

**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
January 9, 2006**

MAYOR AND COUNCIL MEMBERS OATH OF OFFICE

6:00 P.M.

FIRST QUARTER – TOWN MEETING

6:30 P.M.

CITY COUNCIL ORGANIZATIONAL MEETING

7:00 P.M.

- A. *Mayor Pro Tem*
- B. *Council Committees*

CITY COUNCIL MEETING

7:15 P.M.

AGENDA

- I. **CALL TO ORDER**
- II. **INVOCATION** *Reverend Rick Douylliez, First Presbyterian Church*
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL** **QUORUM: YES X NO ___**
- V. **APPROVAL OF MINUTES:** *December 12, 2005 Regular City Council Meeting Minutes*
- VI. **GRANTING AUDIENCE TO THE PUBLIC:**
- VII. **OLD BUSINESS:** *None*
- VIII. **NEW BUSINESS:**
 - A. **JANUARY 23RD CITY COUNCIL MEETING** - *Discussion*
 - B. **HOLIDAY SCHEDULE** – *2006*.....**TAB “A”**
 - C. **ORDINANCE AMENDMENT** – *Records Retention*.....**TAB “B”**
 - D. **ORDINANCE AMENDMENT** – *Groundwater Recharge Area*.....**TAB “C”**
 - E. **ORDINANCE AMENDMENT** – *Wetland Protection*.....**TAB “D”**
 - F. **UNION HALL** – *Taxes*.....**TAB “E”**
 - G. **NEW ALCOHOL LICENSE** – *Harveys Supermarket Public Hearing Advertising*...**TAB “F”**
 - H. **GEORGIA INITIATIVE FOR COMMUNITY HOUSING** – *Committee Members*...**TAB “G”**

I. BUDGET ORDINANCE – *Radio Tower Warning Light (ADDED)*

IX. REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PLANNING DIRECTOR’S REPORT.....TAB “H”

1. **Burt Wright** requests to rezone his 4.37 acres of property located west of Dilworth Street, south of the railroad tracks and east of the railroad tracks located on Tax Map S27-03-023 from light industrial IL to multi-family residential R5, townhouse.
2. **Privett-Bennett & Associates** requests a 2-lot minor subdivision of property located west of Dilworth Street between and north of Alexander Street. Both lots will exceed 13,000 square feet. The minimum required per our ordinance is 10,000 square feet.
3. **Cormorant, LLC, Marsh Arbors**, requested a revision to their planned development site plan.
4. **Habitat for Humanity** requests a minor 4-lot final plat subdivision on property located on Point Peter Road and Q Street on Tax Map S2-01-008.
5. **Jerome Lee** – *Variance Appeal*

**B. ST. MARYS CONVENTION & VISITORS BUREAU AUTHORITY.....TAB “I”
*Term Expirations – Councilman Lockhart, Jerry Brandon, Mary Neff, Joyce Flenniken, Julie Riffe, Connie Whitten, and WalterLangshaw***

**C. DOWNTOWN DEVELOPMENT AUTHORITY.....TAB “J”
*Term Expiration – Councilman DeLoughy***

D. HISTORIC PRESERVATION COMMISSION: *Term Expirations*.....TAB “K”

**E. CAMDEN COUNTY HEALTH BOARD.....TAB “L”
*Term Expiration – Deborah Hase & Resignation – Teresa Eason***

F. CITY PROPERTY COMMITTEE REPORT

X. REPORT OF MAYOR:

XI. REPORT OF CITY MANAGER:

- *Finance Report*.....TAB “M”

XII. GRANTING AUDIENCE TO THE PUBLIC

XIII. EXECUTIVE SESSION: *Personnel*

XIV. ADJOURNMENT:

CITY OF ST. MARYS, GEORGIA
JANUARY 9, 2006

CITY COUNCIL MEETING
7:15 P.M.

