



**CITY OF ST. MARYS, GEORGIA**  
**CITY COUNCIL MEETING**  
**October 27, 2008**  
**6:00 P.M.**

**AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION:** *Reverend Rick Douylleiz, First Presbyterian Church*
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL** **QUORUM: YES X NO**
- V. APPROVAL OF MINUTES:** *October 13, 2008 Regular City Council Meeting Minutes*  
*October 13, 2008 4<sup>th</sup> Qtr. Town Meeting*  
*October 13, 2008 Public Hearings "Millage Rate"*

**PRESENTATION:**

**ASSOCIATE JUDGE OATH OF OFFICE:** *William R. Ashe*

**ANNOUNCEMENT OF BOARD TERM EXPIRATIONS AND VACANCIES**

- 1. HISTORIC PRESERVATION COMMISSION:** *Three Term Expirations & One Vacancy in December*
- 2. COASTAL RDC HISTORIC PRESERVATION ADVISORY COUNCIL:** *One Vacancy*
- 3. PLANNING COMMISSION:** *One Vacancy*

**FINANCE DIRECTOR'S REPORT**

**APPROVAL OF THE AGENDA**

- VI. GRANTING AUDIENCE TO THE PUBLIC:**
- VII. OLD BUSINESS:** *NONE*
- VIII. NEW BUSINESS:**
- A. CHANGE ORDER:** *State Road 40 Water Line*
  - B. ETHICS ORDINANCE AMENDMENT**

- C. **DIGITAL COURT AND COUNCIL CHAMBER RECORDING SYSTEM:** *Bid Award*
- D. **TDS TELECOM SERVICE AGREEMENT:** *City Hall Communications*
- E. **COUNCIL CONSIDERATION:** *One Year Merit Pay Freeze*
- F. **HOWARD GILMAN WATERFRONT PARK:** *Rental Fee*
- G. **EMPLOYEE MEDICAL BENEFITS CONTRIBUTION**
- H. **GEORGIA POWER COMPANY:** *Confidentiality Agreement*
- I. **ORDINANCE:** *Identity Theft Prevention Program*
- IX. **REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**
  - A. **PERSONNEL COMMITTEE REPORT**
  - B. **WATER/SEWER COMMITTEE REPORT**
- X. **REPORT OF MAYOR:**
- XI **REPORT OF CITY MANAGER:**
- XII. **GRANTING AUDIENCE TO THE PUBLIC**
- XIII. **EXECUTIVE SESSION:** *Legal & Personnel*
- XIV. **ADJOURNMENT:**

**CITY OF ST. MARYS, GEORGIA**  
**CITY COUNCIL MEETING**  
**October 27, 2008**  
**6:00 p.m.**

**MINUTES**

The Mayor and City Council for the City of St. Marys, Georgia met for its regular City Council session on Monday, October 27, 2008 in the Council Chamber at City Hall.

**PRESENT WERE:**

Mayor Rowland Eskridge  
Councilmember Greg Bird  
Councilmember William DeLoughy  
Councilmember Deborah Hase  
Councilmember Larry Johnson (left early)  
Councilmember Chuck Trader  
Councilmember Gull Weaver

**CITY OFFICIALS PRESENT:**

William Shanahan, City Manager  
Amanda Blackledge, City Attorney  
Roger Weaver, Planning Director  
Wiley King, Building Director  
Tim Hatch, Police Chief  
Bobby Marr, Public Works Director  
Robby Horton, Fire Chief  
Jennifer Brown, Finance Director  
Kim Dockery, Jr. Accountant  
Marsha Hershberger, Asst. Finance  
Director (late)  
Alyce Thornhill, Economic Dev. Director  
Donna Folsom, HR Director  
Janet Brinko, Tourism Director  
Jane Drake, Aquatic Center Director  
Gene Rudy, IT Director  
Nicole Goebel, IT Assistant  
Robert Goon, Sergeant-At-Arms

**CALL TO ORDER**

Mayor Eskridge called the City Council Meeting to order at 6:00 p.m. Reverend Rick Douylleiz, 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:**

### ***October 13, 2008 Regular City Council Meeting Minutes***

Councilmember Weaver made a motion to approve the October 13, 2008 regular City Council meeting minutes. Councilmember DeLoughy seconded the motion. Councilmember Hase requested that a phrase for clarification be added to the end of her note for the record on page 10, item C in the last paragraph, "*the boundaries of St. Marys*". Voting was unanimous in favor of the motion.

