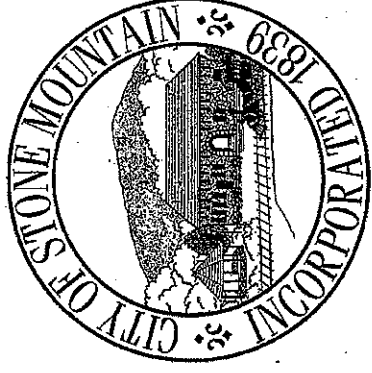


City of Stone Mountain

875 Main Street
Stone Mountain, GA 30083
Patricia Wheeler, Mayor
Phone: 770-498-8984
Fax: 770-498-8609



August 8, 2017

Dear Candidate:

The City of Stone Mountain, Georgia thanks you for your interest in serving the citizenry of this city as a Council Member. Stated below are the regulations set forth in the Charter of the City of Stone Mountain for city councilmembers terms and qualifications for office, and for the general power and authority of the city council.

Section 2.11.1. - City councilmembers, terms and qualifications for office.

The mayor and city council shall be elected at large pursuant to Section 5.11 of this charter. The mayor and councilmembers shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or councilmember unless he or she shall have been a resident of this city for 12 months immediately preceding the election of mayor or councilmembers; each such person shall continue to reside within the city during said period of service and shall be registered and qualified to vote in municipal elections of this city. No person's name shall be listed as a candidate on the ballot for election for either mayor or councilmember unless such person has filed a written notice with the city clerk that he or she desires his or her name to be placed on said ballot as a candidate either for mayor or councilmember. No person shall be eligible for the office of mayor or councilmember unless such person has filed the notice within the time provided for in Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

Section 2.16. - General power and authority of the city council.

(a) Except as otherwise provided by law or this charter, the city council shall be vested with all the powers of government of this city.
(b) In addition to all other powers conferred upon it by law, the city council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter and the Constitution and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Stone Mountain and may enforce such ordinances by imposing penalties for violation thereof.

Know that the City of Stone Mountain administration and staff are here to help you in your endeavors to in this leadership capacity. Again, thank you for your interest in serving the citizens of this great city!

Sincerely,


Rhonda A. Blackmon

City Clerk

CITY OF STONE MOUNTAIN
MUNICIPAL GENERAL ELECTION
NOVEMBER 7, 2017
SEATS OPEN FOR ELECTION

Office of Mayor – 4 year term – Qualifying Fee \$360.00

Patricia Wheeler - Incumbent

CANDIDATES MUST DESIGNATE THE COUNCIL POST FOR WHICH THEY
ARE SEEKING ELECTION ON THE NOTICE OF CANDIDACY AND AFFIDAVIT
FORM

Office of City Council – 4 year term – Qualifying Fee \$108.00

Post #4

Susan Coletti - Incumbent

Post #5

Steve Higgins – Incumbent

Post #6

Andrea Redmond - Incumbent

State Law Training Requirement for Newly Elected Officials

Georgia Code: 35-45-2 Legislative Findings and Intent.

The General Assembly finds and declares that it is in the best interests of the citizens of this state to require newly elected members of a municipal governing authority to attend a course of training and education on matters pertaining to the administration and operation of municipal government during a period prescribed by the board (within one year of election.) The purpose of such course shall be to instruct such individuals in the powers, duties, and responsibilities of their positions of public trust.

In 1990, Georgia General Assembly passed this legislation requiring city officials elected after July 1, 1991, to participate in a special training program for Newly Elected Officials. This training is offered through a partnership of the Georgia Municipal Association and the Carl Vinson Institute of Government at the University of Georgia.

