

**RESOLUTION #291-2023**

**CITY OF WOODSTOCK, GEORGIA**

A RESOLUTION TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION, TO AUTHORIZE THE PUBLICATION OF A NOTICE OF AN ELECTION AND TO CALL SUCH ELECTION TO DETERMINE THE ISSUANCE OR NON-ISSUANCE BY THE CITY OF WOODSTOCK OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY-FOUR MILLION DOLLARS (\$24,000,000), INCLUDING FINANCING COSTS FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, REPAIR, IMPROVEMENT, CRITICAL CAPITAL MAINTENANCE AND EQUIPPING OF CERTAIN MUNICIPAL RECREATIONAL FACILITY IMPROVEMENTS AND RELATED INFRASTRUCTURE, INCLUDING: (1) THE LITTLE RIVER PARK CONNECTOR, RUBES CREEK SOUTH CONNECTOR, RUBES CREEK WEST CONNECTOR, WATER TRAIL, NEESE AND ARNOLD MILL ROAD CONNECTIONS, AND BUCKHEAD CROSSING BOARDWALK (THE "TRAILS"), (2) THE LITTLE RIVER PARK AND RELATED PUBLIC IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, PLAYGROUNDS, TRAILS, PATHS, BICYCLE LANES, AND SAFETY LIGHTING (THE "PARK IMPROVEMENTS"), (3) THE COST OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 FOR SUCH TRAIL AND PARK IMPROVEMENTS AND, (4) OTHER COSTS INCIDENT THERETO; AND TO PROVIDE THE DATES AND THE MAXIMUM RATE OF INTEREST THE BONDS, IF ISSUED, SHALL BEAR AND TO PROVIDE FOR THE MATURITIES OF THE BONDS; TO PROVIDE FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR PAYING THE PRINCIPAL OF AND INTEREST ON THE BONDS, IF APPROVED BY THE VOTERS; TO PROVIDE THAT ANY OR ALL OF SUCH BONDS MAY BE MADE SUBJECT TO REDEMPTION PRIOR TO MATURITY; TO PROVIDE THAT THE BONDS, IF APPROVED BY THE VOTERS, MAY BE ISSUED, SOLD AND DELIVERED AT ONE TIME OR IN SEPARATE SERIES FROM TIME TO TIME; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and City Council of the City of Woodstock, Georgia (the "Council") is the governing body of the City of Woodstock, Georgia (the "City"), a municipal corporation of the State of Georgia; and

WHEREAS, the City has the power to issue its general obligation bonds for the purpose of raising capital to carry out capital improvement programs authorized under the charter of the City, 1975 Ga. Laws (Act No. 393), page 4160 (the “Charter”), as amended, and the 1983 Constitution of the State of Georgia (the “Constitution”) and general laws of the State of Georgia (the “State”); and

WHEREAS, Official Code of Georgia Annotated (the “Georgia Code”), Section 36-82-1, *et seq.* provides that when any municipal corporation desires to incur any bonded debt, as permitted by the Constitution, than an election shall be called and held in accordance with law; and

WHEREAS, Article IX, Section II, Paragraph III(a) of the Constitution grants municipalities in the State, including the City, certain supplementary powers to provide sidewalks, parks, recreational areas, programs, and facilities; and

WHEREAS, Section 1.13 of the City’s Charter grants it certain powers to levy and provide for the collection of taxes on all property subject to taxation; to layout, open, extend, widen, narrow, construct, pave, curb, gutter, adorn with shade trees, and to otherwise improve and maintain roads, alleys and walkways within the corporate limits of the City; to provide for the acquisition, construction, building, operation and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewerage treatment, airports, hospitals and charitable, cultural, educational, conservation, sport, curative, corrective, detentional, penal and medical institutions, agencies and facilities and any other public improvements, inside or outside the corporate limits of the City; and

WHEREAS, Section 6.20 of the City’s Charter – General Obligation Bonds – provides that the Council shall have the power to issue bonds for the purposes of raising revenue to carry out any project, program or venture authorized under the Charter or the general law of the State; and