### ***October 13, 2008 4<sup>th</sup> Quarter Town Meeting Minutes***

Councilmember Bird made a motion to approve the October 13, 2008 4<sup>th</sup> Quarter Town meeting minutes. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

### ***October 13, 2008 Public Hearings "Millage Rate" Minutes***

Councilmember Hase made a motion to approve the October 13, 2008 Public Hearings "Millage Rate" minutes. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

## **PRESENTATION:**

### **ASSOCIATE JUDGE OATH OF OFFICE: *William R. Ashe***

Mayor Eskridge administered the Oath of Office to William R. Ashe, Associate Judge of Municipal Court.

## **ANNOUNCEMENT OF BOARD TERM EXPIRATIONS AND VACANCIES**

Mayor Eskridge announced the term expirations and vacancies on the following boards.

- 4. HISTORIC PRESERVATION COMMISSION:** *Three Term Expirations & One Vacancy in December*
- 5. COASTAL RDC HISTORIC PRESERVATION ADVISORY COUNCIL:** *One Vacancy*
- 6. PLANNING COMMISSION:** *One Vacancy*
- 7. SENIOR CITIZENS ADVISORY BOARD:** *One Vacancy*

## **FINANCE DIRECTOR'S REPORT**

The Finance Director presented the 3-month (September) report on the General, Water/Sewer, Solid Waste, Tourism, and Special Local Option Sales Tax (SPLOST) Funds. Property Tax bills will be mailed on Thursday, October 30, 2008 and are due on December 30, 2008. This year there are 9,444 tax bills going out and a notice for the Homestead Tax Relief will be included. Councilmember Trader commented that Local Option Sales Tax (L.O.S.T.) was down 20% and license fees/fines/fees indicated a decrease in income during the past three months. In a three month period, generated income in each of these areas is one month of the projected fee of \$1.2 million; instead collected income was \$110,000. The Finance Director stated that some of the licenses and fees encompassed in the report were not billed until January with the exception

of building permits. A copy of the finance report and tax relief notice is attached as part of the minutes.

### **APPROVAL OF THE AGENDA**

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

### **GRANTING AUDIENCE TO THE PUBLIC:**

**Keith Post**, Navy League representative thanked the Mayor, Council and citizens for attending the brunch for U.S. Coast Guard Admiral Allan and proclaiming today Admiral Allan Day. He also thanked the community for their pride, participation and support of our military. Mr. Post commented the Commander of the U.S. Coast Guard Maritime Safety & Security Team (MSST) spoke very highly of the partnership with Chief Hatch, Chief Horton and the City for training and support. A copy of the joint proclamation declaring Admiral Allan Day was presented to the Mayor and Council.

**Tom Turner**, resident 208 Palmetto Street, spoke about the piles of garbage not being picked up by the current contractor unless it was on a pickup list. When the City provided service the piles were picked up automatically.

The City Manager commented that Advance Disposal is contacted to pick up the piles once there was enough debris identified to fill a truck, for an additional fee. Problems continue to stem from people dumping in open areas where there are no houses. Citations are given from the City Marshal's office and Police Department to those who are seen dumping or if the trash has some sort of identification in it.

Councilmember's suggested flagging the sites that were continuous problems, reports being made by anyone, developing a plan to eliminate the garbage piles throughout the City and identifying who to call for pickups.

**Myron Thomas**, Advance Disposal stated that the City has a disposal log with work orders for bulk, white goods, miscellaneous piles and illegal dumping. However, the City's contract does not include construction debris. Advance needs to be careful about authorizing drivers to pick up trash, as it is seen, that costs extra money. Mr. Thomas also addressed yard waste problems on Point Peter.

### **OLD BUSINESS:**

There was no "Old Business" for Council consideration at this time.

### **NEW BUSINESS:**

#### **A. CHANGE ORDER: *State Road 40 Water Line***

The re-alignment of the water main along State Road 40 to downtown within the Georgia Department of Transportation (GDOT) right of way requires additional work that was

identified in the Water/Sewer Master Plan. Atlantic Coast Consulting, Inc. requested approval of Change Order No. 1 to perform the work.

Councilmember Hase made a motion to approve the Change Order. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

**B. ETHICS ORDINANCE AMENDMENT**

Adoption of the revised comprehensive Ethics Ordinance as compiled by the Ethics Committee. Discussions began on the provisions allowing anonymous complaints and whether to reimburse members for legal expenses.

Councilmember Weaver made a motion to approve for discussion. Councilmember DeLoughy seconded the motion. Councilmember's discussed the Committee substantiating anonymous complaints; challenge allegations; rights to facing your accusers; failure to investigate reports; moral and ethical values; securing legal counsel when acting in an official capacity not a private enterprise and legal fee reimbursement. Voting was unanimous in favor of the motion.

