

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

ORDINANCE NO.: OR15-363

**AN ORDINANCE AMENDING THE STOCKBRIDGE MUNICIPAL
RELATIVE TO COMPENSATION FOR MEMBERS OF THE CITY
COUNCIL; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE
AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

WITNESSETH:

WHEREAS, Section 2.04.010 of the Stockbridge Municipal Code provides for compensation of the Mayor and City Council;

WHEREAS, before increasing, decreasing or otherwise modifying the amounts previously established by the City, the City must comply with the requirements of O.C.G.A. § 36-35-4;

WHEREAS, the City has met those requirements by publishing the notice of intent to take action in the legal organ of the county and the city, at least once a week for three consecutive weeks; and

WHEREAS, this ordinance is not being adopted during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as candidates and ending with the date members of the municipal governing authority take office following their election.

THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

SECTION 1. Provision of Compensation. Section 2.04.010 of the Stockbridge Municipal Code is hereby deleted in its entirety and replaced with the following:

"2.04.010 - Compensation.

A. The mayor shall be compensated for services to the city in the amount of fourteen thousand four hundred U.S. dollars (\$14,400.00) per year, to be paid at the rate of one thousand two hundred U.S. dollars (\$1200.00) per month.

B. Each council member shall be compensated for services to the city in the amount of twelve thousand U.S. dollars (\$12,000.00) per year, to be paid at a rate of one thousand dollars (\$1,000.00) per month."

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Codification and Severability.

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

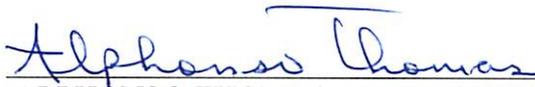
(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase 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 sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 6. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter, provided however that pursuant to O.C.G.A. § 36-35-4, the increased salaries provided for herein shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date of adoption of this ordinance.

SO ORDAINED this 9th day of March 2015.


ALPHONSO THOMAS, MAYOR PRO TEM

ATTEST:


VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:


MICHAEL WILLIAMS, CITY ATTORNEY



PUBLIC NOTICE

CITY OF STOCKBRIDGE, GEORGIA

Notice of Intent to Take Action to Increase the Compensation of the Mayor and the Council of the City of Stockbridge, Georgia – PLEASE TAKE NOTICE THAT AT THE 6:00 pm. March 9, 2015, in the Council Chambers at the City Hall, 4640 North Henry Boulevard, Stockbridge, Georgia 30281, during the regularly scheduled meeting of the governing authority for the City of Stockbridge, Georgia, in accordance with the terms of O.C.G.A. § 36-35-4, the governing authority for the City intends to consider and to vote upon an ordinance that will provide for an increase in compensation for the members of the governing authority, and will provide that said increase for Councilmembers \$12,000 and Mayor \$14,400, if so approved on March 9, 2015, will become effective January 2016. Copies of the proposed ordinance are available at the office of the City Clerk, Stockbridge City Hall, for inspection and copying in accordance with the Georgia Open Meetings Act. Vanessa Holiday, City Clerk for the City of Stockbridge, Georgia.

Notice filed for advertisement (publishing) on Wednesday, February 18, 2015.

Vanessa Holiday
City Clerk, City of Stockbridge

PUBLIC NOTICE

CITY OF STOCKBRIDGE, GEORGIA

Notice of Intent to Take Action to Increase the Compensation of the Mayor and the Council of the City of Stockbridge, Georgia – PLEASE TAKE NOTICE THAT AT THE 6:00 pm. March 9, 2015, in the Council Chambers at the City Hall, 4640 North Henry Boulevard, Stockbridge, Georgia 30281, during the regularly scheduled meeting of the governing authority for the City of Stockbridge, Georgia, in accordance with the terms of O.C.G.A. § 36-35-4, the governing authority for the City intends to consider and to vote upon an ordinance that will provide for an increase in compensation for the members of the governing authority, and will provide that said increase for Councilmembers \$12,000 and Mayor \$14,400, if so approved on March 9, 2015, will become effective January 2016. Copies of the proposed ordinance are available at the office of the City Clerk, Stockbridge City Hall, for inspection and copying in accordance with the Georgia Open Meetings Act. Vanessa Holiday, City Clerk for the City of Stockbridge, Georgia.

Notice filed for advertisement (publishing) on Wednesday, February 25, 2015.

Vanessa Holiday
City Clerk, City of Stockbridge

PUBLIC NOTICE

CITY OF STOCKBRIDGE, GEORGIA

Notice of Intent to Take Action to Increase the Compensation of the Mayor and the Council of the City of Stockbridge, Georgia – PLEASE TAKE NOTICE THAT AT THE 6:00 pm. March 9, 2015, in the Council Chambers at the City Hall, 4640 North Henry Boulevard, Stockbridge, Georgia 30281, during the regularly scheduled meeting of the governing authority for the City of Stockbridge, Georgia, in accordance with the terms of O.C.G.A. § 36-35-4, the governing authority for the City intends to consider and to vote upon an ordinance that will provide for an increase in compensation for the members of the governing authority, and will provide that said increase for Councilmembers \$12,000 and Mayor \$14,400, if so approved on March 9, 2015, will become effective January 2016. Copies of the proposed ordinance are available at the office of the City Clerk, Stockbridge City Hall, for inspection and copying in accordance with the Georgia Open Meetings Act. Vanessa Holiday, City Clerk for the City of Stockbridge, Georgia.