WHEREAS, the Council has caused a thorough canvass and study of the public improvements, equipment and facility needs of the City and such canvass and study discloses that it is in the best interest of the City to acquire, construct, reconstruct, renovate, repair, improve, provide critical capital maintenance and equip certain municipal recreational facility improvements and related infrastructure, including; (i) the Little River Park Connector, Rubes Creek South Connector, Rubes Creek West Connector, Water Trail, Neese and Arnold Mill Road Connections, and Buckhead Crossing Boardwalk (the “Trails”), (ii) the Little River Park and related public improvements, including, but not limited to, playgrounds, trails, paths, bicycle lanes, and safety lighting (the “Park Improvements”), and (iii) the cost of compliance with the Americans with Disabilities Act of 1990 for such Trail Park Improvements, and (iv) other costs incident

thereto; (the Trails and Park Improvements collectively, the “Municipal Recreational Facility Improvements”); and

WHEREAS, the Council proposes that the City issue its general obligation bonds to provide funds to pay or be applied to pay the cost of said Municipal Recreational Facility Improvements, and to pay the costs of acquiring facilities, equipment and property, both real and personal, necessary or desirable in connection therewith, the cost of compliance with the Americans with Disabilities Act of 1990 for such improvements and facilities of the City, and to pay expenses and other costs incident thereto in accomplishing the foregoing, all at an estimate acquisition, construction, installation and equipping all at a cost not to exceed \$24,000,000; and

WHEREAS, the Council has recommended that the money required for said Municipal Recreational Facility Improvements, including the costs of issuance, be obtained by the issuance of the City’s general obligation public improvement bonds (the “Public Improvement Bonds”) in an aggregate principal amount not to exceed \$24,000,000, to finance the following project, which Public Improvement Bonds may be issued in one or more series:

\$24,000,000 General Obligation Public Improvement Bonds for the purpose of paying the costs of the acquiring construction, reconstruction, renovation, repair, improvement, critical capital maintenance and equipping certain municipal recreational facility improvements and related infrastructure, including (i) the Little River Park Connector, Rubes Creek South Connector, Rubes Creek West Connector, Water Trail, Neese and Arnold Mill Road Connections, and Buckhead Crossing Boardwalk, (ii) the Little River Park and related public improvements, including, but not limited to, playgrounds, trails, paths, bicycle lanes, and safety lighting, (iii) the cost of compliance with the Americans with Disabilities Act of 1990 for such Trail and Park Improvements, and (iv) other costs incident thereto;

WHEREAS, it appears that the only feasible plan for providing the funds to finance such Municipal Recreational Facility Improvements is by the issuance and sale of the City’s Public Improvement Bonds for the purposes as aforesaid; and

WHEREAS, the bonds shall be in the denomination of \$5,000 each or integral multiples thereof, shall be dated the date of issuance, shall bear interest from the date thereof, with interest coming due semi-annually on the first day of February and August in each year, commencing on such dates as the Council shall determine in a supplemental ordinance, at an interest rate or rates not to exceed six and one-half percent (6.50%) per annum, until paid, and in the principal amounts hereinafter set forth; and

WHEREAS, under the Constitution and laws of the State, it is necessary for the officers of the City charged with levying taxes, contracting debts and the like to submit to the qualified voters of the City the question of whether said Public Improvement Bonds should be issued by the City for such purposes and to give notice thereof for not less than thirty (30) days immediately preceding the date of such election at the times and in the manner provided in Sections 36-82-1, *et seq.* and Sections 21-2-540 and 21-2-45.1 of Georgia Code; and

WHEREAS, pursuant to Sections 36-82-1(d) and 36-82-4.2 of the Georgia Code, the Council, by two-thirds vote, may (i) declare any project which has been established pursuant to any statement of intention related to the Municipal Recreational Facility Improvements to be unnecessary and use the bond funds allocable to such portion of the project to complete underestimated projects or other projects or improvements which are encompassed within the language of the statement of purpose in the election notice, or (ii) declare that the purpose stated in the notice related to the Municipal Recreational Facility Improvements is no longer necessary or circumstances have changed such that the expenditure of all or part of the related bond funds is no longer practicable or feasible and, following the publication of requisite notice, elect to expend such bond funds for purposes substantially similar to the purpose stated in the election notice or to reduce the bonded indebtedness;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, that:

Section 1. Call of Election. There shall be, and is hereby called to be held in the City on Tuesday, the 7<sup>th</sup> day of November, 2023, an election for the purpose of submitting to the qualified voters of the City, the questions of whether all or any part of the City's general obligation public improvement bonds in an aggregate principal amount not to exceed \$24,000,000 should be issued by the City for the various purposes of providing funds to pay, or to be applied or contributed toward, the cost of acquiring, constructing, reconstructing, renovating, repairing, equipping, critical capital maintenance and improving certain municipal recreational facility improvements and related infrastructure, including (i) the Little River Park Connector, Rubes Creek South Connector, Rubes Creek West Connector, Water Trail, Neese and Arnold Mill Road Connections, and Buckhead Crossing Boardwalk, (ii) the Little River Park and related public improvements, including, but not limited to, playgrounds, trails, paths, bicycle lanes, and safety lighting, (iii) the cost of compliance with the Americans with Disabilities Act of 1990 for such Trail and Park Improvements, and (iv) other costs incident thereto.