The Newly Elected Officials Institute provides an orientation to municipal government in Georgia. Topics include the role of the mayor and council; the legal, ethical, and financial aspects of city government; and intergovernmental relations and working together within the city council. This course will be offered twice in 2014 and all newly elected officials must make plans to attend one of these sessions:

February 28-March 1, Athens, Georgia

OR

March 14-15, Tifton, Georgia

Registration forms will be mailed to all city halls the first week of November. For further information, please contact your city clerk or Janice Eidson at the Georgia Municipal Association (678-686-6256)

in this charter, and to exercise all powers now or in the future authorized to be exercised by other municipal governments under other laws of the State of Georgia; and no listing of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

Section 1.13. Exercise of powers.

All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or employees shall be carried into execution as provided by this charter. If this charter makes no provision, such shall be carried into execution as provided by ordinance or as provided by pertinent laws of the State of Georgia.

ARTICLE II. GOVERNMENT STRUCTURE

Section 2.10. City council creation; number; election.

The legislative authority of the government of this city, except as otherwise specifically provided in this charter, shall be vested in a city council to be composed of a mayor and six councilmembers.

Section 2.11. City councilmembers; terms and qualifications for office.

The mayor and city council shall be elected at large pursuant to Section 5.11 of this charter. The mayor and councilmembers shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or councilmember unless he or she shall have been a resident of this city for 12 months immediately preceding the election of mayor or councilmembers; each such person shall continue to reside within the city during said period of service and shall be registered and qualified to vote in municipal elections of this city. No person's name shall be listed as a candidate on the ballot for election for either mayor or councilmember unless such person has

filed a written notice with the city clerk that he or she desires his or her name to be placed on said ballot as a candidate either for mayor or councilmember. No person shall be eligible for the office of mayor or councilmember unless such person has filed the notice within the time provided for in Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

Section 2.12. Vacancy; filling of vacancies; suspensions.

(a) Vacancies—The office of mayor or councilmember shall become vacant upon such person's failing or ceasing to reside in the city or upon the occurrence of any event specified by the Constitution, Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

(b) Filling of vacancies—A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, by appointment if less than 12 months remain in the unexpired term, otherwise by an election as provided for in Section 5.14 of this charter and Titles 21 and 45 of the O.C.G.A. or such other laws as are or may hereafter be enacted.

(c) Suspension—Upon the suspension from office of mayor or councilmember in any manner authorized by the general laws of the State of Georgia, the city council or those remaining shall appoint a successor for the duration of the suspension. If the suspension becomes permanent, then the office shall become vacant and shall be filled for the remainder of the unexpired term, if any, as provided for in this charter.

Section 2.13. Compensation and expenses.

The mayor and councilmembers shall receive compensation and expenses for their services as provided by ordinance.

Section 2.14. Conflicts of interest; holding other offices.

(a) Elected and appointed officers of the city are trustees and servants of the residents of the city and shall act in a fiduciary capacity for the benefit of such residents.

Sec. 23-32. Signs exempt from permit.

A permit is not required for the following types of signs:

- (1) Any legal notice or public safety sign issued and required to be posted by any federal, state, county or municipal government or an official sign as so designated by resolution of city council.
- (2) Any street or road name sign, traffic directional safety sign or historical marker where the sign face does not exceed four square feet per sign face and does not contain any commercial copy or graphics. The city shall have the authority to limit the number, location and color of such signs.
- (3) Yard sale signs subject to the following:
 - a. No sign shall be placed within right-of-way;
 - b. Sign shall not exceed three (3) square feet in size;
 - c. Signs shall not be placed more than twenty-four (24) hours before the date of the sale;
 - d. All signs must be removed within twenty-four (24) hours after date of sale;
 - e. Signs shall not exceed four (4) days of total display time;
 - f. Signs shall be a minimum of ten (10) feet from edge of pavement
- (4) Any real estate sign or sign system with changeable information which conforms to a each of the following:
 - a. Size shall be rectangular in shape and not exceed sixteen (16) square feet;
 - b. The quantity shall be limited to one per street frontage of the affected premises;
 - c. A free standing sign shall be mounted so that its top edge is no higher than six feet above grade; and a facade mounted sign shall be mounted so that its top edge is no higher than the roof line;
 - d. Sign shall not be illuminated;
 - e. Signs offering tenant space at a commercial center shall not be free standing but may be placed as a tenant panel on a permitted directory sign or on the facade of the tenant space being offered.
- (5) Campaign signs no larger than forty (40) square feet placed upon private property with the express permission of the property owner or four (4) square feet if placed on the right-of-way a minimum of ten (10) feet from the edge of pavement; and shall not be erected until thirty (30) days before the election and removed within seventy-two (72) hours after the election.
- (6) Any project sign for work under construction located on the construction site which conforms to each of the following:
 - a. Size shall be rectangular in shape and not exceed forty (40) square feet;
 - b. The quantity shall be limited to one (1) per affected premises;
 - c. A free standing sign shall be mounted so that its tip edge is no higher than six (6) feet above grade; and a facade mounted sign shall be mounted so that its tip edge is no higher than the roof line;
 - d. Sign may not be erected prior to issuance of a city building permit and must be removed prior to the issuance of a city certificate of occupancy.