“MINUTES”

The Mayor and City Council for the City of St. Marys, Georgia met for its regular City Council session on Monday, January 9, 2006 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor Rowland T. Eskridge, Sr.
Councilmember William DeLoughy
Councilmember Larry Johnson
Councilmember Jerry Lockhart
Councilmember L. J. Williams
Councilmember Gull Weaver

ABSENT WERE:

Councilmember Gary Blount

CITY OFFICIALS:

William Shanahan, City Manager
Charlie Smith, Jr., Interim City Attorney
Tim Hatch, Police Chief
Robby Horton, Fire Chief
Max Tinsley, Planning Director
Bobby Marr, Public Works Director
Jennifer Brown, Finance Director
Wiley King, Building Director
Janet Brinko, Tourism Director
*Alyce Thornhill, Economic Development
Director*
Sgt. Wooten, Sergeant-At-Arms

CALL TO ORDER:

Mayor Eskridge called the Council Meeting to order at 7:15 P.M. Reverend Rick Douylliez, First Presbyterian Church gave the invocation. Mayor Eskridge led the audience in the pledge of allegiance. Council roll call indicated a quorum of council members present for the meeting.

APPROVAL OF MINUTES:

December 12, 2005 Regular City Council Meeting Minutes
December 12, 2005 Alcohol License Public Hearing “ El Potro’s Restaurant, Inc.”
December 12, 2005 Alcohol License Public Hearing “Sterling’s Café, Inc.”

Councilmember Williams made a motion to approve the minutes as presented.
Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Carol Scully, resident, addressed Council concerning the litter on St. Marys Road and the access ramps. Unfortunately, volunteer programs were not very successful in enforcing littering. Ms. Scully has volunteered to help establish a recycling or can and bottle redemption program. The Public Works Department was thanked for posting signs with fees for littering.

The City Manager stated that the City’s law enforcement officers, public works and city marshal were instructed to document vehicle information when they spot littering incidents. The police and the city marshal, who is working flex hours to target problem areas, will write citations. The Public Works department is researching land options for heavy item recycling.

Roger Rillo, resident, addressed three items on the agenda:

1. IL, light industrial to R5, multi-family townhouse zoning request on Dilworth. This is not a good place for multi-family dwellings because all the neighboring houses are single-family dwellings.
2. Marsh Arbor is not cooperating with citizens. Specifically, tearing up of Hall Street by adding a jog on city street within 150 feet of an intersection or entering an intersection with less than 80 degrees. If Hall Street is a street, a preliminary plan will need to be presented to change Marsh Arbors boundary and service entrance.
3. Consideration of rezoning issues may need to be looked at for future developments due to the Comprehensive Plan. Rezoning could be stopped until a Master Plan is in place and citizens could have in-put.

“ADDITION TO THE AGENDA”

1. BUDGET ORDINANCE – RADIO TOWER WARNING LIGHT

Councilmember DeLoughy made a motion to add Budget Ordinance – Radio Tower Warning Light to the agenda. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion. Mayor Eskridge indicated that this item is added under New Business item “I”.

OLD BUSINESS: *None*

NEW BUSINESS:

A. JANUARY 23RD CITY COUNCIL MEETING - *Discussion*

Councilmember Lockhart made a motion to cancel the January 23rd City Council meeting due to council attending the Georgia Municipal Association conference in Atlanta. Councilmember Williams seconded the motion. Voting was unanimous in favor of the motion.

B. HOLIDAY SCHEDULE – *2006*

Councilmember Johnson made a motion to approve the 2006 Holiday Schedule as submitted. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

C. ORDINANCE AMENDMENT – *Records Retention*

The City Manager stated that last year Council approved an ordinance for records retention. This amendment is to adopt the revised Retention Schedule for Local Governments Records issued through the Secretary of State’s office in May 2005. The City Manager recommended approval in order to stay in line with State Law.

Councilmember DeLoughy made a motion to approve the ordinance amendment as presented. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

D. ORDINANCE AMENDMENT – *Groundwater Recharge Area*

The City Manager stated that this ordinance is to help maintain the City’s Qualified Local Government status with the State and Department of Community Affairs. This status protects the Recharge Areas within the City of St. Marys and is required in ordinance form by June 2006. The City Manager recommends approval for the ordinance for the protection of recharge areas within St. Marys and in maintaining the City’s Qualified Local Government status.

ORDINANCE AMENDMENT (Con't.)

Councilmember DeLoughy made a motion to approve the Groundwater Recharge Area Ordinance amendment. Councilmember Lockhart seconded the motion. Voting was unanimous in favor of the motion.