Section 2. Terms of Bonds. The bonds of the proposed bond issue, if approved by the voters, shall be dated as of the date of issuance, shall be in such denomination or denominations, shall bear interest from the date thereof at such rate or rates, but in no event exceeding the maximum rate of interest of six and one-half percent (6.50%) per annum, shall provide for interest



to be payable semi-annually on the first day of February and August of each year, until the bonds are paid in full, all as shall be determined by the Council in a supplemental resolution or ordinance, and shall provide for principal to be paid on the first day of February in the years and in the amounts set forth below for the proposed issue of bonds:

GENERAL OBLIGATION BONDS FOR TRAILS AND PARKS:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2031	\$ 565,000	2038	\$1,780,000
2032	1,270,000	2039	1,870,000
2033	1,350,000	2040	1,965,000
2034	1,465,000	2041	2,060,000
2035	1,540,000	2042	2,165,000
2036	1,615,000	2043	2,275,000
2037	1,695,000	2044	2,385,000

Section 3. Question To Be Voted Upon. The ballot label to be used in the election shall have printed thereon, in brief form, the question to be determined by the voters, which shall be substantially in the following form. The qualified voters may vote for or against the following question:

Ballot Label for Proposed Trails and Parks:

“SHALL GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000 BE ISSUED BY THE CITY OF WOODSTOCK FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, REPAIR, IMPROVEMENT, CRITICAL CAPITAL MAINTENANCE AND EQUIPPING OF CERTAIN MUNICIPAL RECREATIONAL FACILITY IMPROVEMENTS AND RELATED INFRASTRUCTURE, INCLUDING (1) THE LITTLE RIVER PARK CONNECTOR, RUBES CREEK SOUTH CONNECTOR, RUBES CREEK WEST CONNECTOR, WATER TRAIL, NEESE AND ARNOLD MILL ROAD CONNECTIONS, AND BUCKHEAD CROSSING BOARDWALK, (2) THE LITTLE RIVER PARK AND RELATED PUBLIC IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, PLAYGROUNDS, TRAILS, PATHS, BICYCLE LANES, AND SAFETY LIGHTING, (3) THE COST OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 FOR SUCH FACILITIES AND IMPROVEMENTS; AND (4) TO PAY EXPENSES INCIDENT TO THE ISSUANCE OF SUCH BONDS?”

The ballot labels for the question propounded above shall have printed thereon the word “YES” and the word “NO” in order that each voter may cast his or her vote in either the affirmative or the negative as to the question propounded.

Section 4. Time and Place of Election. Unless otherwise indicated by the election superintendent of Cherokee County, the election shall be held on Tuesday, November 7, 2023 at the regular and established polling places for holding elections in each precinct in the City. Unless otherwise indicated by the election superintendent for Cherokee County each polling place shall be opened at 7:00 a.m. and closed at 7:00 p.m. The election shall be held in accordance and in conformity with the Constitution and laws of the United States of America and the State of Georgia.

Section 5. Authorization to Publish Notice of Election. The City Clerk, as the Election Superintendent of the City, shall be and is hereby, authorized and instructed to publish a notice of the election at least once a week for a period of four (4) weeks immediately preceding the date of the election in the *Cherokee Tribune*. Such notice shall also be published not less than thirty (30) days immediately preceding the election and the first date of publication shall be no later than October 6, 2023; *provided, however*, that at least thirty (30) actual days shall intervene between the date of the first publication of notice with the appropriate newspaper or newspapers (such date being hereinafter referred to as the “call”) and the date of the election. Such notice of election shall run the weeks of October 2nd (but no later than October 6<sup>th</sup>), October 9th, October 16th, October 23rd and October 30th, 2023, and each such notice shall be in substantially the following form:

\*\*\* [FORM OF NOTICE FOR PUBLIC IMPROVEMENT BONDS  
FOR TRAILS AND PARKS] \*\*\*

NOTICE OF BOND ELECTION TO THE QUALIFIED VOTERS OF  
THE CITY OF WOODSTOCK, GEORGIA

YOU ARE HEREBY NOTIFIED that on Tuesday, November 7, 2023, an election will be held in the City of Woodstock (the “City”), at which election there will be submitted to the qualified voters of the City for their determination the question of whether General Obligation Public Improvement Bonds in an aggregate principal amount not to exceed \$24,000,000 should be issued by the City of providing funds to pay, or to be applied or contributed toward, the costs to acquire, construct, reconstruct, renovate, repair, improve, provide critical capital maintenance and equip certain municipal recreational facility improvements and related infrastructure, including (i) the Little River Park Connector, Rubes Creek South Connector, Rubes Creek West Connector, Water Trail, Neese and Arnold Mill Road Connections, and Buckhead Crossing Boardwalk, (ii) the Little River Park and related public improvements, including but not limited to playgrounds, trails, paths, bicycle lanes and safety lighting, (iii) the cost of compliance with the Americans with Disabilities Act of 1990 for such trails and parks and other costs incident thereto.

Each of the bonds of such bond issue, if approved by the voters, shall be dated as of the first day of the month in which the bonds are issued, shall be in such denomination or denominations, shall bear interest from the date thereof at such rate or rates, but in no event exceeding the maximum rate of interest of six and one-half percent (6.50%) per annum, shall provide for interest to be payable semi-annually on the first day of February and August of each year, until the bonds are paid in full, all as shall be determined by the City Council of the City of Woodstock (the "Council") in a supplemental ordinance with respect to the issuance of said bonds, and shall provide for the principal to be paid of the first day of February in the years and the amounts set forth below:

GENERAL OBLIGATION BONDS FOR TRAILS AND PARKS:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2031	\$ 565,000	2038	\$1,780,000
2032	1,270,000	2039	1,870,000
2033	1,350,000	2040	1,965,000
2034	1,465,000	2041	2,060,000
2035	1,540,000	2042	2,165,000
2036	1,615,000	2043	2,275,000
2037	1,695,000	2044	2,385,000

The bonds may be made subject to redemption prior to maturity, to the extent permitted by law, upon terms and conditions to be determined by the Council in a supplemental ordinance.

Voters desiring to vote for the issuance of such Public Improvement Bonds shall do so by voting "YES" and the voters desiring to vote against the issuance of such Public Improvement Bonds shall do so by voting "NO" as to the question written or printed on the ballot labels with respect to the bonds. Such question shall be substantially as follows:

"SHALL GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000 BE ISSUED BY THE CITY OF WOODSTOCK FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, REPAIR, IMPROVEMENT, CRITICAL CAPITAL MAINTENANCE AND EQUIPPING OF CERTAIN MUNICIPAL RECREATIONAL FACILITY IMPROVEMENTS AND RELATED INFRASTRUCTURE, INCLUDING (1) THE LITTLE RIVER PARK CONNECTOR, RUBES CREEK SOUTH CONNECTOR, RUBES CREEK WEST CONNECTOR, WATER TRAIL, NEESE AND ARNOLD MILL ROAD CONNECTIONS, AND BUCKHEAD CROSSING BOARDWALK, (2) THE LITTLE RIVER PARK AND RELATED PUBLIC IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, PLAYGROUNDS, TRAILS, PATHS, BICYCLE LANES, AND SAFETY LIGHTING, (3) THE COST OF COMPLIANCE WITH THE AMERICANS WITH

DISABILITIES ACT OF 1990 FOR SUCH FACILITIES AND IMPROVEMENTS; AND (4) TO PAY EXPENSES INCIDENT TO THE ISSUANCE OF SUCH BONDS?"

The ballot labels for the question propounded above shall have printed thereon the word "YES" and the word "NO" in order that each voter may cast his or her vote in either the affirmative or the negative as to the question propounded.

The several places for holding the election shall be the regular and established polling places for holding elections in each precinct in the City. Each polling place shall be opened at [7:00 a.m. and closed at 7:00 p.m.] on November 7, 2023.

Those qualified to vote at this election shall be determined in all respects in accordance and in conformity with the Constitution and the laws of the United States of America and the State of Georgia.

