride that they hold their public position because the public trusts them; and
 - (3) Recognize with sadness that the public's trust in government and in them is diminished when any public servant acts unethically; and
 - (4) Recognize with hope that their public service is an opportunity to help restore public trust in their government; and
 - (5) Are fair and impartial, but also courteous and enthusiastic in serving the public and each other in the performance of their duties; and
 - (6) Are adequately educated in the principles of ethics; and
 - (7) Are motivated to pursue ethical ideals which always exceed minimum standards and often achieve the highest standards; and
 - (8) Exemplify ethical conduct; and
 - (9) Encourage ethical practices which protect, advance and promote the public interest; and
 - (10) In speaking about the conduct of those in public service, or in responding to others who speak about it, express approval of positive ethical principles and behavior, and refrain from unjustly disparaging or demeaning those who advocate ethical principles or practice ethical behavior; and
 - (11) Recognize that the most effective way to eradicate unethical practices is to consistently act ethically themselves, and to consistently react appropriately with respect to the ethical decisions of those with whom they work; and
 - (12) Exercise sound and independent judgment to act ethically in situations where others around them may be inclined to act unethically; and
 - (13) When they observe serious unethical practices, promptly disclose them to appropriate authorities, and encourage others to do the same; and
 - (14) Make and implement decisions and policies through proper channels of the governmental organization; and
 - (15) Insure that those for whose performance they are responsible are aware of minimum standards of ethics below which their conduct cannot fall without the risk of disciplinary consequences; and
 - (16) When unethical behavior has been determined by the board, they will make the appropriate recommendation to the appropriate legal authority and the mayor and council.

Sec. 2-4002. - Purposes of chapter.

This chapter is adopted:

- (a) To state principles of ethics which are to be applied in public service; and
- (b) To identify minimum standards of ethical conduct for public servants; and

- (c) To require that public servants engage in ethical practices which always meet minimum standards; and
- (d) To encourage public servants to pursue the highest ethical ideals which they can achieve; and
- (e) To provide reasonable due process for public servants who are alleged to have violated this chapter; and
- (f) To provide an objective and fair process to identify and resolve ethical issues; and
- (g) To inform public servants and the public of the minimum standards to which public servants must adhere; and
- (h) To promote public confidence in the integrity of public servants; and
- (i) To encourage members of the public to seek public office or employment, to serve on public boards, to assist public servants as volunteers, and to take pride in participating in the governmental process; and
- (j) To establish penalties, as appropriate, for public servants who violate the public trust; and
- (k) To provide for a just and reasonable balance among the rights of all individuals who are directly affected by the operation of this chapter.

Sec. 2-4003. - Definitions.

For purposes of this chapter, the following terms, phrases, words and their derivatives shall have the meanings given herein. Words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. All capitalized terms used in the definition of any other term shall have their meaning as otherwise defined in this section. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meanings unless the context suggests otherwise. When a right or duty pertains to the holder of a specific position, such as the mayor, city manager or city clerk, the same right or duty pertains to any designee to whom the holder of the position may lawfully delegate the right or duty.

Appointing authority means the city manager, mayor, governing body, or any other person who appoints a person to a public position under the authority of the code, charter, state, or federal law.

Associated, when used with reference to a business or an organization, includes any business or organization in which a public servant, a public servant's domestic partner, spouse, family member or a public servant's partner in interest is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least five (5) percent of the outstanding equity, or any business or organization in which a public servant or a partner in interest has a personal interest.

Benefit means:

- (1) Anything, regardless of its monetary value, perceived or intended by either the one who offers it or the one to whom it is offered to be sufficient in value to influence a public servant in the performance or non-performance of an official action; or
- (2) Anything, regardless of its monetary value, which, under the circumstances, a reasonably prudent person in the position of the public servant to whom the

thing is or may be offered, would recognize as being likely to be intended to influence the public servant in the performance or non-performance of an official action; and

- (3) The term "benefit" includes, but is not limited to, a valuable act, advance, award, contract, compensation, contribution, deposit, emolument, employment, favor, fee, forbearance, fringe benefit, gift, gratuity, honorarium, loan, offer, payment, perquisite, privilege, promise, reward, remuneration, service, subscription, or the promise that any of these things will be conferred in the future.

Board, when used with the article "the," as in any reference to "the board," means the board of ethics established under section 2-508 of the Charter to operate under the provisions of this chapter, unless the context clearly indicates otherwise; used generically, "board" may mean any voting body:

- (1) Which is established to participate as a body in some manner in the conduct of the city government, including participation, which is merely advisory, whether established by state law, city charter, ordinance, contract, executive action or any other lawful means; and
- (2) Any part of whose membership is appointed by the mayor or governing body acting on behalf of the city; but the term "board" does not include a board, commission or committee which is the governing body of a separate political subdivision of the state, or whose membership, after appointment, is not subject to any regulation by the governing body; nor does it include any city administrative agency, bureau, department, division or office which is administered by individuals rather than by a body.

Business means an activity, association, commercial entity, corporation, enterprise, firm, franchise, holding company, joint stock company, organization, partnership, receivership, self-employed individual, sole proprietorship, trust or other legal entity established to earn or otherwise obtain money, whether for profit or non-profit, excluding a municipal corporation or governmental entity.