TO: _____
Superintendent of Elections
of DeKalb _____ County/Municipality
State of Georgia

**NOTICE OF CANDIDACY AND AFFIDAVIT
(COUNTY/MUNICIPALITY)**

I, the undersigned, being first duly sworn on oath, do depose and say: my name is _____

my residence address is _____ (Street Number) _____ (Street)

_____ (City) _____ (County) _____ (State) _____ (Zip Code)

my post office address is _____

my telephone number is _____ (Business) _____ (Home)

my profession, business, or occupation (if any) is _____

the name of my precinct is _____; I am an elector of the county/municipality of my
residence eligible to vote in the election in which I am a candidate; the name of the office I am seeking is _____

(Circuit, District, or Post if Applicable) _____; my date of birth is _____; I have been a legal resident
of the State of Georgia for _____ consecutive years; I have been a legal resident of _____ county for
_____ consecutive years; I have been a legal resident of my district (if applicable) for _____ consecutive years;

I have been a legal resident of my circuit (if applicable) for _____ consecutive years; I am a citizen of the United States;
I am eligible to hold such office; that I am a candidate for such office in the _____ (Election)
_____ day of _____, 20 _____;

I have never been convicted and sentenced in any court of competent jurisdiction for fraudulent violation of primary or election laws,
malfeasance in office, or felony involving moral turpitude or conviction of domestic violence under the laws of this State, any other State,
or of the United States, or, if so convicted that my civil rights have been restored; and at least ten years have elapsed from the date of
completion of the sentence without subsequent conviction of another felony involving moral turpitude; I am not a defaulter
for any federal, state, county, municipal, or school system taxes required of such officeholder or candidate if such person has been finally
adjudicated by a court of competent jurisdiction to owe those taxes, but such ineligibility may be removed at any time by full payment
thereof, or by making payments to the tax authority pursuant to a payment plan, or under such other conditions as the General Assembly
may provide by general law (pursuant to Ga. Const. Art. II, Sec. II, paragraph III), I will not knowingly violate any provisions of the
Georgia Election Code (O.C.G.A. § 21-2) or of the rules or regulations adopted thereunder.

I understand that any false statement knowingly made by me in this Notice of Candidacy and Affidavit will subject me to criminal
penalties as provided by law and I hereby request you to cause my name to be placed on the ballots to be used in such election as
a candidate for the office I am seeking.

Sworn to and subscribed before me this _____ day of _____, 20 _____

(Notary Public)

(Signature of Candidate)

My Commission Expires _____

(Required by Ga. Election Code O.C.G.A. § 21.2.132.)