E. ORDINANCE AMENDMENT – *Wetland Protection*

The City Manager stated that this amendment is to maintain the City's Qualified Local Government status with the State and DCA. This status protects the City's wetlands and is required in ordinance form by June 2006. The City Manager recommends approval of this ordinance to protect the wetlands within the City and in keeping with the requirements as Qualified Local Government.

Councilmember Weaver made a motion to approve the Wetland Protection Ordinance Amendment. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

F. UNION HALL – *Taxes*

Mayor Eskridge stated that the City uses the St. Marys Machinist Club (Union Hall) as a polling facility for its citizens. On a yearly basis, the City waives the taxes for this use. The county has waived their portion of the tax and requests the city to do the same.

Councilmember Johnson made a motion to waive the 2005 City tax bill for the Union Hall in the amount of \$116.04. Councilmember Lockhart seconded the motion. Voting was unanimous in favor of the motion.

G. NEW ALCOHOL LICENSE – *Harveys Supermarket Public Hearing Advertising*

Mayor Eskridge stated that Harveys Supermarket is purchasing Food Lion and request approval to advertise a public hearing for a new Alcohol License on February 13, 2006.

Councilmember DeLoughy made a motion to approve the advertising for a public hearing for a new Alcohol License for Harveys Supermarket. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

H. GEORGIA INITIATIVE FOR COMMUNITY HOUSING – *Committee Members*

The City Manager stated that last year the Cities and County jointly applied to the State to be one of five communities to be selected to participate in the Georgia Initiative for Community Housing. A list of team members is listed with representatives from each city and the county as well as a bank, a builder, a non-profit representative, an appraiser and others. The members will be attending training over the next three years, coordinated by the State, to try to identify housing needs and housing solutions for our cities and county. The first training session will be on February 14-15, 2006 in Fort Valley, GA. All cities and the county have agreed to

GEORGIA INITIATIVE FOR COMMUNITY HOUSING (Con't.)

fund the training for 1 year. To complete the training an additional two years will need to be funded. The City Manager recommends approval of the Committee Members since the City has already approved financial support. Councilmember Weaver made a motion to approve the Committee Members for the Georgia Initiative for Community housing as presented. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

I. BUDGET ORDINANCE – RADIO TOWER WARNING LIGHT (ADDED)

The City Manager stated that the aircraft warning light on the Police Department's radio antenna has blown out. Due to the height of the antenna, this light is imperative, especially considering our proximity to the airport. Additionally, there are FAA regulations that require us to maintain a working warning light on the tower. Public Works advised that they cannot perform this job and referred the task to Hasty's Communications. Hasty's quote is approximately \$1,225.00 to change the light and photocell that shuts it off in the daytime. This request is for the expenditure of funds from Contingency in order to pay for the required maintenance since this level of repair was not planned for on the 2006 Police Department budget. Public works has completed some of the minor work therefore the cost should be less than originally anticipated. The City Manager recommends approval of this emergency repair budget ordinance.

Councilmember Johnson made a motion to approve the budget ordinance for the radio tower warning light. Councilmember Williams seconded the motion. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

F. PLANNING DIRECTOR'S REPORT

1. **Burt Wright** requests to rezone his 4.37 acres of property located west of Dilworth Street, south of the railroad tracks and east of the railroad tracks located on Tax Map S27-03-023 from light industrial IL to multi-family residential R5, townhouse.

The Planning Director stated that the current zoning could be developed commercially or industrially. This property is surrounded by single-family homes across the railroad track to the north and east and commercially by the Green Cedar store to the south. Developing this property industrially has the potential to create health or safety hazards for the surrounding homes. Drainage in the area has been a problem, which the developer has planned to address with a proposed pond. The developer has been advised that site-engineering plans need to be submitted and approved by the City's engineers, if storm water drainage were to be addressed. The Planning Commission recommends approval of the rezoning request.

Burt Wright (Con't.)

Councilmember DeLoughy made a motion to approve the Planning Commissions recommendation to rezone 4.37 acres located on Tax Map S27-03-023 from IL, light industrial to multi-family R5, townhouse.

Councilmember Johnson seconded the motion. Following some discussion, Mayor and Council discussed school capacity, lot size reduction for the pond, drainage, and flooding issues. Following much discussion, voting was unanimous in favor of the motion.

2. **Privett-Bennett & Associates** requests a 2-lot minor subdivision of property located west of Dilworth Street between and north of Alexander Street. Both lots will exceed 13,000 square feet. The minimum required per our ordinance is 10,000 square feet.