Business day means Monday through Friday from 8:00 a.m. to 5:00 p.m. excluding holidays recognized by the closure of routine city government operations.

Business with which a public servant is associated means a business in which any of the following applies:

- (1) The public servant is an owner, partner, director, officer, employee or independent contractor in relation to the business; or
- (2) A public servant's partner in interest, spouse, family member or domestic partner is an owner, partner, director or officer; or
- (3) The public servant or a partner in interest is a stockholder of close corporation stock which is worth at least one thousand dollars (\$1,000.00) at fair market value or which represents more than five (5) percent equity interest; or
- (4) Any business, regardless of ownership or value, by whom or for whose benefit a decision maker is influenced to act in the hope or expectation of obtaining a personal benefit for the public servant or for a partner in interest of the public servant.

Candidate means an individual who is a candidate for an elective city office, as defined in federal and or state statutes, city charter or ordinance provision, or an applicant for city employment or for an appointive city position.

Censure means a motion adopted in a regularly scheduled public meeting officially expressing blame and/or disapproval for the particular conduct of the public servant to be disciplined. A censure need not be in writing nor recorded with the city clerk but shall be reflected in the minutes of the meeting at which it was adopted.

Chapter means 'Chapter 4' of the Code of Ordinances. *Chapter* is synonymous with charter for the purposes of this chapter and specifically in the phrase 'violations of this chapter'.

Child means a son or daughter, whether or not the son or daughter is the biological offspring of the legal parent or parents, and whether or not the son or daughter is financially dependent on the parent or parents.

Confidential information means information which has been obtained in the course of holding public office, employment, as an independent contractor, or otherwise acting as a public servant, and which information is not available to members of the public under the Georgia Open Records Act, O.C.G.A §50-18-70, et seq., as it may be amended from time to time, or other law or regulation and which the public servant is not authorized to disclose, including:

- (1) Any written information that could lawfully be excepted from disclosure pursuant to state law, unless the public servant disclosing it is authorized to do so by state law, or pursuant to some other pertinent law, policy or procedure; and
- (2) Any non-written information which, if it were written, could be excepted from disclosure under state law, unless the public servant disclosing it is authorized to do so by the state law, or pursuant to some other pertinent law, policy or procedure;
- (3) Information which was obtained in the course of or by means of a record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing it is authorized by state law to do so, or unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy, or procedure; however, when such information is also available through channels which are open to the public, this provision does not prohibit public servants from disclosing the availability of those channels; and
- (4) Information protected under the attorney-client privilege or the attorney work product doctrine, unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy, or procedure.

Compensation means any benefit conferred upon or received by any person in return for services rendered or to be rendered.

Conflict of interest means not only a personal interest, as defined in this chapter, but also a professional or non-pecuniary interest, such as arises when the city attorney is precluded from representing one (1) public servant because of the city attorney's preexisting attorney-client relationship with another public servant.

Controlled or illegal substance means any drug or other substance, the use of which is regulated by federal or state law, except that within the meaning of this chapter the term does not include any drug or substance which has been lawfully prescribed by a licensed medical professional for the use of a public servant as a patient, and which is used by the public servant in accordance with the prescription.

Decision maker means any public servant or group of public servants empowered to act in a discretionary manner on behalf of the city in any capacity whatsoever, including the making of recommendations. Decision maker includes, but is not limited to, any city agency, bureau, department, division, office, administrator or person who is charged with implementing and administering particular legislation or executive or administrative decisions, and, to the extent this chapter is applicable to them, any volunteer or independent contractor who is empowered to exercise any discretionary power which could influence a public servant in the performance or nonperformance of an official action. In this ordinance, the term "decision maker" is used to represent each and every public servant who could take any discretionary action regarding a matter in which a public servant or a partner in interest has or may have a conflict of interest, or as a result of which a public servant might receive a personal benefit.

Decision making means the exercise of any discretionary public power in any capacity whatsoever, including the making of recommendations, by any public servant whose action pertains to a matter in which a public servant or a public servant's partner in interest has or may have a conflict of interest, or as a result of which a public servant might receive a personal benefit.

Disclose means, unless the context of this chapter indicates otherwise, to file, with the board, a document, in a form required or authorized under this chapter, signed and sworn to by the public servant who is required to file the document, which informs the public in accordance with the requirements of this chapter of a conflict of interest or a potential conflict of interest, and any other information pertinent to the purpose of filing the document, including the name and address of any person alleged to have a conflict of interest or a potential conflict of interest; or, when this chapter permits, the filing of an accurate copy of the official minutes of a governing body or board which informs the public of the required information. Unless this chapter or a law which supersedes it requires or permits another procedure, information shall be deemed disclosed if any public servant within a reasonable time before any official action is to be taken by the decision maker, files an affidavit with the board disclosing the nature and extent of the public servant's conflict of interest, and identifying the decision maker(s) who may act on the matter. For purposes of this provision, "within a reasonable time" means within adequate time to allow the board, or the decision maker(s), to review the disclosure before taking any official action.

