

1 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST,
2 GEORGIA BY AMENDING ARTICLE IX (RULES AND PROCEDURES FOR CITY
3 COUNCIL MEETINGS AND PUBLIC HEARINGS FOR THE CITY OF STONECREST,
4 GEORGIA) WITHIN CHAPTER 2 (ADMINISTRATION); TO PROVIDE FOR
5 CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING
6 ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE
7 DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

8 WHEREAS, the City of Stonecrest, Georgia (the “City”) is a municipal corporation created
9 under the laws of the State of Georgia; and

10 WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof;
11 and

12 WHEREAS, the City Council desires to adopt decorum guidelines to ensure that all elected and
13 appointed officials, while exercising their office, conduct themselves in a manner
14 that will instill public confidence and trust in the fair operation and integrity of City
15 government; and

16 WHEREAS, the City Council finds that it is within the best interests of the City and the public
17 to adopt such standards by which all current and future members of Stonecrest
18 leadership interact with each other and the public at large.

19 THE CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, HEREBY
20 ORDAINS, AS FOLLOWS:

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

ORDINANCE NO. _____

22 **Section 1.** The Code of Ordinances of the City of Stonecrest is hereby amended by adopting
23 and replacing Sec. 2-346. (Decorum.) in Article IX (Rules and Procedures for City
24 Council Meetings And Public Hearings For The City Of Stonecrest, Georgia)
25 within Chapter 2 (Administration) set forth in Exhibit A and inserting new
26 provisions Sec. 2-346. (Conduct And Decorum Guidelines for Elected and
27 Appointed Officials City of Stonecrest) set forth in Exhibit B.

28 **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that, to the
29 greatest extent allowed by law, each and every section, paragraph, sentence, clause
30 or phrase of this Ordinance is severable from every other section, paragraph,
31 sentence, clause or phrase of this Ordinance.

32 (b) It is hereby further declared to be the intention of the Mayor and Council that,
33 to the greatest extent allowed by law, no section, paragraph, sentence, clause or
34 phrase of this Ordinance is mutually dependent upon any other section, paragraph,
35 sentence, clause or phrase of this Ordinance.

36 (c) In the event that any phrase, clause, sentence, paragraph or section of this
37 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional
38 or otherwise unenforceable by the valid judgment or decree of any court of
39 competent jurisdiction, it is the express intent of the Mayor and Council that such
40 invalidity, unconstitutionality or unenforceability shall, to the greatest extent
41 allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
42 of the remaining phrases, clauses, sentences, paragraphs or sections of this
43 Ordinance and that, to the greatest extent allowed by law, all remaining phrases,

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

ORDINANCE NO. _____

44 clauses, sentences, paragraphs and sections of this Ordinance shall remain valid,
45 constitutional, enforceable, and of full force and effect.

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

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

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

52 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the
53 provisions of this Ordinance shall become and be made part of the Code of
54 Ordinances, City of Stonecrest, Georgia.

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56 **SO ORDAINED, this ____ day of _____ 2021.**

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60 **CITY OF STONECREST, GEORGIA**

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66 **JASON LARY, Mayor**

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68 **ATTEST:**

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73 **City Clerk**

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76 **APPROVED AS TO FORM:**

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City Attorney

EXHIBIT A

~~Sec. 2-346. -- Decorum. -----~~

~~All Councilmembers shall conduct themselves in a professional and respectful manner. All remarks shall be directed to the Mayor and not to individual Councilmembers, staff or citizens in attendance. Personal remarks are inappropriate and may be ruled out of order. A Councilmember may not speak at a meeting until he has been recognized by the Mayor. All comments made by a Councilmember shall address the motion that is being discussed. The Mayor shall enforce these rules of decorum. If a Councilmember believes that a rule has been broken, he may raise a point of order. A second is not required. The Mayor may rule on the question or may allow the City Council to debate the issue and decide by a Majority Vote.~~

EXHIBIT B

Chapter 2 (Administration)

Article IX (Rules and Procedures for City Council Meetings And Public Hearings For The City Of Stonecrest, Georgia)

Sec. 2-346. Conduct And Decorum Guidelines for Elected and Appointed Officials City of Stonecrest

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1. **Elected and Appointed Officials' Conduct with Each Other in Public Meetings**

Elected and appointed officials are community leaders from a wide variety of backgrounds, with diverse personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office to protect and enhance the present and future of the community. In all cases, this common goal should be acknowledged even though individuals may not agree on every issue.

(a) **Respect the role of chair while maintaining order.** It is the responsibility of the chair to conduct meetings in an orderly and effective manner. All members present at a public meeting have a duty to respect the role of chair and provide the support needed for the furtherance of matters on the agenda for each meeting. In the event of a discrepancy with an agenda item or an action taken by the chair, members at the meeting shall address their concerns in a polite and rational way, following procedures outlined in parliamentary procedure.

(b) **Practice civility and decorum in discussions and debate.** It is the duty of elected and appointed officials to ask and answer difficult questions, challenge positions, take and receive criticism and offer up healthy debate. However, during the course of discussion and debate it is not accepted or tolerated for any member to provide crude, inappropriate, vulgar or offensive comments.

(c) **Avoid personal comments that could offend other members.** A "Point of Personal Privilege" should be used by a member active in a public meeting to challenge remarks made by another member that they find personally offensive. Members are encouraged to share feedback in private.

(d) **Demonstrate effective problem-solving approaches.** It's the responsibility of members to work together to find common ground and seek a compromise that benefits the community, regardless of their varying points of view. Meeting decorum is governed by the behavior of members.