ANY BROCHURES, LISTINGS OR OTHER ADVERTISEMENTS ISSUED BY THE CITY OF WOODSTOCK, GEORGIA OR ANY OTHER PERSON, FIRM, CORPORATION OR ASSOCIATION WITH THE KNOWLEDGE AND CONSENT OF THE CITY OF WOODSTOCK, GEORGIA, SHALL BE DEEMED TO BE A STATEMENT OF INTENTION OF THE CITY CONCERNING THE USE OF THE PROCEEDS OF THE BONDS.

FOR INFORMATION ON HOW TO REGISTER AND WHERE TO VOTE, YOU MAY CALL THE CHEROKEE COUNTY BOARD OF ELECTIONS AND REGISTRATION AT 770-479-0407 OR INQUIRE AT THE OFFICES OF THE CHEROKEE COUNTY BOARD OF ELECTIONS AND REGISTRATION AT 193 LAMAR HALEY PARKWAY, CANTON, GA 30114. THE FINAL DAY FOR REGISTRATION TO VOTE IN SUCH ELECTION SHALL BE [October 10, 2023].

This notice is given pursuant to the authority of a resolution adopted by the Council of the City of Woodstock, Georgia.

CITY OF WOODSTOCK, GEORGIA

By: *E Taylor*  
Elle Taylor, City Clerk

\*\*\*[END OF FORM OF NOTICE FOR PUBLIC IMPROVEMENT BONDS  
FOR TRAILS AND PARKS]\*\*\*



Section 6. Election and Canvass. The appropriate officials of the City shall take or cause to be taken all action which is required for holding the election in conformity with the Constitution and laws of the United States of America and of the State of Georgia, including the execution by the Mayor of the City of an agreement with Cherokee County for all or part of the acts to be performed in the holding of the election and the canvass of the results of the election. The books for registration of voters in the election shall remain open until the close of business on the date specified by the superintendent, unless otherwise provided by the Secretary of the State of Georgia or the election superintendent for Cherokee County.

Section 7. Levy of Tax. If the bonds of the proposed issues or any one of them is approved by the voters at the election, the Council shall, prior to delivery of the bonds, levy by proper ordinance, an annual direct tax on all property located within the corporate limits of the City, in amounts such that the tax will produce funds sufficient to pay the principal of and interest on the bonds as such principal and interest become due and payable.

Section 8. Redemption of Bonds. If the bond issue is approved by the voters at the election, the Council may, prior to the sale of such bonds, incorporate provision in the bonds which would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Council in a supplemental ordinance. No such redemption provisions shall, however, increase the amount of, or accelerate the time for collection of, any annual tax levy required to be made for payment of the bonds, as specified in Section 7 above.

Section 9. Sale of Bonds. The bonds, if approved by the voters at the election, may be issued, sold and delivered at one time or in separate series from time to time, as the City Manager of the City may approve. The aggregate principal amount of the bond issue, whether issued at one time and in one series or in more than one series and from time to time shall not exceed the aggregate principal amount approved by the voters, and the other terms and conditions of each series of the bond issue shall conform to those set forth in this Resolution.


Section 10. Further Action. The City Clerk is hereby ordered and directed forthwith, as the Election Superintendent of the City, to take such action in the premises in conjunction with the Council as may be provided by law.

Section 11. Election Notices; Newspaper. The notices of the bond election published pursuant to this Resolution shall be published in the newspapers and for the periods of time specified in Section 5 of this Resolution, but may also be published in other newspapers and for other periods of time in order to more fully inform the voters of the City. Such other publications of the notice of election may be made in such newspapers, if any, and for such period of time, if

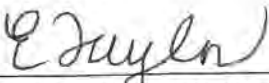
any, as the City Clerk may determine. Such other publications of the notice shall be solely for the purpose of informing voters and prospective voters of the election, and any defect in such other publications shall not affect the official publication of the notice of the election or the election.

Section 12. Conflict; Repealer. Any and all resolutions in conflict with this Resolution shall be, and they are hereby, repealed. This Resolution supersedes any and all resolutions or parts of resolution in conflict with this Resolution.

SO RESOLVED AND ORDERED THIS 19TH DAY OF JUNE 2023.

By:   
MICHAEL CALDWELL, MAYOR  
CITY OF WOODSTOCK, GEORGIA

ATTEST:

  
ELLE TAYLOR, CLERK  
CITY OF WOODSTOCK, GEORGIA