Councilmember Weaver made a motion to modify the original motion to accept anonymous complaints section "b", 2-371 and to remove paragraph "c", section 2-375 reimbursement of legal fees. Councilmember Trader seconded the motion.

Councilmember Bird questioned whether the provisions for attorney fees would be stricken from the charter. The City Attorney stated that she would need to review the provision. The City Manager stated that it indicates a possibility of paying attorney fees, but not whether it must be done or if approval was needed.

Councilmember Weaver amended the motion to approve the ordinance, if it is not in conflict with the City Charter. Councilmember Trader seconded the amended motion. Voting was recorded as follows:

FOR  
Councilmember DeLoughy  
Councilmember Hase  
Councilmember Trader  
Councilmember Weaver

OPPOSED  
Councilmember Bird  
Councilmember Johnson

The City Attorney further stated that the ordinance would need to go for a second reading and with the anonymous complaint section remaining, some minor changes would need to be made in the wording on page one (1) "sworn" and page four (4) "verified". Councilmember DeLoughy commented that he was involved in the Charter change and the seconded vote was changed. The City Clerk stated that the Charter was changed however, if there was not a unanimous/majority vote on the first reading there would be a second. Councilmember Hase recommended that the City Attorney bring the Charter to the Council meetings.

**C. DIGITAL COURT AND COUNCIL CHAMBER RECORDING SYSTEM: Bid Award**

Award a recording and sound system bid for the Municipal Courtroom and Council Chamber to BIS (Business Information System) Digital.

Councilmember Trader made a motion to approve. Councilmember DeLoughy seconded the motion. Councilmember's discussed looking into ceiling microphones opposed to goose neck because of paper shuffling, feedback from the fluorescent lights and comments from other municipalities using the system. Councilmember Trader amended the motion to defer this item to a later date so as to accumulate additional information. Councilmember DeLoughy seconded the amended motion. Councilmember Trader withdrew the motion. Councilmember DeLoughy withdrew the motion. No action was taken at this time.

**D. TDS TELECOM SERVICE AGREEMENT: City Hall Communications**

Enter into a 5-year Service Agreement with TDS Telecom for voice and data communication for City Hall.

Councilmember Weaver made a motion to approve. Councilmember DeLoughy seconded the motion. Councilmember's discussed the contract not being in the best interest of the City due to the number of years, premature action until the contract expires, cancellation policy and agreements not binding future council. The City Attorney stated that the agreement is a renegotiation of the current master agreement. Following much discussion, Councilmember Weaver withdrew the original motion. Councilmember withdrew the seconded to the motion. No official action was taken at this time.

**E. COUNCIL CONSIDERATION: One Year Merit Pay Freeze**

Enact a pay freeze on merit raises for a period of one year, due to economic conditions. Another review at the one year mark would decide as to whether or not the pay freeze would continue.

Councilmember Trader made a motion to approve a one year merit pay freeze. Councilmember Hase seconded the motion. Councilmember's discussed the length of time and when it would become effective. Councilmember Trader amended the motion to be effective November 1, 2008. Councilmember Hase seconded the amended motion. Voting was recorded as follows:

FOR  
Councilmember Bird  
Councilmember DeLoughy  
Councilmember Hase  
Councilmember Johnson  
Councilmember Trader

OPPOSED  
Councilmember Weaver

Councilmember Trader made a motion to be effective November 1, 2008. Councilmember Hase seconded the motion. Voting was recorded as follows:

<u>FOR</u>	<u>OPPOSED</u>
Councilmember Bird	Councilmember Weaver
Councilmember DeLoughy	
Councilmember Hase	
Councilmember Johnson	
Councilmember Trader	

**F. HOWARD GILMAN WATERFRONT PARK: Rental Fee**

Increase in the reservation fee for use of the Howard Gilman Memorial Park to \$200.00 and a security deposit of \$100.00, which is refundable as long as the park is left in the same condition prior to its use.

Councilmember Weaver made a motion to approve the increase effective November 1, 2008. Councilmember DeLoughy seconded the motion. Councilmember's discussed not affecting the reservations prior to November 1<sup>st</sup>, not burdening the citizens with more fees, increase in maintenance and lost revenues. Voting was recorded as follows:

<u>FOR</u>	<u>OPPOSED</u>
Councilmember DeLoughy	Councilmember Bird
Councilmember Hase	Councilmember Johnson
Councilmember Trader	
Councilmember Weaver	

**G. EMPLOYEE MEDICAL BENEFITS CONTRIBUTION**

Increase the amount of employee contributions for health and dental benefits. The new rates would be \$77.23 for family coverage and \$33.42 for single coverage per pay period.