I desire that my name appear on the ballot as follows _____ Should I be elected, I desire that my name appear on official
(the surname of the candidate shall be as it appears documents as follows:
on the candidate's voter registration card) :

(Please Print)

(Please Print)

(over)

Check only one

1. I am running in a special election for a partisan office and my party affiliation is _____
- I am running as a nonpartisan candidate.
- I am running as an independent candidate.
- I am the nominee of the _____ Party (Body) nominated by:

Convention (Certified copy of the minutes of the convention attested by the Chairman and Secretary of the convention is being filed herewith);

Other (Specify method of nomination and statute and party rule governing and allowing such method of nomination):

2. I am required to file the above Notice followed by a nomination petition containing at least _____ valid signatures due _____

I am not required to submit a nomination petition pursuant to O.C.G.A. § 21-2-132, because I am:

- Running as a nonpartisan candidate.
- Running as an incumbent.
- Running in a special election.
- Running for a state-wide office nominated by a duly constituted political body convention.

3. I hereby tender check/money order in the amount of \$ _____

NAME OF BANK: _____

CHECK NUMBER: _____

In the event that a candidate pays his or her qualifying fee with a check that is subsequently returned for insufficient funds, the superintendent shall automatically find that such candidate has not met the qualifications for holding the office being sought, unless the bank, credit union, or other financial institution returning the check certifies in writing by an officer's or director's oath that the bank, credit union, or financial institution erred in returning the check as prescribed in O.C.G.A. § 21-2-6(d).

- I hereby file a Pauper's Affidavit, accompanied by a qualifying petition as prescribed in O.C.G.A. § 21-2-132(g), in lieu of paying the qualifying fee.

NOTE: CANDIDATES FOR THE FOLLOWING OFFICES MUST FILE AN ADDITIONAL AFFIDAVIT IN ACCORDANCE WITH THE LISTED CODE SECTION AND MAY HAVE OTHER REQUIREMENTS IN ORDER TO BE QUALIFIED TO SEEK OFFICE. CANDIDATES SHOULD REVIEW THE QUALIFICATIONS FOR THE OFFICE FOR WHICH THEY OFFER FOR ELECTION CAREFULLY.

CLERK OF SUPERIOR COURT
JUDGE OF THE PROBATE COURT
SHERIFF
CORONER
TAX RECEIVER
TAX COLLECTOR
TAX COMMISSIONER

O.C.G.A. § 15-6-50(b)(2)
O.C.G.A. § 15-9-2(a)(2)
O.C.G.A. § 15-16-1(c)(2)
O.C.G.A. § 45-16-1(b)(2)
O.C.G.A. § 48-5-210(b)(2)
O.C.G.A. § 48-5-210(b)(2)
O.C.G.A. § 48-5-210(b)(2)

CANDIDATE NAME: _____

EMAIL ADDRESS: _____

Candidate Information to Appear on the Secretary of State's Website

Required information to be pulled from the Declaration or Notice of Candidacy and Affidavit. This information will be obtained from your qualifying paperwork and will not need to be supplied on this form.

Name to Appear on the Ballot

Party Affiliation

Incumbent Status

Occupation

Qualified Date

Optional information to be provided on this form:

Address:

Phone Number:

Email:

Website:

Approval of Candidate or Agent

I understand that the above information will be posted to the Secretary of State's website and will be accessible by the general public.

PLEASE PROVIDE THE FOLLOWING TO THE QUALIFYING OFFICER:

1. GEORGIA DRIVER'S LICENSE

2. VOTER REGISTRATION CARD

RUNNING FOR MUNICIPAL ELECTED OFFICE

People run for municipal office for a variety of reasons, but it is important to know about the role of elected city officials before undertaking this important job. It is both a privilege and a responsibility of citizens to actively participate in their community. However, if the goals, expectations, or commitments of the individuals running for office do not coincide with the actual duties of the elective office, the city and its constituents may, at the least, be disappointed, and at the worst, be harmed. This pamphlet is a very general and basic guide for those considering running for municipal elected office.



What may cities do?

What can cities not do?