Domestic partner means any two (2) adults who meet the following criteria:

- (1) Responsible for each other's welfare;
- (2) Neither person is registered in a union or domestic partnership with another party;
 - i. Not related as defined by state law;
 - ii. Share a primary residence; and
 - iii. Have declared their intent for a permanent partnership.

Employee means a person, other than an elected public servant, employed and paid a salary to work for the city, whether under civil service or not, whether full-time, part-time, or on a contract basis, and including those officially selected but not yet serving; including independent contractors, subcontractors, and consultants and, for purposes of establishing ethical obligations under this chapter and for no other purpose, employee includes volunteers notwithstanding the fact that they are unpaid. An employee is a public servant within the definition of this chapter, although not subject to the jurisdiction of the ethics board.

Ethics panel means an ad hoc, three (3) member panel of the board, assembled to hear and decide an ethics complaint in accordance with this chapter. Each ethics panel shall also have the advice of an attorney assigned for each hearing. Such attorney(s) shall be identified for the board by the city attorney.

Gift means any benefit or thing or act of value conveyed to or performed for the benefit of a public servant or a partner in interest, including any advance, award, contract, contribution, deposit, employment, favor, forbearance, gift, gratuity, honorarium, loan, payment, service, subscription, or the promise that any of these things or acts of value will be conferred in the future, if such thing or act of value is conferred or performed without the lawful exchange of consideration which is at least equal in value to the thing or act conferred or performed.

Governing body means the elected officials who comprise the legislative body of the city.

Hearing means the convening of a three (3) member panel of the board, plus a selected attorney, convened to hear and determine a specific ethics complaint as provided by this chapter.

Immediate family means:

- (1) A public servant's spouse and or domestic partner; and
- (2) A public servant's relative by marriage, lineal descent or adoption; and
- (3) A public servant's parents, parents-in-law, sisters, sisters-in-law, brothers, brothers-in-law, stepparents, stepbrothers or stepsisters; and
- (4) An individual claimed by the public servant or the public servant's spouse as a dependent under the United States Internal Revenue Code.

Interest means any personal benefit accruing to a public servant or the public servant's partner in interest, whether in the public servant's own name or the name of any person or business from which the public servant is entitled to receive any personal benefit, as a result of a matter which is or which is expected to become the subject of an official action by or with the city.

Investigation means a formal action as directed through a majority vote of the panel present of the ethics board to conduct an investigation into a specific ethics complaint.

Loan means a transfer of money, property or anything else of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part.

Matter means, unless the context of this chapter indicates otherwise, any act, action, agenda item, allegation, application, amendment, auction, bill, business, case, charge, claim, consideration, contract, controversy, decree, deed, deliberation, discussion, hearing, issue, lease, license, measure, offer, order, ordinance, permit, personnel action, petition, policy, presentation, procedure, privilege, proceeding, project, proposal, proposition, purchase, recommendation, regulation, rental, request, resolution, sale, subject, transaction, use, variance, or other discretionary choice pending before a city decision maker when a public servant or a partner in interest has a personal interest in the outcome of the decision, or the decision may result in a personal benefit to a public servant, family member, domestic partner or a partner in interest.

Ministerial action means an action that a public servant performs in a given set of circumstances in a prescribed manner in obedience to the mandate of legal authority, without regard to the exercise of the public servant's own judgment as to the propriety of the action being taken.

Negotiating concerning prospective employment means one (1) or more discussions between a public servant and a potential employer other than the city concerning the possibility of the public servant or a partner in interest considering or accepting employment with the employer, in which discussion(s) the public servant responds in a positive way.

Office means any of the following:

- (1) An elected position within the government of the city; or
- (2) A city attorney; or
- (3) A city clerk; or
- (4) A city manager; or
- (5) Any other appointed city position in which a public servant serves, except a position limited to the exercise of ministerial functions or a position filled by an independent contractor; or
- (6) An appointed city position which is filled by the governing body or the executive or administrative head of the city, and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial functions or a position filled by an independent contractor.

Officer means any person elected or appointed to hold a city office.

Official action means any act, action, approval, decision, denial, directive, disapproval, inaction, order, performance, nonperformance, recommendation, vote, or other direct result of a public servant's exercise of discretionary authority in connection with the public servant's public position.

Official duty means any official action or ministerial action which a public servant is obligated or authorized to perform by virtue of being a public servant.

Official records means any minutes, papers, documents, completed forms, or other records maintained by a public agent for the purpose of fulfilling the disclosure requirements of this chapter.

Organization means, unless the context indicates otherwise, any non-profit business other than an individual or governmental agency.

Partner in interest means, when used in this chapter in connection with a public servant, as in the phrase "a public servant or a partner in interest" any and all of the following:

- (1) A member of the public servant's immediate family; or
- (2) A business with which the public servant or a member of the public servant's immediate family is associated; or
- (3) Any other person with whom the public servant or a member of his immediate family is in business, or is negotiating or has an agreement concerning future employment or the future conferring of any personal benefit, whether in the public servant's own name or the name of any business or person from whom the public servant is entitled, or expects to become entitled, to receive any personal benefit, as a result of a contract or transaction which is, or which is expected to become, the subject of an official action by or with the city. The term partner in interest does not imply or require any form of legal partnership or formal agreement.

