

**ORDINANCE NO. 2017-3**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF SOCIAL CIRCLE, GEORGIA, TO ESTABLISH A MAIN STREET COMMISSION WHICH WILL PROMOTE AND REVITALIZE THE CITY'S CENTRAL BUSINESS DISTRICT.

**WHEREAS**, the duly elected governing authority of the City of Social Circle, Georgia is the Mayor and Council thereof;

**WHEREAS**, the City of Social Circle desires to amend the Code of Social Circle, Georgia, to establish a Main Street Commission; and

**WHEREAS**, this Ordinance Amendment shall be known as the "Social Circle Main Street Commission Ordinance"; and

**WHEREAS**, the downtown business district of the City of Social Circle, as well as the area of responsibility of the Social Circle Main Street Commission, are shown on the map attached hereto as Exhibit "A" and incorporated herein, and

**WHEREAS**, the Mayor and Council of the City of Social Circle, Georgia, by the approval of this Ordinance, are creating the Main Street Program downtown business district, which will be the area shown on the map attached hereto as Exhibit "A" and which area shall be called the "Main Street District"; and

WHEREAS, the purpose of this Amendment is to establish the Social Circle Main Street Commission which will promote and revitalize the downtown business district of the City of Social Circle.

**IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SOCIAL CIRCLE, GEORGIA AS FOLLOWS:**

**Section 1. Purpose:** This article is created by the Mayor and City Council of the City of Social Circle, Georgia (hereinafter referred to as "Mayor and Council") to provide an organizational structure for the joint participation of private and public interests in the economic development of the business district of the City. The commission established by this Ordinance shall be exclusively empowered with overseeing the Main Street Program, as that term is described in the rules, regulations and guidelines of the Georgia Department of Community Affairs. The Main Street Commission is further charged with raising and overseeing the use of contributed private capital through deductible charitable contributions to the City of Social Circle given for the dedicated purpose of paying for Main Street Program initiatives within the Main Street District.

**Section 2. Creation, appointment and compensation:** A commission of the City of Social Circle is hereby created by official action of the Mayor and Council. The commission shall be the exclusive board of directors of the Main Street Program whose title shall be "Social Circle Main Street Commission" (hereinafter referred to as the "Main Street Commission"). The registered office of the Main Street Commission shall be City Hall in the City of Social Circle with the address of P.O. Box 310, Social Circle, Georgia. The operational office of the Main Street Commission shall be the Social Circle Visitors Center. This entity is a subsidiary commission of the City and all contributions to this organization shall be deemed gifts to the City of Social Circle,

Georgia and deductible under the current statutes and regulations of the Internal Revenue Code. All financial accounts of the Main Street Commission shall be deemed public funds, subject to the annual review of the auditors of the City and shall be maintained under the standards of fund accounting for cities required under the official code of Georgia for cities.

(A) Membership, qualifications and terms of office.

(i) The Main Street commission shall consist of fifteen (15) members, each of whom shall serve a maximum term of three years. Twelve members of the Commission shall be appointed by the Mayor and Council. One commissioner shall serve as the representative of the Historical Preservation Commission (“HPC”) and be appointed by the HPC. One commissioner shall serve as a representative of the Social Circle Downtown Development Authority (“DDA”) and shall be appointed by the DDA. One commissioner shall serve as a representative of the Social Circle Planning Commission and shall be appointed by the Planning Commission. The Mayor of the City of Social Circle and the City Manager shall serve as the City representatives to the Commission with the authority to participate in discussions, but not vote or be counted toward a quorum. The commissioner serving as the Planning Commission representative is the only member that shall not have the power to vote. To ensure continuity of the Main Street Commission, the initial terms are staggered as provided on Exhibit “B” attached hereto and incorporated herein by reference. In future appointments, the commission positions shall be referred to by the seat number affixed to the attached list. The commissioners shall have the following standards for appointment:

(ii) At least four (4) members shall be residents of the City of Social Circle.

- (iii) At least two (2) members shall be business owners in the Main Street District.
  - (iv) At least one (1) member shall own property in the Main Street District.
- (B) Appointment, vacancies and removal.
- (i) When appointing Main Street Commission members, the city clerk shall take action as may reasonably be required to inform city residents, business owners in the Main Street District and property owners in the Main Street District that an opening exists on the Main Street Commission, including the publication of a notice in the principal newspaper of general circulation in the City of Social Circle. The city clerk shall accept applications from interested individuals. Acting as a committee of the whole, the Mayor and Council, chaired by the mayor, shall review the applications, interview applicants, and recommend a short list of potential candidates. Confirmation shall be by a majority vote of the Mayor and City Council.
  - (ii) If a member is unable to complete a term of office, then an appointment to fill the unexpired term shall be made in the same manner as making an initial appointment. A member so appointed shall serve the remainder of the unexpired term of his or her predecessor.
  - (iii) If a member is absent from three (3) consecutive regular monthly meetings of the Commission, without a Main Street Commission approved excuse, the offending Commissioner may be subject to being removed and replaced by official action of the Mayor and Council after a written request is made by the Main Street Commission seeking removal of the absent commissioner. Members may participate via teleconference, with the approval of Main Street, if they are unable

to attend a meeting. Industry appointees may send a substitute if they are unable to attend a Main Street meeting.

