

**MAYOR AND TOWN COUNCIL
TOWN OF FOREST HEIGHTS**

**CHARTER AMENDMENT RESOLUTION NUMBER 4 – PROPOSING TO AMEND
THE FOREST HEIGHTS TOWN CHARTER SECTION 33-18 (b) APPOINTMENTS.**

INTRODUCED BY: Councilman Myles Spires

ENACTED:

WHEREAS, the continued legislative and administrative support of all departments within the Town of Forest Heights government is essential for continued maximum public safety and town development; and

WHEREAS, there have been clear concerns raised by residents and members of the Town Council concerning police powers and authority of the Forest Heights Police Department and administrative authority and effectiveness of the Town Treasurer and Town Clerk and the stability of their tenures; and

WHEREAS, the Section 33-90 of the Charter of the Town of Forest Heights and Article 23A § 12 and 13 empower and regulate the Town Council in enacting charter amendments and the Mayor in posting and publication of proposed charter amendments;

NOW THEREFORE BE IT RESOLVED that the Town Council of Forest Heights proposes to amend the Charter of the Town of Forest Heights Section 33-18 (b) Appointments. The amendment of the Charter of the Town of Forest Heights shall be enacted by striking the current language which reads *“Appointments. The Mayor, with the approval of the Council, shall appoint the heads of all offices, departments, and agencies of the Town government as established by this Charter or by ordinance. All office, department, and agency heads shall serve at the pleasure of the Mayor. All subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor, in accordance with rules and regulations in any merit system which may be adopted by the Council.”* and replacing said language with the following language **“Appointments. The Mayor with the approval of the Council, shall appoint the heads of all offices, departments, and agencies of the Town government as established by this Charter or by ordinance. All paid appointees in the employ of the Town of Forest Heights including the Town Treasurer, Town Clerk, the Chief of Police and other department heads whose appointment (s) are secured by the approval of the Town Council of Forest Heights, shall retain their appointment and employment with the Town of Forest Heights until at least a majority of the Town Council of Forest Heights approve, through formal voting, said appointee’s termination after having convened a hearing, before the Town Council, of the charges warranting said appointee’s dismissal. Recommendation to terminate any appointment rests solely and exclusively with the Mayor of the Town of Forest Heights. All subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and/or removed by the respective department or agency head with the approval of the Mayor and Town Council, in accordance with rules and regulations in any merit system which may be adopted by the Council. In the absence of a department head, promotion or removal of subordinate officers and employees shall be made by the Mayor with the written approval of majority of the Town Council and in accordance with any budget and merit system which may be adopted by the Council.**

BE IT FURTHER RESOLVED that the Mayor shall give notice of this resolution for a proposed Charter Amendment by posting an exact copy thereof at the town hall for a period of at least forty days following its adoption and shall cause a fair summary of this proposed Charter Amendment to be published in a

newspaper of general circulation in the Town of Forest Heights not less than four times, at weekly intervals within a period of at least forty days starting not later than three days immediately following the date of the adoption of this resolution containing the proposed charter amendment.

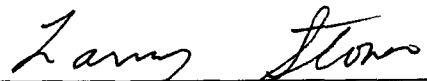
BE IT FURTHER RESOLVED that non-compliance with this resolution and ordinance shall be deemed a misdemeanor and subject to 30 days in prison and a fine not to exceed \$1000.00; and

BE IT FURTHER RESOLVED that any incident of non-compliance with this resolution, as determined by a majority vote of the town council, shall be prosecuted and/or referred to the State's Attorney for prosecution by the Town Attorney ; and

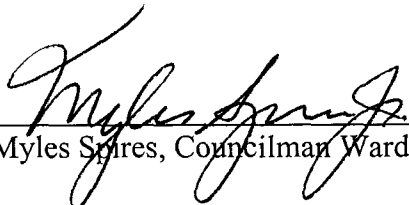
AND BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage and the proposed Charter Amendment hereby shall take effect January 6, 2006.

PASSED THIS DAY OF November 16, 2005.

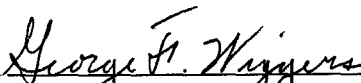
Joyce A. Beck, Mayor



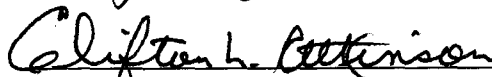
Larry Stoner, Council President &
Councilman Ward III



Myles Spires, Councilman Ward II




George F. Wiggers, Councilman Ward I



Clifton Atkinson, Councilman Ward II

Alice Hoskins, Councilwoman Ward I



Worthington Ross, Councilman Ward III

Attest:



Bonita Anderson, Town Clerk