- (4) When used in the phrase "a public servant or a partner in interest," the term "partner in interest" refers only to a partner in interest of the public servant to whom reference is being made, and not to any other person's partner in interest.

Personal benefit means any benefit which is offered or received, or perceived to be offered or received, primarily for the purpose of influencing the manner in which a public servant performs or refrains from performing an official action, so that an attempt is made to induce the public servant, or the public servant is induced, to act in favor of some interest other than the public interest on the basis of an expectation or hope that the public servant or a partner in interest of the public servant will obtain some private gain by acting against the public interest; provided, however, that the term "personal benefit" within the meaning of this chapter does not include any of the following, which, although they may benefit individual public servants, are deemed to be primarily public benefits rather than personal benefits:

- (1) Payment by the city of salaries, compensation or employee benefits; or payment by an employer or business other than the city of salaries, compensation, employee benefits or pursuant to a contract, when the payment is unrelated to a public servant's status as a public servant and is not made for the purpose of influencing, directly or indirectly, the vote, official action or decision of a public servant; or
- (2) Fees, expenses, or income, including those resulting from outside employment, which are permitted and reported in accordance with the policies of the city; or
- (3) Authorized reimbursement of actual and necessary expenses; or
- (4) Admission, regardless of value, to events to which public servants are invited in their official, representative capacity as public servants; or
- (5) Campaign or political contributions which are made and reported in accordance with state law; or
- (6) Reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official city business, if furnished by the sponsor of such public event; or in connection with speaking engagements, teaching or rendering other public assistance to an organization or another governmental entity; this provision applies only if the city does not also pay the person for the same activity; or
- (7) Reasonable gratuities given by a group in appreciation for a public servant speaking or making any presentation before that group, provided that the value of any such gratuity shall not exceed fifty dollars (\$50.00); or
- (8) Awards publicly presented in recognition of public service, acts of heroism or for solving crimes; or
- (9) Gifts or other tokens of recognition presented by representatives of governmental bodies or political subdivisions who are acting in their official capacities; or
- (10) Anything of value, regardless of the value, when the thing of value is offered to the city, is accepted on behalf of the city, and is to remain the property of the city; or
- (11) Commercially reasonable loans made in the ordinary course of the lender's business in accordance with prevailing rates and terms, and which do not

discriminate against or in favor of an individual who is a public servant because of such individual's status as a public servant; or

- (12) Complimentary copies of trade publications; or
- (13) Any unsolicited benefit conferred by any one (1) person or business if the economic value totals less than three hundred dollars (\$300.00) per calendar year, and if there is no express or implied understanding or agreement that a vote, official action or decision of a public servant will be influenced; or
- (14) Reasonable compensation for a published work which did not involve the use of the city's time, equipment, facilities, supplies, staff or other resources, if the payment is arranged or paid by the publisher of the work; or
- (15) Reasonable compensation for a published work which did involve the use of the city's time, equipment, facilities, supplies, staff or other resources, if the payment of the compensation to the public servant is lawfully authorized by a representative of the city who is empowered to authorize such compensation; or
- (16) Anything of value, if the payment, gift, or other transfer of value is unrelated to and does not arise from the recipient's holding or having held a public position, and if the activity or occasion for which it is given does not involve the use of the city's time, equipment, facilities, supplies, staff or other resources in any manner or degree which is not available to the general public; or
- (17) Anything of value received as a devise, bequest or inheritance; or
- (18) A gift received from a relative within the third degree of consanguinity, under the civil law computation method, to the public servant, or the spouse of such a relative; or
- (19) A gift received from a spouse of a public servant, or a spouse's relative within the third degree of consanguinity to the spouse, under the civil law computation method.

Personal interest means a direct or indirect interest having value peculiar to a particular individual or group, whether the value is pecuniary or non-pecuniary, which value may accrue to such individual or group or result in such individual or group deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order or other official action, or the performance or nonperformance thereof, by a public servant, and which interest is not shared by the general public; it is to be stressed that the phrase "personal interest of a public servant" includes not only the personal interest of the individual public servant, but also the interest of any partner in interest.

Public reprimand means a form of public discipline which shall be a written resolution based upon the findings of the ethics panel and the governing body that a violation of this chapter or Charter has occurred, to be read publicly at the earliest possible regularly scheduled meeting of the governing body by the mayor, mayor pro-tem, or designated councilmember. Said public reprimand shall be recorded with the city clerk.

Public servant for purposes of the ethics board, means any member of the governing body or of any city agency, board, commission, committee, task force, or other deliberative, policymaking, or voting body, and any city clerk, municipal court judge, city manager, city attorney or other person, whether elected or appointed, or legally authorized by contract or in any other manner to act in any capacity under the

authority of the city and who is not subject to civil service. Public servant is synonymous with city official for purposes of this chapter.

Relative means a person who is related to an official or employee as spouse or domestic partner or as any of the following, whether by marriage, blood or adoption: parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law or sister-in-law.

