

**State of Georgia
DeKalb County
City of Doraville**

ORDINANCE Adopted by the Doraville Mayor and Council on this 21st day of August 2017.

ORDINANCE NO. 2017 - _____

AN ORDINANCE TO AMEND CHAPTER 2- ADMINISTRATION, ARTICLE III, SEC. 2-64 (MAYOR) AND CHAPTER 2, ARTICLE II, SEC. 2-37 (CITY COUNCIL) OF THE CODE OF ORDINANCES OF THE CITY OF DORAVILLE, GEORGIA TO INCREASE THE SALARIES OF THE MAYOR AND COUNCIL MEMBERS PURSUANT TO O.C.G.A § 36-35-4, AS AMENDED TO REPEAL CONFLICTING ORDINANCES; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE, AND OTHER LAWFUL PURPOSES.

WHEREAS, The City of Doraville (“City”) is a municipal corporation located within DeKalb 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 Chapter 2, Administration - Article III, Section 2-37 (Mayor) and Article II, Sec. 2-64 (City Council) of the City Code of the City of Doraville, 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, the annual salary compensation for the governing body is currently set as \$14,800.00 for the Mayor and \$8,400.00 for each City Council Member; 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 published 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 - 8/3/2017, 8/10/2017, 8/17/2017 [O.C.G.A.§ 36-35-4(a)(3)]; and

THE SPECIFIC AMENDMENT TO THE CODE OF ORDINANCES READS AS FOLLOWS:

CHAPTER 2 – ADMINISTRATION

Article II. – CITY COUNCIL

Sec. 2-37 Council Salaries; expenses; benefits

- (a) Effective January 1, 2018, the salary for each member of City Council shall be fourteen thousand and four hundred dollars (\$14,400.00) per year, paid in accordance with the established pay periods of all other employees of the City.

Article III. – MAYOR

Sec. 2-64 Mayor Salary; expenses; benefits

- (a) Effective January 1, 2018, the salary of the Mayor shall be eighteen thousand dollars (\$18,000.00) per year, paid in accordance with the established pay periods of all other employees of the City.

NOW THEREFORE, THE COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

Section 1. Approval. The Mayor and City Council of the City of Doraville hereby authorizes action to amend the City Code of Ordinance and increase compensation of the Mayor and City Council of City of Doraville to become effective January 1, 2018.

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

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

Section 4. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Doraville as provided in the City Charter, and fully enacted January 1, 2018.

FIRST READ: _____

SECOND READ: _____

THE FOREGOING ORDINANCE WAS OFFERED BY COUNCIL MEMBER _____, WHO MOVED ITS APPROVAL/ DENIAL. THE MOTION WAS SECONDED BY COUNCIL MEMBER _____, BEING PUT TO A VOTE, THE RESULTS ARE LISTED AS FOLLOWS:

	YEA/ YES	NAY/ NO
MAYOR DONNA PITTMAN	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER SHANNON HILLARD	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER MD A. NASER	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER PAM FLEMING	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER ROBERT PATRICK	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER DAWN O'CONNOR	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER SHARON SPANGLER	<input type="checkbox"/>	<input type="checkbox"/>

SO ORDAINED THIS _____ DAY OF AUGUST 2017

Donna Pittman, Mayor

**APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE**

City Attorney

**ATTEST:
OFFICE OF THE CITY CLERK**

Sherry D. Henderson, City Clerk

(SEAL)

O.C.G.A. 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.

ARTICLE II. – CITY COUNCIL

Sec. 2-37. - Council salaries; expenses; benefits.

- (a) The salary of each member of the elected City Council shall be eight thousand four hundred dollars (\$8,400.00) per year, paid in accordance with the established pay periods of all other employees of the City.
- (b) Each member of the City Council shall be afforded two hundred fifty dollars (\$250.00) in expenses per year, reimbursed pursuant to the established policy and ordinances of the City. Qualified expenditures shall be categorized as follows:
 - (1) General office supplies necessary for the performance of Council duties;
 - (2) Travel expenses to educational seminars and conferences as provided by the yearly budget appropriation, including per diem meal expenses in accordance with the City's policies and mileage reimbursement;
 - (3) Professional memberships necessary for the performances of their duties as Councilmembers;
 - (4) Educational materials, as well as copying and printing costs, necessary for the performance of their duties;
 - (5) Business meals;
 - (6) Customary mileage reimbursement while performing their duties as Councilmembers, excluding travel to and from the City Council regular meeting location;
 - (7) Use of cellular phone for performance of Council duties; and
 - (8) Other expenses as specifically provided in the yearly budget.
- (c) Each Councilmember shall be entitled to participate in the group benefits afforded each employee of the City, with the exception that each Councilmember shall be responsible for payment of one hundred (100) percent of the premiums for said benefits.

(Ord. No. 2013-09, § 1, 5-6-13; Ord. No. 2013-14, § 1, 7-15-13)

ARTICLE III. - MAYOR

Sec. 2-64. - Mayor's salary; expenses; benefits.

- (a) The salary of the Mayor shall be fourteen thousand eight hundred dollars (\$14,800.00) per year, paid in accordance with the established pay periods of all other employees of the City.
- (b) The Mayor shall be afforded three thousand dollars (\$3,000.00) in expenses per year, reimbursed pursuant to the established policy and ordinances of the City. Qualified expenditures shall be categorized as follows:
 - (1) General office supplies necessary for the performance of Mayoral duties;
 - (2) Travel expenses to educational seminars and conferences as provided by the yearly budget appropriation, including per diem meal expenses in accordance with the City's policies and mileage reimbursement;
 - (3) Professional memberships necessary for the performances of his/her duties as Mayor.
 - (4) Educational materials, as well as copying and printing costs, necessary for the performance of his/her duties;
 - (5) Business meals;
 - (6) Customary mileage reimbursement while performing his/her duties as Mayor, excluding travel to and from the City Council regular meeting location;
 - (7) Use of cell phone for performing Mayoral duties; and
 - (8) Other expenses as specifically provided in the yearly budget.
- (c) The Mayor shall be entitled to participate in the group benefits afforded each employee of the City, with the exception that the Mayor shall be responsible for payment of one hundred (100) percent of the premiums for said benefits.

(Ord. No. 2013-09, § 2, 5-6-13)