Councilman DeLoughy made a motion to approve Privett-Bennett & Associates request for a 2-lot minor subdivision located west of Dilworth Street between and north of Alexander Street. Councilmember Williams seconded the motion. Voting was recorded as follows:

FOR

Councilmember DeLoughy
Councilmember Johnson
Councilmember Williams
Councilmember Weaver

ABSTAINED

Councilmember Lockhart

3. **Cormorant, LLC, Marsh Arbors**, requested a revision to their planned development site plan.

The Planning Director stated that the current plat shows the approved site plan building and parking location indicated by dashed lines and changes in bold solid lines. Changes to the plan will alter the locations of each building. However, nothing is being changed on the property known as Hall Street extension that is awaiting a judicial decision of ownership. According to Mr. Way, there may be some minor changes to the entrance site plan after receiving court approval. Since Cormorant may have additional changes to the entrance and the potential for additional changes depending upon the court decision, staff recommends tabling this request until receipt of the court judicial decision on the ownership of Hall Street extension. The Planning commission recommends approving the site plan changes.

Councilmember Weaver made a motion to postpone due to the lawsuit. Councilmember Williams seconded the motion. Voting was unanimous in favor of the motion.

4. **Habitat for Humanity** requests a minor 4-lot final plat subdivision on property located on Point Peter Road and Q Street on Tax Map S2-01-008.

The Planning Director stated that the Planning Commission recommends approving this final plat subdivision.

Councilmember Lockhart made a motion to approve the Minor 4-lot final plat subdivision located on tax map S2-01-008. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

5. Jerome Lee – Variance Appeal

The Planning Director stated that Jerome Lee is appealing the Planning Commission denial of a variance. The variance request is for an 8-foot front yard set back and a 10-foot rear yard set back due to not being able to show a hardship and the property being able to be utilized in its present condition.

Mr. Lee presented Council with photos of the existing units and a map of the property. His proposal consists of adding a front porch for the 8-foot set back and adding a combination laundry, hot water tank and air conditioning unit room for the 10-foot rear set back.

Following much discussion, Councilmember Williams made a motion to approve the 8-foot front set back and a 7-foot rear set back. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

G. ST. MARYS CONVENTION & VISITORS BUREAU AUTHORITY

Term Expirations – Councilmember Lockhart, Jerry Brandon, Mary Neff, Joyce Flenniken, Julie Riffe, Connie Whitten, and Walter Langshaw

Appointments to the St. Marys Convention & Visitors Bureau Authority are as follows:

Councilmember Williams reappointed seat #1 – Jerry Brandon
Councilmember Lockhart reappointed seat #2 – Mary Neff
Councilmember DeLoughy reappointed seat #3 – Joyce Flenniken
Councilmember Weaver reappointed seat #4 – Julie Riffe
Councilmember Johnson appointed seat #5 – Doug Vaught
Mayor Eskridge appointed seat #7 – Councilmember Williams

Mayor Eskridge stated that Councilmember Blount would appoint seat # 6.

C. DOWNTOWN DEVELOPMENT AUTHORITY

Term Expiration – Councilmember DeLoughy

Mayor Eskridge reappointed Councilmember DeLoughy to the Downtown Development Authority.

D. HISTORIC PRESERVATION COMMISSION: Term Expirations (POSTPONED 12/12/05)

Mayor Eskridge stated that this item was postponed to set the new term expiration dates for the reappointed members as follows:

Catherine Nesbitt	12/31/2008
Julie Banks	12/31/2008
Louise Mancil	12/31/2008
Ann Stacy	12/31/2007
Tom Cyphers	12/31/2007

Councilmember DeLoughy made a motion to approve the new terms as presented. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

E. CAMDEN COUNTY HEALTH BOARD

Term Expiration – Deborah Hase & Resignation – Teresa Eason

Councilmember DeLoughy made a motion to postpone this appointment until the next Council meeting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

F. CITY PROPERTY COMMITTEE REPORT

Mayor Eskridge presented the City Property Committee report. The report is attached as part of the minutes.

REPORT OF MAYOR:

- Mayor Eskridge read the City calendar of meetings, events and activities.