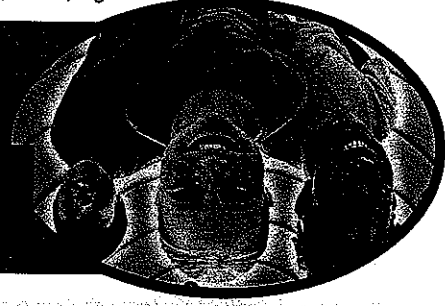
What do city officials do?

What things can city officials not do?

Mechanics of running for municipal office.

You've been elected. Now what?

If I did not know my duties I would look like a big dummy. Then all the people who voted me in office would wonder what in the world they have done?"



Quotes courtesy of the Georgia Municipal Association's "If I Were Mayor, I Would" essay contest for 6th graders.

For more information

- ◆ For more information on the Open Meetings and Open Records Acts, see GMA Publication, Government in the Sunshine: Open Meetings/Records Guide for City Officials, (12th Edition, 2014), or Georgia Code sections starting at 50-14-1 and 50-18-70.
- ◆ For more information on municipal elections in Georgia, see Georgia Election Code and Rules of the State Election Board; O.C.G.A. Tit. 21, ch. 2.
- ◆ Further publications on municipal issues are available on the GMA website under "Advice & Knowledge."

For more information on GMA, visit: www.gmanet.com



Being mayor seems to be a very simple job. All you do is make speeches and shake peoples' hands."

I think being mayor will be pretty cool because helping people gives you a good feeling inside, and I like helping people. Well, and I like being bossy."

Quotes courtesy of the Georgia Municipal Association's "If I Were Mayor, I Would" essay contest for 6th graders.

WHAT CAN CITIES DO?

The primary obligation of cities is to promote the public peace, health, and safety. This is primarily done through services to its citizens. Common services include:

- ◆ Police and fire protection
- ◆ Street construction and maintenance
- ◆ Water and Sewer Services
- ◆ Parks and Recreation
- ◆ Zoning, building inspection and enforcement



Cities were created to provide specialized services for people in more densely populated areas and to set localized policy. In Georgia counties were originally established as administrative arms of the state for the statewide provision of certain services like the courts and to budget for local constitutional officers such as the sheriff and the tax commissioner. Today, some urban counties provide municipal services. Problems may arise when local elected officials attempt to exceed their powers and affect policy issues entrusted to the state or federal government.

WHAT CAN CITIES NOT DO?



The order of laws from highest to lowest is as follows: the U.S. Constitution, federal statutes, the state constitution, state statutes, local acts and municipal ordinances and resolutions. The higher levels of law take precedence over city charters and municipal ordinances and may limit, expand or preempt a city's power to act. For instance, under the U.S. Constitution cities may not infringe on free speech, may not conduct unlawful searches and seizures, and must provide all citizens with due process and equal protection of the laws. Thus when a city acts to regulate signs, freedom of speech issues will need to be considered and may limit the city's ability to regulate signs. Under the Georgia Constitution, cities are also generally prohibited from making donations of public funds to private or charitable causes, regardless of how worthwhile.

MECHANICS FOR RUNNING FOR MUNICIPAL OFFICE

State law requires candidates for municipal office to be a registered voter and to be at least 21 years of age, although a city ordinance may lower the age to 18 years. It also requires that the candidate have lived in the city for at least 12 months, though the city charter may set a shorter time.

Persons who wish to run for municipal office must file a notice of candidacy in the office of the municipal election superintendent of that city during the qualifying period and pay the qualifying fee set by the municipality. The qualifying period allows the election superintendent to examine and challenge the candidate's qualifications for office (such as age, residency, illegally holding public funds, etc.). Eligible voters then have two weeks after the deadline for qualifying to file with the superintendent any written complaints about the qualifications of the individual running for office. Also, if a person intends to accept campaign contributions or establish a campaign committee, additional forms may also have to be filed with the municipal filing officer.

All candidates and public officials are required to file Personal Financial Disclosure Reports annually with the local filing officer.

YOU'VE BEEN ELECTED. NOW WHAT?

