

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

**CHARTER AMENDMENT RESOLUTION NUMBER 16- PROPOSING TO AMEND THE
FOREST HEIGHTS TOWN CHARTER SECTION 33-3 NUMBER; SELECTION; TERM**

INTRODUCED BY: Councilman Worthington Ross

ENACTED: February 15, 2006

WHEREAS, the continued legislative stability of the Forest Heights Town Council within the Town of Forest Heights government is essential for continued maximum public safety and Town development; and

WHEREAS, Section 33-90 of the Charter of the Town of Forest Heights and Article 23A §12, 13, and 17(a)-(g) empower and regulate the Town Council in enacting Charter amendments and the Mayor in posting and publication of proposed Charter amendments; and

WHEREAS, a change in Councilmember terms from two to four years will minimize turnover and provide for a more stable Town government; and

WHEREAS, a two-year overlap between the tenure of new and older members during which new members will have the opportunity to be trained and learn from the senior members, the responsibilities for effective government operation; and

WHEREAS, to phase in a two-year election overlap; and

~~WHEREAS, Section 33-48 of the Town Charter forbids budget over expenditures, and~~

~~WHEREAS, all taxpayers of the Town of Forest Heights expect their elected officials to control all expenditures, ensuring that basic Town services are delivered effectively and efficiently; and~~

~~WHEREAS, the current (FY05) fiscal conditions of the Town's finances are basically unknown, the audit for FY04 showed over expenditures exceeding \$90,000, and the FY05 audit is not scheduled to be completed before March 31, 2006, and to conduct an election with its related costs at this time would not be fiscally responsible of the Town Council; and~~

WHEREAS, to spread election costs every two years as opposed to every year;

NOW THEREFORE BE IT RESOLVED that the Town Council of Forest Heights proposes to amend the Charter of the Town of Forest Heights Section 33-3. Number; selection; term. The amendment of the Charter of the Town of Forest Heights shall be enacted by striking the current language which reads "*All legislative powers of the Town shall be vested in a Council consisting of the Mayor and six Councilmen who shall be elected as hereinafter provided and who shall hold office for a term of two years or until the succeeding Council takes office. The regular term of Councilmen shall expire on the first Wednesday following the election and qualification of their successors. Councilmen holding office on*

October 10, 1963, shall continue to hold office for a term for which they were elected and until the succeeding Council takes office under the provisions of this Charter (Ch. Res. No. 1, August 21, 1963, sec. 3.)” and replacing said language with the following language “**All legislative powers of the Town shall be vested in a Council consisting of the Mayor and six Councilmen who shall be elected as hereinafter provided and who shall hold office for a term of four years or until the succeeding Council member takes office. The regular term of Councilmen shall expire on the first Wednesday following the election and qualification installation of their successors. Councilmen holding office on January 17, 2006, shall continue in office as follows: the term of Councilmen elected in 2004 shall be extended to 2007, and the term of Councilmen elected in 2005 shall be extended to 2009.**”

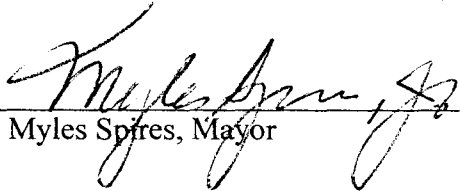
BE IT FURTHER RESOLVED that the Mayor shall give notice of this resolution for a proposed Charter Amendment by posting an exact copy thereof at the Town Hall for a period of at least forty days following its adoption and shall cause a fair summary of this proposed Charter Amendment to be published in 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 shall be deemed a misdemeanor and subject to 30 days in prison and a fine not to exceed \$1000.00; and

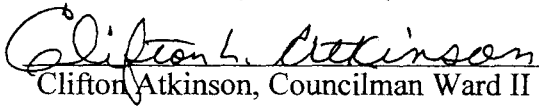
BE IT FURTHER RESOLVED that any incident of non-compliance with this resolution, as determined by a majority of the Town Council, shall be prosecuted and/or referred to the State’s Attorney;

AND BE IT FURTHER RESOLVED that this resolution to amend the Charter of the Town of Forest Heights shall take effect immediately on its passage and the proposed Charter Amendment hereby shall take effect ~~March 27~~ April 7, 2006.

PASSED THIS DAY OF February 15~~6~~, 2006.

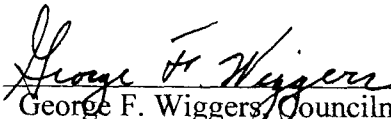

Myles Spres, Mayor

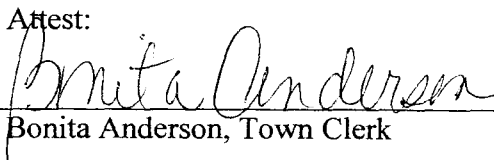
Larry Stoner, Council President &
Councilman Ward III


Clifton Atkinson, Councilman Ward II

Worthington Ross, Councilman Ward III


Alice Hoskins, Councilwoman Ward I


George F. Wiggers, Councilman Ward I

Attest:

Bonita Anderson, Town Clerk