Statement when used in reference to the financial disclosure requirements established by this chapter means the prescribed form(s) for fulfilling the financial disclosure requirements.

Volunteer means an individual who is permitted by the city, or by a person authorized to act on behalf of the city, to assist public servants in performing any kind of official duty or action, including actions which are clerical, menial or merely advisory, without any expectation of receiving compensation.

Voting body means the governing body and any other city authority, board, commission, committee, council or group, regardless of whether its function is legislative, administrative, quasi-administrative, or quasi-judicial or any combination thereof, which, in order to take any official action, even if the action is merely advisory, must act as a body on the basis of a vote of some or all of its members.

Sec. 2-4004. - Exemptions.

- (a) This chapter does not prevent any public servant from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of his or her public duties, provided that the public servant complies with all applicable city requirements, including any requirements imposed by this chapter.
- (b) No public servant shall be deemed to have a conflict of interest by virtue of carrying out any contract pursuant to which the public servant directly or indirectly received income or benefits in the form of compensation for the performance of official duties.
- (c) No public servant shall be deemed to have a conflict of interest by virtue of sharing, directly or indirectly, in the benefit of a lawful city action when the benefit to the public servant is substantially the same as the benefit to the public at large or to a segment of the public to whom the benefit is provided in a nondiscriminatory manner.
- (d) This chapter does not prohibit any public servant from taking any action to approve the lawful payment of salaries, employee benefits, reimbursements of actual and necessary expenses, or other lawful payments which are authorized in accordance with city policies.
- (e) This chapter does not prohibit public servants from taking any official action properly within the scope of their duties with respect to any proposal to enact or modify law or public policy.
- (f) This chapter does not prohibit an elected official from raising campaign contributions in any manner which is otherwise permitted by law.
- (g) This chapter does not prohibit communication between an individual or organization and a candidate regarding the candidate's views, record or plans for future action regarding an issue or measure in an attempt to determine a

candidate's viewpoints or how the candidate plans to act in the future, if such communication results in an endorsement of the candidate, a decision not to endorse the candidate, or a contribution or expenditure required to be recorded or reported under a state statute.

- (h) Actions which might otherwise be alleged to constitute a conflict of interest shall not constitute a violation of this chapter if:
 - (1) Before acting, the public servant requested and received a written opinion from the city attorney or a formal ethics opinion or a confidential advisory opinion from the board or a panel, in accordance with the procedures established in this chapter; and
 - (2) The material facts, as stated in the request for an opinion, are true and complete; and
 - (3) The actions taken were consistent with the opinion.

Sec. 2-4005. - Who is covered.

This chapter applies to all public servants, as the term is defined in this chapter, except that it shall not apply to a municipal judge while acting in a judicial capacity.

Sec. 2-4006. - Duties.

- (a) No public servant or former public servant shall divulge to any unauthorized person confidential information acquired in the course of holding his or her position in advance of the time prescribed by the governing body, administrators, or other applicable law for its release to the public. This includes information acquired that is subject to the attorney-client privilege or the attorney work product doctrine.
- (b) All public servants shall respond fully and truthfully to any inquiries by the board in connection with the investigation of an alleged or potential violation of this chapter or the Charter. All public servants shall cooperate fully in any investigation by the board, and shall locate, compile and produce for them such information as they may request, unless the information requested is exempt from disclosure under other applicable law.
- (c) All public servants have an affirmative duty to report any ethical violations of this chapter or the Charter of which they have knowledge. Any person may report a violation of this chapter by filing an ethics complaint against any person other than a paid employee on the proscribed form with the city clerk, who shall convene an ethics panel for processing of such report.
- (d) *Duty to comply with the law.* All public servants shall comply with the Constitution and laws of the United States, the Constitution and laws of the State of Georgia, and the Charter and ordinances of the city in the performance of their public duties. In addition to being a violation of other laws, it is also a violation of this chapter for any public servant to:
 - (1) Be convicted of any felony or misdemeanor involving moral turpitude, as that term may be defined by state law, whether or not the crime relates directly to the duties of the public servant's position in public service; or
 - (2) Be found guilty of or liable for violating any federal, state or city law prohibiting discrimination against any protected class; or
 - (3) Be found guilty of or liable for violating any federal, state or city laws prohibiting sexual harassment; or