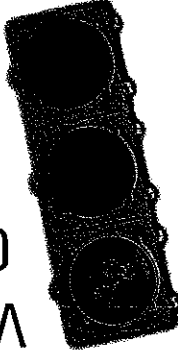
Upon election to a local government office, there is a mandatory training program that covers such topics as municipal law, municipal finance, ethics, economic development, emergency management, and open meetings/open records. There are also a wide variety of elective courses offered to city officials through GMA. These classes can be invaluable tools for elected municipal officials. Finally, if you do choose to run for office and are elected, remember the following tips:

- ◆ Know what you are getting into.
- ◆ Don't make promises you can't keep.
- ◆ Don't try to please everyone.
- ◆ Recognize the value of teamwork and consensus building.
- ◆ Consult with and follow the advice of the city attorney.

But most of all I want to use the big scissors."

If I were mayor I would wear a fancy mustache and a nice top hat."

WHAT THINGS CAN CITY OFFICIALS NOT DO?



There are legal and ethical constraints on municipal elected officials. City officials may amend the city charter, but they **DO NOT** have the power to change the form of government, the procedure for election or appointment to elective office, or limitations on continuance in office without the assistance of the General Assembly. Cities cannot enact charter changes regarding certain taxes, courts and criminal offenses. City officials also do not have the power to change the exercise of eminent domain, expand regulation of areas already controlled by the Public Service Commission or affect the establishment of an independent public school system.

City officials may not hold secret meetings or keep documents from the public. Under Georgia law, almost all city matters must be available to the public in the form of open meetings and open records. Under the Open Meetings Act, when a quorum of the members of the city council is present and the matters discussed are public business, with few exceptions, the meeting must be open and accessible to the public.

Georgia law authorizes elected city officials to set their own compensation and benefits but city officials may not change their own pay or benefits without first publishing a notice of intent to adopt the change, and the decision is not effective until after the next election. They also may not make such changes between the qualifying date and inauguration date. This sort of transparency keeps local elected officials responsible and responsive to their constituents.

The law also contains a number of ethical limitations. Elected city officials may not hold more than one office with the city, such as councilmember and city clerk or mayor and police chief. They also may not vote on a matter if they (or an immediate family member) have a personal financial interest in the matter. Further, the sale of real or personal property to the city by a city official or employee is limited by state law, and is, in some cases, a criminal offense. City officials also have procedures they must follow in zoning decisions to avoid a conflict of interest if the official or his or her immediate family has any business or property affected by the zoning decision, or has received a campaign contribution of \$250 or more from the applicant or someone opposed to the zoning. In addition to being unethical, a violation of the conflict of interest rules surrounding zoning decisions is a misdemeanor.

WHAT DO CITY OFFICIALS DO?



There are three primary forms of municipal government in Georgia: council-manager, strong-mayor and weak-mayor. The form of government is determined by looking at the city's charter. Depending upon the form of government of the municipality, elected officials will have different levels of responsibility over the day-to-day affairs of the city. Thus, it is important to know the form of government of your city, as it will help you to understand the roles and expectations of both elected officials and appointed staff, reducing misunderstandings and improving service. The charter may be found at city hall, and many are now located online either on the city's website or the website of a commercial code service such as the Municipal Code Corporation (www.municipalcode.com). Prospective candidates should read the city's charter before running for office.

Establishment of Policy:

Setting policy about which services to offer, the level of services and the city budget is usually done through the adoption of reasonable ordinances and resolutions by the city council. These ordinances and resolutions must be consistent with state law and the municipal charter. City officials may also set policy by making changes to the charter by ordinance but this power is limited. Ordinances have the strength of law in the municipality, and generally councils are bound by preexisting ordinances unless and until they change them.

Mayors can't make school lunches better. So that means us kids are stuck with yucky, gooey lunches."

If I were Mayor, every Wednesday all the people would have to dress up like cows."

I would always keep my word. Everyone should keep their word, especially the mayor. You should never lie to your community."