- (C) Members shall serve without compensation, but may be reimbursed for reasonable expenses as approved by the Mayor and Council.

**Section 3. Powers and duties.**

The Main Street Commission shall:

- (A) Make an annual report to the Mayor and Council on the economic condition of the Main Street District;
- (B) Make recommendations to the Mayor and Council on economic and development issues concerning the city's business district;
- (C) Search for local, state, federal, and private grants and other funds for the economic development of the Main Street District;
- (D) Create and maintain a plan for the Main Street District incorporating the Georgia Main Street Association's four-point approach of organization, promotion, economic restructuring, and design as set forth in the Annual Standards for Accreditation a copy of which is attached hereto as Exhibit "C";
- (E) Faithfully fulfill all the conditions and terms of the Main Street Memorandum of Understanding as amended in the future and as set forth initially in the document attached hereto as Exhibit "D".
- (F) To budget, invest, and when dedicated funds are held by others for the Main Street Program, to oversee the budgeting and investment of such funds contributed to the Main Street Program including, but not limited to, the funds held by Social Circle Main

- (G) To generally carry on, conduct, promote, operate and undertake any transaction or operation necessary to carry out the powers and duties outlined herein.
- (H) To make every effort to fulfill and to continue to fulfill in the future all the Annual Standards for Accreditation set forth in the documents attached hereto as the Georgia Main Street 2016 Annual Standards for Accreditation as amended in the future.
- (I) To make all records available and assist the City Auditor in the financial review of all contributions, public expenditures, investments, revenues and expenditures of the Main Street Commission.
- (J) To work with the Georgia Department of Community Affairs in administering the Main Street Program consistent with and pursuant to its other standards for the Main Street Program.
- (K) To conduct all meetings subject to the notices and terms of the Georgia Open Meetings Law and to keep and make available all records, minutes and other written items, including communications, for review and copying pursuant to the Georgia Open Records Law.

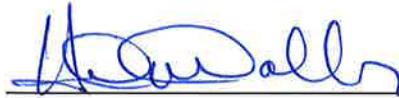
**Section 4: Assistance by the City.**


The City of Social Circle, through the action of the Mayor and Council, shall provide technical and clerical assistance as the Main Street Commission by maintaining a permanent and complete record of the activities of the Main Street Commission in the records of the Clerk of the City.

**Section 5: Bylaws, officers and quorum.**

- (A) The Main Street Commission shall have the authority to supplement this enabling Ordinance by adopting rules and procedures, such as bylaws, for the transaction of its business. The Main Street Commission shall have the prerogative to adopt reasonable rules and bylaws without amendment to this Ordinance or the vote of the Mayor and Council. The Main Street Commission shall provide for the time and place of regular meetings and a method for the calling of special meetings. The Main Street Commission shall meet at least monthly. Meetings and notices of meetings shall be conducted in accordance with the Georgia Open Meeting and Records Act, O.C.G.A. § 50-18-70.
- (i) A quorum shall consist of a majority of the current appointed and serving members. For purposes of establishing a quorum, commissioners appointed by the HPC, DDA and Planning Commission shall be counted. A vote of a majority of the members attending the meeting is needed to take action.
- (ii) The Main Street commission shall elect a chair and such other officers as it deems appropriate from among its members. Officers shall serve one-year terms and shall be eligible for reelection. The Main Street Commission shall elect its initial officers at the first meeting following their appointment and thereafter in February of each year.

SO ORDAINED this 21<sup>st</sup> day of February, 2017.

  
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Hal Dally, Mayor

  
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David L. Keener, Mayor Pro tempore


ATTEST:

  
\_\_\_\_\_  
Susan Roper, City Clerk

\_\_\_\_\_  
Scott Simpkins, Council Member

  
\_\_\_\_\_  
Tyson Jackson, Council Member

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Joseph Stevens Shelton Council Member

  
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Anthony O. L. Powell, City Attorney  
Webb, Tanner & Powell P.C.

Adopted by the City Council at a regular called meeting on February 21, 2017.

3 Council members voting in favor

0 Council members voting against

0 Council members abstaining