- (4) Be found guilty of violating any federal, state or city laws prohibiting retaliation against public servants who assert a lawful claim of any nature or otherwise engage in lawfully protected activity; or
- (5) Be found guilty of violating any state laws governing lobbying activities conducted by the public servant; or
- (6) Be found guilty of violating the city's policy prohibiting the possession or consumption by employees of alcohol or any controlled or illegal substance in any city facility, vehicle, or work site, including lunch periods and rest breaks; prohibiting public servants from driving or reporting to work, performing work, or visiting a work site while under the influence of alcohol or any controlled or illegal substance; prohibiting public servants from engaging in the consumption, possession, sale, purchase or transfer of controlled substances; and imposing a duty to provide proof of lawful prescription when requested; to advise a supervisor if the use of prescription drugs may affect a public servant's ability to perform public duties safely and efficiently; or
- (7) Be found guilty of violating any federal, state or city laws or policies regulating political activity; or
- (8) Be convicted of habitual violations of other federal, state and local laws. Public servants have an ethical duty to abide by the general laws of the state and city, such as the laws governing driving under the influence, the uniform rules of the road, and offenses involving moral turpitude. Habitual violations of state and city laws may indicate disrespect for the law and may contribute to the erosion of public trust.
 - a. If any person believes that a public servant has been convicted of habitual violations of state, federal, or local laws, and that those convictions contribute to the erosion of public trust, that person may file a written complaint with the city clerk, setting forth the facts upon which the complaint is based. The clerk shall forward a copy of the complaint to the alleged offender and the selected three (3) member panel; and if the panel, in its discretion, decides to hear the complaint, it shall give the person notice and an opportunity to be heard. In the event the panel finds that the alleged offender is guilty of habitual violations of law and that the violations contribute to the erosion of public trust, the panel shall have no power other than to inform the offender and city council of the panel's findings, which may subject the offender to further disciplinary action. Having received such notice, the offender shall violate this chapter if the offender violates the order of the board.
 - b. In addition, the governing body, or city manager, where applicable, acting with the authorization of the governing body, may adopt a policy more precisely describing this general duty of all public servants to comply with specified laws in order to help gain and retain respect for city government. The policy must inform public servants of the circumstances under which, and the procedures by means of which, violations of state and city laws will be deemed violations of the policy. The procedures adopted in connection with the policy must safeguard the Constitutional rights of the public servants who are subject to the policy, including the rights of notice and a hearing. If the city adopts a general policy, public servants have a duty to adhere to that policy. If they fail to do so, and thereafter, in accordance with the procedures established by the policy, are determined to have violated

the policy, the violation of the policy by the public servants shall also constitute a violation of this provision of this chapter.

- (9) No member of the governing body shall use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any benefits to him or her or to his or her immediate family, or for those with whom the member has business or financial ties.
- (10) No member of the governing body shall use his or her position in any way to coerce, or give the appearance of coercing, a city employee, an appointed official of the city, or a contract employee to provide any benefit to him or her or to persons in his or her immediate family.
- (11) No member of the governing body shall use his or her position in any way to coerce, or give the appearance of coercing, a municipal court judge in the outcome of matters before the municipal court.

Sec. 2-4007. - Reserved.

Sec. 2-4008. - Complicity.

No person shall, directly or indirectly, aid, abet, agree with, assist, encourage or solicit any public servant or a public servant's partner in interest to violate this chapter or to participate in any way in a violation of this chapter with or by another person.

Sec. 2-4009. - Deliberation and vote prohibited.

Except as otherwise provided by law, no public servant shall, in such capacity, participate in the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any agenda item before the governing body in which the public servant or a partner in interest has a conflict of interest.

Sec. 2-4010. - Duty to leave meeting.

- (a) To avoid the appearance of impropriety, after any public servant or a partner in interest is determined to have a conflict of interest or a potential conflict of interest in any matter, and once all questions relating to the conflict of interest have been answered to the satisfaction of the decision maker, the public servant shall immediately leave the meeting room, except that if the matter is being considered at a public meeting, the public servant may remain in the area of the room occupied by the general public. If a public servant who has a conflict of interest in a matter is present as a member of a body which is to consider the matter, the public servant shall leave his or her regular seat as a member of the body, and not return to it until deliberation and action on the matter is completed.
- (b) Nothing herein shall require members of voting bodies to leave their seats while action is taken regarding any item contained on a "consent agenda" on which there is no deliberation, the public servant's conflict has been disclosed, and the public servant abstains from voting on the item.

Sec. 2-4011. - Public contracts.

- (a) The city is prohibited from entering into any contract with a business in which a public servant or a public servant's partner in interest has a controlling interest without full disclosure.

- (b) Any public servant who has or may have a personal interest in any contract shall disclose such interest prior to the first of any of the events set forth in (1), (2), (3), and (4) below:
 - (1) The solicitation of a contract; or
 - (2) The bidding of a contract; or
 - (3) The negotiation of a contract; or
 - (4) The approval by the governing body of a contract.
- (c) In addition to any other remedies available in law or equity, any contract entered into in violation of this section may be voided by resolution of the city council.
- (d) *Mandatory provision in independent contracts.* When the city contracts with any person to act on behalf of the city as an independent contractor, the contract shall include a provision which binds the independent contractor, as a condition of accepting the contract, to comply with the applicable provisions of this chapter and Charter. Any question about whether provisions are applicable, including the financial disclosure provisions, may be resolved by a written opinion of the city attorney or by a decision of the ethics board. The governing body, if it deems it necessary or appropriate to do so, may adopt policies or guidelines to further define the circumstances under which any certain provision will or will not apply to independent contractors.

Sec. 2-4012. - Disclosure of conflict of interest or potential conflict of interest.

