

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

RESOLUTION NO. 2022-_____

A RESOLUTION APPOINTING THE PROSECUTING ATTORNEY FOR THE MUNICIPAL COURT OF THE CITY OF STONECREST, GEORGIA, PURSUANT TO THE OFFICIAL CODE OF GEORGIA ANNOTATED, SECTION 15-18-91(b) AND ARTICLE III, SECTION 3.08 OF THE CODE OF THE CITY OF STONECREST, GEORGIA.

WHEREAS, the duly elected governing body of the City of Stonecrest, Georgia (the “City”) is the Mayor and Stonecrest City Council (“City Council”); and

WHEREAS, the purpose of this resolution is to appoint a prosecuting attorney pursuant to Title 15, Chapter 18, Article 91 of the Office Code of Georgia Annotated; and

WHEREAS, Title 15, Chapter 18, Article 91 of the Office Code of Georgia Annotated requires that governing authority of the municipality be authorized to create the office of the prosecuting attorney of the municipal court; and

WHEREAS, Section 3.08 of the City Charter provides that the City Council shall appoint the City attorney together with such assistant city attorneys or special city attorney as may be deemed appropriate; and

WHEREAS, the mayor, mayor pro tempore, or any council member may nominate such attorneys for appointment by the City Council; and.

WHEREAS, the City Council shall provide for the payment of such attorneys for services rendered to the city. The rates or salary paid to any city attorney or assistant city attorney shall be approved in advance by the city council; and

WHEREAS, the city attorney shall be responsible for representing and defending the city in all litigation in which the city is a party; may be the prosecuting officer in municipal court; shall attend the meetings of city council as directed; shall advise the city council, mayor, other officers, and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be required by virtue of his or her position as attorney; and

WHEREAS, the city attorney shall review all contacts of the city but shall not have the power to bind the city unless authorized by resolution of the city council.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows: that Winston A. Denmark and Fincher Denmark LLC is hereby appointed as the Prosecuting Attorney for the Municipal Court for the City of Stonecrest, Georgia.

BE IT FINALLY RESOLVED that within thirty (30) days of the effective date of this Resolution the Municipal Court Clerk shall notify the Prosecuting Attorneys' Council of the State of Georgia of this appointment as required under Georgia law.

SO RESOLVED, this _____ day of _____, 2022

CITY OF STONECREST, GEORGIA

George Turner, Mayor Pro Tempore

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney