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AN ORDINANCE NO. 0029-33

AN ORDINANCE TO AMEND THE CITY CHARTER OF THE CITY OF BALDWIN, GEORGIA, TO ESTABLISH THE REGULARLY SCHEDULED MONTHLY MEETINGS OF THE CITY COUNCIL; TO PROVIDE THAT THE CITY COUNCIL SHALL HOLD TWO REGULAR MONTHLY MEETINGS ON THE SECOND AND FOURTH MONDAY IN EACH MONTH; TO PROVIDE THAT ONE OR MORE WORK SESSIONS OF THE CITY COUNCIL, AT WHICH OFFICIAL BUSINESS OR POLICY OF THE CITY IS TO BE DISCUSSED OR PRESENTED, MAY BE CALLED EACH MONTH BY THE MAYOR OR BY ANY TWO MEMBERS OF THE CITY COUNCIL; TO PROVIDE THE PROCEDURE FOR THE CALLING OF A SPECIAL MEETING OF THE CITY COUNCIL AND THE NOTICE THAT MUST BE GIVEN REGARDING SAID SPECIAL MEETING; TO REPEAL CONFLICTING PROVISIONS OF THE CHARTER; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Baldwin, Georgia, is authorized by O.C.G.A. § 36-35-3 to enact a home-rule ordinance to amend the City Charter of the City of Baldwin as appropriate;

WHEREAS, the proper administration of the City due to the growth of the City and the resulting increase in administrative needs of the City necessitates that the City Council have two regularly scheduled monthly meetings of the City Council in each month to take official action, as well as work sessions of the City Council, as needed, in order to have discussion and presentation of official business or policy of the City; and

WHEREAS, due to the administrative needs of the City, from time to time, the City Council finds that it would be appropriate for the City Council to call a special meeting in order to meet the needs of the City, and that the procedure of calling a special meeting should be consistent with the "Open Meetings Act" (being O.C.G.A. § 50-14-1, et seq., as amended);

NOW, THEREFORE, be it ordained by the City Council of the City of Baldwin, Georgia, pursuant to O.C.G.A. § 36-35-3, and it is hereby ordained by the authority of same, as follows:

SECTION 1. AMENDMENT OF SECTION 2-6 OF THE CITY CHARTER.

Section 2-6 of the City Charter (Ga.L. 1986, p. 5598) is hereby amended, by striking in their entirety, subparagraphs (a) and (b), and substituting in lieu thereof, the following new subparagraphs (a) and (b), which shall read as follows:

Section 2-6. (a) The City Council shall hold two regular monthly meetings on the first Monday and fourth Monday in each month at 7:00 p.m., or for any particular or all of such meetings at such other hour as may be established by public resolution of the City Council at a prior regular public monthly meeting of the City Council. In order to efficiently and properly administratively handle the official business or policy of the City, one or more work sessions may be called each month by the Mayor or by any two members of the City Council, in order to discuss or have presented official business or policy of the City, but at which meeting, no official action is to be taken. Actual notice of the work session shall be given in person or by telephone to each member of the Council at least 24 hours in advance of the work session. Such notice may be waived, and attendance at the work session shall constitute a waiver of the notice.

(b) A special meeting of the City Council may be called by the Mayor or by any two members of the City Council. Actual notice of a special meeting shall be given in person or by telephone to each member of the Council at least 24 hours in advance of the meeting, except in

the event of special circumstances which necessitate a meeting in under 24 hours' notice. Such notice may be waived, and attendance at the special meeting shall constitute a waiver of the notice. Only the business stated in the call may be transacted at a special meeting. The Mayor or Councilmembers calling a special meeting shall take all reasonably possible steps to inform the public of the meeting, which steps shall include at a minimum the posting of a written notice for at least 24 hours (except in the event of special circumstances) at the place of regular meetings and giving of written or oral notice at least 24 hours (except in the event of special circumstances) in advance of the special meeting to the legal organ in which notices of Sheriff's sales are published in Habersham County, or at the option of the persons calling the special meeting, to a newspaper having a general circulation in Habersham County at least equal to that of the legal organ. When special circumstances occur and are so declared by the City Council, the City Council may hold a meeting with less than 24 hours' notice upon giving such notice of the meeting and subjects expected to be considered at the meeting as is reasonable under the circumstances including notice to the legal organ of Habersham County, or a newspaper having a general circulation in Habersham County at least equal to that of the legal organ, in which event the reason for holding the special meeting within 24 hours and the nature of the notice shall be recorded in the minutes. Any oral notice required or permitted by this subparagraph may be given by telephone. No provision of this home-rule ordinance shall be construed as a waiver by the City Council of, or a deletion of, the various exceptions to the "Open Meetings Act," being O.C.G.A. § 50-14-1 et seq., as amended, and the general law, as amended, providing for said exceptions and which shall be in full force and effect.

SECTION 2. EFFECTIVE DATE.

This home-rule ordinance is hereby adopted and effective upon passage by the City Council of the City of Baldwin, Georgia, the public health, safety and general welfare demanding it.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

The Charter and all ordinances, or any parts thereof, that are in conflict with this home-rule ordinance, are repealed to the extent of the conflict.

BALDWIN CITY COUNCIL

By: Mark C. Reed
Mayor

Deloris Thomas
Councilperson

Jeff Bohannon
Councilperson

Robert Bohannon
Councilperson

John Thomas
Councilperson

Walter Gaily
Councilperson

Attest:

Allyson Jones
City Clerk