- (a) A governing body member who has or may have, a conflict of interest in a matter which requires an official action by any decision maker, shall, before the matter is decided, disclose the conflict of interest or the potential or alleged conflict of interest; if the member of the governing body believes that no conflict of interest exists, or that despite any alleged or potential special interest, such governing body member is nevertheless able to vote and otherwise participate fairly, objectively and in a manner consistent with the public interest, then the member shall so state in the written disclosure. All questions relating to a special interest shall be resolved before the matter is decided, and if the matter comes before the governing body, before the governing body engages in any consideration of the merits of the matter.
- (b) If any member of the ethics board has or may have a conflict of interest in any matter before the board or the ethics panel, such member shall not appear before the board or the panel, discuss, debate, deliberate about, act upon, vote upon or otherwise participate in or influence the decision-making process pertaining to the matter in which the member has a conflict of interest. All questions relating to a conflict of interest of any board member shall be resolved before the board or the panel engages in any consideration of the merits of any matter in which a special interest is involved.
- (c) If the city attorney or any assistant city attorney has or may have a conflict of interest in any matter before the ethics panel or the board, or if any attorney who is responsible for performing any functions on behalf of the ethics panel or board is precluded from doing so because of a legal conflict of interest (such as that arising from the representation of a party whose legal position is adverse to that of the board) which cannot be resolved by the city attorney's office internally by screening or some other method, the attorney shall disclose the personal interest, or the nature of the conflict, to the ethics panel or board. If the ethics panel or board

determines that the attorney has a personal interest in the matter, or if the city attorney determines that the city attorney's office cannot resolve the conflict in a manner which will allow the city attorney's office to perform its duties properly in the matter, another attorney shall be selected by the city attorney to assist ethics panel.

- (d) Any public servant who has or may have a conflict of interest shall disclose it, in writing filed with city clerk. After receiving a disclosure, the city clerk shall:
 - (1) Maintain a record of such disclosure which shall be open to the public; and
 - (2) Promptly forward a copy of the disclosure to the decision maker which may act on the matter; and
 - (3) Promptly forward a copy of the disclosure to any person who is named in the disclosure as having or potentially having a conflict of interest; and
 - (4) Promptly forward a copy of the disclosure to the members of the board selected as the ethics panel and to the city attorney.
- (e) Any public servant who believes that any other public servant has a conflict of interest in any agenda item before a governmental body shall disclose such interest to the city clerk, and the city clerk shall forward copies of such disclosure to the person who is alleged to have a conflict of interest to the city attorney.
- (f) A public servant, in addition to disqualifying himself or herself from participation in any decision regarding the pecuniary or employment interest of a partner in interest, shall make known the existence of the relationship and the interest by filing, in writing, with the city clerk an affidavit disclosing the relationship and the nature and extent of the conflict of interest involved.
- (g) A public servant shall not participate in any public discussions, executive session discussions or voting where the public servant, public servant's family member or partner in interest may gain from any decision ultimately made, including legal issues and employment issues.

Sec. 2-4013. - Reserved.

Sec. 2-4014. - Reserved.

Sec. 2-4015. - Candidates: honesty in applications for positions.

No person seeking to become a public official, employee, contractor, volunteer or appointee to any public position shall make any false or materially misleading statement, certificate, mark, rating or report in regard to any test, certification, appointment or investigation, or in any manner commit any fraud, conceal any wrongdoing or knowingly withhold information about wrongdoing in connection with employment or service with the city or in connection with a work-related contract or service of any city public servant.

Sec. 2-4016. - Financial disclosure statement—Filing.

Financial disclosure statements shall be filed as required by state law.

Sec. 2-4017. - Reserved.

Sec. 2-4018. - Reserved.

Sec. 2-4019. - Reserved.

Sec. 2-4020. – Reserved.

Sec. 2-4021. - Reserved.

Sec. 2-4022. - Reserved.

Sec. 2-4023. - Reserved.

Sec. 2-4024. - Reserved.

Sec. 2-4025. - Reserved.

Sec. 2-4026. - Reserved.

Sec. 2-4027. - Reserved.

Sec. 2-4028. - Reserved.

Sec. 2-4029. - Reserved.

Sec. 2-4030. - Severability.

If any provision of this chapter is held by any court or by any federal or state agency of competent jurisdiction to be invalid as conflicting with any federal, state or city charter provision now or hereafter in effect, or is held by such court or agency to be modified in any way in order to conform to the requirements of any such provision, the conflicting provision of this chapter shall be considered a separate, distinct and independent part of this chapter, and such holding shall not affect the validity and enforceability of this chapter as a whole, or any part other than the part declared to be invalid.

- (a) It is hereby declared to be the intention of the mayor and council that all sections, paragraphs, sentences, clauses and phrases of this chapter are or were, upon their enactment, believed by the mayor and council to be fully valid, enforceable and constitutional.
- (b) It is hereby declared to be the intention of the mayor and council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this chapter is severable from every other section, paragraph, sentence, clause or phrase of this chapter. It is hereby further declared to be the intention of the mayor and council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this chapter is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this chapter.
- (c) In the event that any phrase, clause, sentence, paragraph or section of this chapter 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 council that such invalidity, unconstitutionally 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 chapter and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the chapter shall remain valid, constitutional, enforceable, and of full force and effect.

