

**STATE OF GEORGIA
COUNTY OF DEKALB**

RESOLUTION 2025-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STONE MOUNTAIN, GEORGIA, APPROVING INVESTIGATION AND REPORT INTO RECENT ACTIVITIES OF MAYOR BEVERLY JONES WITH RESPECT TO CITY AND CITY-RELATED ACCOUNTS AT TRUIST BANK

WHEREAS, the authority of a city council and its members is delegated by the Georgia General Assembly through the passage of general state laws applicable to all municipalities and elected officials (e.g., state statutes) and local laws specific to a particular jurisdiction or entity (e.g., a city's charter); and

WHEREAS, the City of Stone Mountain (the "City") currently operates under a charter that was passed by the Georgia General Assembly and ratified by the City's voters in 2009 (the "Charter") (see Ga. Laws 2009, p. 4108); and

WHEREAS, pursuant to the City's Charter, Sec. 2.10, the legislative authority of the government of the City is vested in the City Council which is comprised of a mayor and six councilmembers; and

WHEREAS, pursuant to the City's Charter, Sec. 2.16, and other laws of the State of Georgia (e.g., O.C.G.A. § 36-35-3), except as otherwise provided by law or in the Charter, the City Council is vested with all the powers of government of the City and has the power to adopt reasonable ordinances, resolutions and regulations for the protection and preservation of the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to the City's Charter, Sec. 2.29, the City Manager is the chief executive and administrative officer of the City with the power and duty to, among other things, direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by the Charter or by law; and

WHEREAS, the City has, for many years, maintained multiple bank accounts at Truist Bank (formerly Sun Trust Bank) (the "Bank"); and

WHEREAS, pursuant to the City's Charter, Sec. 3.13, the City Clerk is the custodian of the official City seal and City records; and

WHEREAS, pursuant to the City's Charter, Sec. 1.12(b)(2), the powers of the City shall be construed liberally in favor of the City and shall include, but not be limited to, making appropriations for the support of the government of the City, to authorize the expenditure of money for any purposes authorized by this Charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia, and to provide for the payment of expenses of the City; and

WHEREAS, pursuant to the City's Charter, Sec. 2.32(6), the powers and duties of the Mayor include a requirement that the Mayor sign, along with an individual so designated by majority vote of the city council, all checks for the payment of money; and

WHEREAS, the Mayor has no authority to be the sole signer of any City checks or the sole designated “Authorized Representative” on the City’s bank accounts and no resolution has been passed to provide the Mayor with such authority; and

WHEREAS, the Mayor has no authority to act on behalf of the Downtown Development Authority of the City of Stone Mountain (“DDA”); and

WHEREAS, Council has been provided documentation and information that on or about April 2, 2025, Mayor Beverly Jones executed and presented to the Bank certain documents concerning accounts of the City and of the DDA wherein, among other statements, she represented:

- a. That she was acting in the capacity as corporate secretary or custodian of records for the City and the DDA; and
- b. That she had reviewed the governing documents and relevant records of the City and the DDA and was certifying that resolutions had been adopted by the City and the DDA allowing her to submit documentation to the bank; and
- c. That her actions were not inconsistent with the governing documents or records of the City and the DDA; and

WHEREAS, on May 12, 2025, Mayor Jones stated that a bank cybersecurity representative had contacted her, and that she thereafter executed said documentation on or about April 2, 2025; and

WHEREAS, neither the City Manager nor the Council were informed of such contact until May 12, 2025; and

WHEREAS, based upon the information provided, it appears that Mayor Jones acted in contravention to the City Charter and outside of her authority with respect to the financial matters of the City and of the DDA; and

WHEREAS, pursuant to the City’s Charter, Sec. 2.15, Council may make inquiries and investigations into the affairs of the City and of the office of the Mayor; and

WHEREAS, Council desires to engage an independent investigator to investigate the matter and report back to the City Council regarding these recent interactions between the Mayor and the Bank.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Stone Mountain, Georgia, this ____ day of _____, 2025, as follows:

1. An investigation into the activities of Mayor Jones with respect to City and DDA accounts at the Bank, including, but not limited to her actions taken on April 2, 2025, shall be conducted by and independent investigator on behalf of the Council. Said investigator shall prepare a full written report of his findings and provide same to Council.

2. The City Attorney is directed to provide Council with background information on Robert Jackson Wilson, Esq. so that Council may consider him for the role as independent investigator.
3. The City Attorney is directed to obtain a proposed fee agreement from Mr. Wilson setting forth rates and costs regarding his conducting of the investigation called for herein.

This Resolution was passed by a vote of 4-2 at a Special Called Meeting on May 12, 2025 wherein a quorum was present. The signatures of those members of Council with four votes in favor of this Resolution are set forth herein this _____ day of May, 2025.

CITY OF STONE MOUNTAIN, GEORGIA

Anita Bass, Council Member (Post 1)

Mark Marianos, Council Member (Post 2)

Ryan Smith, Council Member (Post 3)

Teresa Crowe, Council Member (Post 6)

ATTEST: _____
Shavala Ames, City Clerk

[Affix City Seal]

APPROVED AS TO FORM:

Angela C. Couch, City Attorney