2. **Elected and Appointed Officials' Conduct with the Public in Public Meetings**

It is the responsibility of elected and appointed officials to make constituents feel welcome to participate in each public forum. No signs of partiality, prejudice or disrespect should exist to

119 members of the public. Every effort should be made to be fair and impartial in listening to public
120 testimony.

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123 (a) **Listening to the public.** Listen to public speakers and be responsive to their concerns and
124 comments exercising an appropriate level of care.

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126 (b) **Speaking limits.** Adhere to public meeting laws to govern time and of individual speakers.
127 The chair will announce and moderate the limits on speakers at the start of each public
128 meeting.

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130 (c) **Practice active listening.** Members attending public meetings shall provide the
131 appropriate level of attentiveness towards speakers, presenters and fellow members. They
132 should be conscious of facial expressions, avoiding the urge to look disinterested, sleepy,
133 angry or bored. Members will always be polite and respectful and focus on taking next
134 steps to address the issue at hand.

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136 (d) **Maintain an open mind.** Elected and appointed officials should maintain an open mind
137 and remain receptive to ideas and opinions of the public.

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139 (e) **Ask for clarification but avoid debate and argument with the public.** Only the chair,
140 not individual members, can interrupt a speaker during a presentation. Members can ask
141 the chair for a point of order if the speaker is off the topic or exhibiting behavior or
142 language the member finds disturbing.

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144 (f) **Non-partisan comments and actions.** Elected and appointed officials serve in roles that
145 are non-partisan in nature. As such, any comment, action or direction given by
146 councilmembers while serving in their official capacities as City leaders should not reflect
147 views of a partisan opinion. Views made by councilmembers should be in line with goals
148 and objectives of their roles as public officials serving the City and its constituents. The
149 City Charter will act as a guide to understanding the overall needs of the City. Partisan
150 political comments or opinions can and should always be expressed as a private citizen
151 away from sanctioned City of Stonecrest meetings and events.

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153 (g) **Be Respectful of Colleagues' time and City Staff.** Members of City Council and
154 appointed officials will be respectful of their colleagues' time and efforts needed to
155 efficiently prepare materials in advance of all meetings.

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157 3. **Elected and Appointed Officials' Conduct with City Staff**

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159 The governance of a City relies on the cooperative efforts of elected officials who set policy,
160 appointed officials who advise the elected, and City staff who implement and administer the
161 Council's policies. Therefore, every effort should be made to be cooperative and show mutual
162 respect for the contributions made by each individual for the good of the community.

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- (a) **Treat all staff as professionals.** All City staff should be treated with dignity and respect. Poor behavior towards staff is not acceptable.
- (b) **Never publicly criticize or ridicule a City employee.** Elected and appointed officials should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation. Appointed officials should make their comments regarding staff to the City Manager or the Mayor.
- (c) **Do not get involved in administrative functions.** Elected and appointed officials acting in their individual capacity must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.
- (d) **Do not solicit political support from staff.** Elected and appointed officials should not solicit any form of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff have a constitutional right as private citizens to support political candidates, they may do so, but all forms of support must be done away from the workplace.
- (e) **No Attorney-Client Relationship.** Members shall not seek to establish an attorney-client relationship with the City Attorney, including his or her staff and attorneys contracted to work on behalf of the City, for matters outside of the scope of said members' official duties.

4. **Council Conduct with Boards, Committees and Commissions**

The City has established several Boards, Committees and Commissions as a means of gathering more community input. Citizens who serve on Boards, Committees and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- (a) **Attendance at Board, Committee and Commission meetings.** Elected and appointed officials are a welcomed presence at city board, committee or commission meetings of which they are non-members. While attending, the opinions expressed by such officials are their own and not a representation of the feelings of the City Council or the official's respective board, committee, or commission as a whole. Officials should be careful that their participation is not viewed as unfairly influencing the process.
- (b) **Limit contact with Board, Committee and Commission members to questions of clarification.** It is inappropriate for an elected or appointed official to contact a member of a board, committee or commission, of which they are non-members, to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for elected or

209 appointed officials to contact such board, committee or commission members in order to
210 clarify a position taken by the board, committee or commission.

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212 **(c) Respect that Boards, Committees and Commissions serve the community, not**
213 **individual Councilmembers or Elected Officials.** The City Council appoints individuals
214 to serve on boards, committees and commissions, and it is the responsibility of boards,
215 committees and commissions to follow policy established by the City Council. But board,
216 committee and commission members do not report to individual councilmembers, nor
217 should councilmembers feel they have the power or right to threaten board, committee and
218 commission members with removal if they disagree about an issue. Appointment and re-
219 appointment to a board, committee or commission membership should be based on such
220 criteria as expertise, ability to work with staff and the public, and commitment to fulfilling
221 official duties. A board, committee or commission appointment should not be used as a
222 political "reward."

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224 **(d) Be respectful of diverse opinions.** Boards, committees and commissions are established
225 to provide a complete outlook on the subject matter, manner and activities of a particular
226 body. Councilmembers may have a closer working relationship with some individuals
227 serving on boards, committees and commissions, but must be fair and respectful of all
228 citizens serving on boards, committees and commissions.

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230 **(e) Keep political support away from public forums.** During a public forum or while
231 conducting official duties board, committee and commission members may not offer
232 political support to a Councilmember.

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234 **(f) Communicate accurately and be timely with administrative responsibilities.** All
235 elected and appointed officials will strive to communicate in terms that accurately reflect
236 the issues they are addressing; and will timely and accurately submit required
237 administrative reports (expense reports, campaign finance reports, etc.).

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239 5. **Penalties**

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241 **(a) Any person found guilty of violating section 2-346 shall be punished as follows:**
242 i. First and Second Offense – A censure by the Stonecrest City Council
243 ii. Third Offense – Removal from Office