The foregoing ^{Ordinance} Resolution No. 002017-003 was offered by Councilmember Jackson, who moved its approval. The motion was seconded by Councilmember Gilyard, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	☒	☐
Catherine Foster Rowell ^{Mayor Pro Tem}	☒	☐
Carmalitha Lizandra Gumbs	☒	☐
Helen Zenobia Willis	☒	☐
Gertrude Naeema Gilyard	☒	☐
Rosie Jackson	☒	☐
khalid kamau	☒	☐
Mark Baker	☒	☐

**** The Title Mayor Pro Tem will be added behind the name of the person selected.**

Ordinance
THIS ~~RESOLUTION~~ adopted this 29th day of April, 2017. CITY OF
SOUTH FULTON, GEORGIA

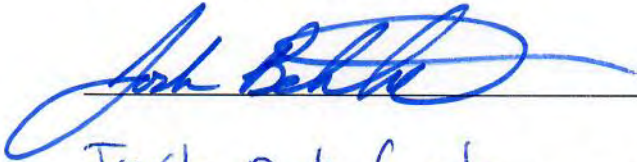

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:


Mark Massey, CITY CLERK



APPROVED AS TO FORM:


Josh Belinfante, CITY ATTORNEY Interim

- (c) An ordinance, resolution, or other action adopted by the city council vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. Votes to override mayoral vetoes shall only occur at regular scheduled meetings of the city council, and cannot occur at a special meeting or emergency meeting. If the minimum number of councilmembers necessary to vote to override the veto are not present, the action may be continued until the next meeting at which such minimum number of councilmembers are present. The city council may override a veto by the mayor and adopt any ordinance, resolution, or other action adopted by the city council that has been vetoed by the mayor by the affirmative votes of at least five councilmembers, not including the mayor.

(H.B. 1019(Act 414), p.____; Ord. No. 2022-018, § 1, 5-25-2022)

Sec. 3.22. - Powers and duties of mayor.

- (a) The mayor shall be the part-time chief executive of the city government and a member of and the presiding officer of the city council and responsible for the efficient and orderly administration of the city's affairs. The mayor shall be responsible for the enforcement of laws, rules, regulations, ordinances, and franchises in the city. The mayor may conduct inquiries and investigations into the conduct of the city's affairs and shall have such powers and duties as specified in this charter or as may be provided by ordinance consistent with this charter.
- (b) The mayor shall:
- (1) Preside at all meetings of the city council and participate therein as a voting member, and in the mayor's absence, the mayor pro tempore shall preside as set forth in Section 3.30 of this Charter;
 - (2) Be the head of the city for the purpose of service of process and for ceremonial purposes and be the official spokesperson for the city and the chief advocate of policy;
 - (3) Have power to administer oaths and execute affidavits;
 - (4) Sign as a matter of course on behalf of the city all written and approved contracts, ordinances, resolutions, and other instruments executed by the city which by law are required to be in writing. The city council may delegate contract signing authority to the city manager to the extent allowed by law;
 - (5) See that all laws and ordinances of the city are faithfully executed;
 - (6) Vote on any tied motion, resolution, ordinance, or other question before the council other than a veto override;
 - (7) Obtain short-term loans in the name of the city when authorized by the city council to do so;

- (8) Appoint city council committees, committee chairpersons, committee vice chairpersons, and appoint councilmembers to oversee and report on the functions of the various departments of the city, subject to confirmation by the city council;
- (9) Require the city manager to meet with him or her at a time and place designated for consultation and advice upon the affairs of the city;
- (10) Nominate the city manager, city attorney, and chief judge of municipal court as provided by this charter or general state law;
- (11) Prepare or have prepared an agenda for each meeting of the city council which shall include all business submitted by the mayor, any councilmember, the city manager, and the city attorney; and
- (12) Fulfill and perform such other duties as are imposed by this Charter and duly adopted ordinances.

(H.B. 1019(Act 414), p.____)

Sec. 3.23. - City manager; appointment; qualifications; compensation; removal.

- (a) The mayor shall nominate a city manager for an indefinite term and shall set the city manager's initial compensation, subject to confirmation by the city council. The city manager shall be nominated solely on the basis of that person's executive and administrative qualifications.
- (b) The mayor or a councilmember may recommend the removal of the city manager from office in accordance with the following procedures:
 - (1) In response to such recommendation, the city council shall adopt by affirmative vote of five of its members a preliminary resolution which must state the reasons for removal and may suspend the city manager from duty for a period not to exceed 45 days.
 - (2) Within ten days after a copy of the resolution is delivered to the city manager, that person may file with the city council a written request for a public hearing. This hearing shall be held within 30 days after the request is filed. The city manager may file with the city council a written reply not later than five days before the hearing; and
 - (3) If the city manager has not requested a public hearing within the time specified in paragraph (2) of this subsection, the city council may adopt a final resolution for removal, which may be made effective immediately, by an affirmative vote of five of its members. If the city manager has requested a public hearing, the city council may adopt a final resolution for removal, which may be made effective immediately, by an affirmative vote of five of its members at any time after the public hearing.
- (c) The city manager shall continue to receive the city manager's salary until the effective date of a final resolution of removal.