Notice filed for advertisement (publishing) on Wednesday, March 4, 2015.

Vanessa Holiday
City Clerk, City of Stockbridge

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO. R-15-624

RESOLUTION TO AUTHORIZE THE CITY OF STOCKBRIDGE TO PUBLISH A NOTICE OF INTENT TO TAKE ACTION TO INCREASE THE COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF STOCKBRIDGE, GEORGIA – EFFECTIVE JANUARY 1, 2016; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; RPROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge (“City”) is a municipal corporation located within Henry County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, pursuant to section 2.04.010 of the City Code of the City of Stockbridge, the mayor and council shall receive as compensation for services as governing body members an amount, which may be determined from time to time by majority vote of the Council and;

WHEREAS, before increasing, decreasing or otherwise modifying the amounts previously established by the City, the city must comply with all applicable state laws governing such action, and;

WHEREAS, the city hereby authorizes the publishing of the notice of intent to take action in the legal organ of the county and the city, at least once a week for three consecutive weeks, and;

WHEREAS, the city has confirmed that the proposed action will not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as candidates and ending with the date members of the municipal governing authority take office following their election.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Approval – The Mayor and City Council of the City of Stockbridge hereby authorizes the publishing of the Notice of Intent to Take Action to Increase Compensation of the Mayor and City Council of the City of Stockbridge to become effective January 1, 2016.

SECTION 2. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 3. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

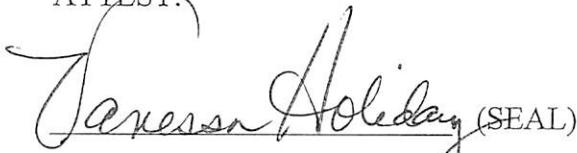
SECTION 4. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

SO RESOLVED this 27th day of January 2015.



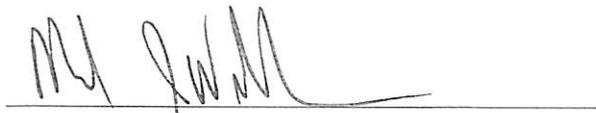
TIMOTHY L. THOMPSON, MAYOR

ATTEST:



(SEAL)
VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:



MICHAEL WILLIAMS, CITY ATTORNEY



§ 36-35-4. Compensation and benefits for employees and members of governing authority; conditions and requirements governing increases for elective members of governing authority

(a) The governing authority of each municipal corporation is authorized to fix the salary, compensation, and expenses of its municipal employees and the members of its municipal governing authority and to provide insurance, retirement, and pension benefits, coverage under federal old-age, survivors and disability programs, hospitalization benefits, and workers' compensation benefits for its employees, their dependents, and their survivors and for members of the municipal governing authority, their dependents, and their survivors, when such benefits are provided to municipal employees. Any previous actions to extend insurance, federal old-age, survivors and disability programs, retirement, hospitalization, and workers' compensation benefits to members of the municipal governing authority are validated. With the exception of the provision of insurance, federal old-age, survivors and disability programs, retirement, hospitalization, and workers' compensation benefits, any action to increase the salary or compensation of the elective members of the municipal governing authority shall be subject to the following conditions and requirements:

(1) Any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date on which the action to increase the compensation was taken;

(2) Such action shall not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as such candidates and ending with the date members of the municipal governing authority take office following their election; and

(3) Such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the municipal corporation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.

(b) As used in subsection (a) of this Code section, the phrase "elective members of the municipal governing authority" means, notwithstanding any terminology or designation of a municipal governing authority or governing body contained in any municipal charter, any elective municipal official who exercises any executive or legislative or executive and legislative powers of the municipal corporation, specifically including a mayor, vice-mayor, president or chairman of a municipal council, member of a municipal council, member of a board of aldermen, or member of a board of commissioners. Such phrase shall also include any person who is appointed to fill a vacancy in any such elective office.

(c) As used in subsection (a) of this Code section, the words "salary or compensation," as applied to the elective members of a municipal governing authority, shall include any expense allowance or any form of payment or reimbursement of expenses, except reimbursement for expenses actually and necessarily incurred by members of a municipal governing authority in carrying out their official duties. The governing authority of each municipal corporation shall be authorized to provide by ordinance for the reimbursement of such actual and necessary expenses.

(d) As used in subsection (a) of this Code section, the words "retirement" and "pension" shall mean termination from municipal service with the right to receive a benefit based upon all or part of such municipal service in accordance with the terms of the ordinance or contract pursuant to which the municipality provides for payment of such benefits. The General Assembly declares and affirms that the Act approved April 17, 1981 (Ga. L. 1981, p. 1741) was intended to assure that prior advertisement of actions to provide insurance, federal old-age, survivors and disability programs, retirement, pension, hospitalization, and workers' compensation benefits to elected members of the municipal governing authority, their dependents, and their survivors is not required.