REPORT OF CITY MANAGER:

- The Collections Clerk has collected \$14,000 to date.
- The Millcreek Drainage Project will begin when the insurance paperwork is finalized
- Scrubby Bluff Wastewater Treatment Plant is 50% operable and the diesel problem disappeared.
- Hall Street Project is about to begin and closing the street will be advertised
- The City will begin advertising for volunteers to serve on the Comprehensive Plan Committees
- Preliminary work on the FY 07 budget will begin in February
- The Goals and Objectives meeting will be schedule in February

FINANCE DIRECTOR'S REPORT

The Finance Director presented the 5-month Finance report. The report is attached as part of the minutes.

GRANTING AUDIENCE TO THE PUBLIC

Steve Berry, Litigation Attorney for Cormorant, LLC addressed Council to reconsider their decision for postponement. The site plan presented specifically deleted out the

section of property that dealt with Hall Street. Hall Street has nothing to do with the construction of the buildings it is only an entrance. Postponing this request puts his client in a difficult position with millions of dollars at stake. The entrance to Hall Street that is in litigation could take years to go through the courts. Mr. Berry requests Council to reconsider these minor changes to the planned development site. Mayor Eskridge stated that the plat presented is not a preliminary plat, it does not change the entrance or the street and it is not a subdivision.

Roger Rillo commented about Marsh Arbors entrance on the original plans was not on Hall Street. In order to change any street layout they need to go back to the preliminary plat. In addition, the question in the lawsuit is the boundaries. If there is a change in the boundaries after litigation and a building is already in place what happens then.

Charlotte Bartzack, St. Marys Planning Commission stated that Cormorant, LLC request does not affect the current lawsuit. The Planning Commission approved the plan.

Ernie Mancil, resident, questioned if any changes would be made to the Hall Street extension.

Mayor Eskridge stated that the City Attorney had advised Council to not get involved with the Hall Street situation until it is settled in court. Mr. Berry stated that only front entrance design might change after litigation.

Cormorant, LLC, Marsh Arbors (REOPENED-ADDED)

Councilmember DeLoughy entertained a motion to reopen the agenda for discussion of the Cormorant, LLC, Marsh Arbors issue. Councilmember Williams seconded the motion. Voting was unanimous in favor of the motion.

Councilmember Weaver withdrew the motion to postpone. Councilmember DeLoughy withdrew the seconded motion to postpone.

Councilmember DeLoughy made a motion to approve Cormorant, LLC, Marsh Arbors request to approve the site plan changes as presented. Councilmember Williams seconded the motion. Councilmember Weaver questioned if the entrance would be in the same general location whether it is a private or public entrance. Mr. Berry stated it would be in the same location . Voting was recorded as follows:

<u>FOR</u>	<u>ABSTAIN</u>
Councilmember DeLoughy	Councilmember Lockhart
Councilmember Johnson	
Councilmember Williams	
Councilmember Weaver	

Ernie Mancil, resident opposes maximizing large lots to build multi-family houses located west of Dilworth Street.

Dick Russell, Chairman Airport Authority invited Council to view St. Mary from the air.

Wings Over Camden is scheduled to be held in October 2006. The restricted airspace ruling over the base that was imposed temporarily is now permanent.

Sandy Feller commented that a museum with the history of the mill is a good idea. He suggested the feasibility of a convention center on the site to pay for growth in conjunction with a hotel and museum.

EXECUTIVE SESSION: Personnel

Councilmember DeLoughy made a motion to adjourn to executive session to discuss personnel. Councilmember Lockhart seconded the motion. Voting was unanimous in favor of the motion. The Mayor and Council adjourned to executive session at 9:02 P.M.; returning at 9:16 P.M. with Mayor Eskridge calling the Council meeting back to order.

Personnel Issue

Councilmember DeLoughy made motion to refer the City Attorney applicants to the Personnel Committee for interviews. Councilmember Lockhart seconded the motion. Voting was unanimous in favor of the motion.

Councilmember Lockhart made a motion to task Mr. Smith to hire an attorney to represent the City in litigation for the Casey Condemnation. Councilman Williams seconded the motion. Voting was unanimous in favor of the motion.

ADJOURNMENT

Councilmember Lockhart made a motion for adjournment. Councilmember DeLoughy seconded the motion. Mayor Eskridge declared the meeting adjourned at 9:18 P.M.

Respectfully submitted,

Darlene M. Roellig, City Clerk