Councilmember Weaver made a motion to approve for discussion. Councilmember Hase seconded the motion. Councilmember's discussed looking at other alternatives such as a tier program based on pay scale/income and expecting the employees to contribute to higher benefit costs, when the merit increase was frozen. Councilmember Weaver withdrew the original motion. Councilmember Hase withdrew the seconded to the original motion. No official action was taken at this time.

**H. GEORGIA POWER COMPANY: Confidentiality Agreement**

Georgia Power Company requested the implementation of a confidentiality agreement in order to protect information the City of St. Marys is requesting to verify billing. The information includes, but is not limited to, maps indicating distribution facilities such as outdoor lighting installations and City facilities to justify costs.

Councilmember Weaver made a motion to approve the Confidentiality Agreement for Georgia Power Company. Councilmember DeLoughy seconded the motion. Councilmember Weaver questioned whether the information would be only known to the employee. The City Manager stated that only the department would have knowledge of the information. Voting was recorded as follows:

<u>FOR</u>	<u>OPPOSED</u>
Councilmember DeLoughy	Councilmember Bird
Councilmember Hase	
Councilmember Johnson	
Councilmember Trader	
Councilmember Weaver	

**I. ORDINANCE: *Identity Theft Prevention Program***

The adoption of an Identity Theft Prevention Program in the Finance Department, which is mandated by the Federal Law and the Federal Trade Commission. The Program prevents fraud committed or attempted using identifying information of another person without authority. The City is a “creditor” under the regulations, as the City provides utility services and accepts payment for municipal utility services in arrears.

Councilmember DeLoughy made a motion to approve the Identity Theft Prevention Program Ordinance. Councilmember Trader seconded the motion. Councilmember DeLoughy commented that the information includes credit card and bank draft information for taxes and water bills and was there any other use. The Finance Director stated that the Aquatic Center uses the information. Voting was unanimous in favor of the motion.

**REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**

**C. PERSONNEL COMMITTEE REPORT**

Councilmember Johnson presented the Personnel Committee recommendations to be posted for 14-days as follows:

**1. REDUCTION IN FORCE POLICY**

Councilmember Johnson made a motion to approve the changes and additions to the Reduction in Force Policy for posting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

**2. DISCIPLINARY POLICY**

Councilmember Johnson made a motion to approve the changes and additions of the Disciplinary Policy for posting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

### **3. APPEALS POLICY**

Councilmember Johnson made a motion to approve the changes and additions to the Appeals Policy for posting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

### **4. BEREAVEMENT POLICY**

Councilmember Johnson made a motion to approve the changes and additions to the Bereavement Policy for posting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

A copy of the report is attached as part of the minutes.

### **D. WATER/SEWER COMMITTEE REPORT**

Councilmember DeLoughy reported that the Committee met to hear a presentation on the replacement of the city's water meter system, which is a touch system, with either a drive-by which is computer based or a fixed base system with a 20-year warranty. Comparison information might be available by the November 10<sup>th</sup> Council meeting. Councilmember Hase stated that being a client for 20-years, the City would receive a considerable discount and receive considerable savings with an updated system. A copy of the report is attached as part of the minutes.

### **REPORT OF MAYOR:**

October 21, 2008 – Attended the Personnel Committee meeting

October 22, 2008 – Attended a meeting at the Regional Development Center in Richmond Hill to finalize the By-Laws for governing bodies, effective July 2009.

October 25, 2008 – Welcomed the Life Quest Bicyclist to the St. Marys Greenway connection to Fernandina, Florida on the Cumberland Sound Ferry

October 27, 2008 – Attended the Welcome Brunch for US Coast Guard Admiral Allan at Kings Bay Naval Submarine Base.

Mayor Eskridge read the calendar of events, meeting and activities.

Wounded Warriors Day is scheduled on November 8<sup>th</sup> with a ceremonial walk at Oak Grove Cemetery at 9:45 a.m. and the program at 10:00a.m.

Councilmember Weaver announced the St. Marys EarthKeepers celebration on October 28<sup>th</sup>. Councilmember Hase invited everyone to attend the Heal Our Land Prayer at the park on November 2<sup>nd</sup>.

A Water/Sewer meeting was scheduled on November 10, 2008 at 5:00 p.m. in the Council Chamber at City Hall.

Councilmember Weaver also announced that this week is Red Ribbon Week.

### **REPORT OF CITY MANAGER:**

Haskell broke ground at the Point Peter Waste Water Treatment Plant for the expansion of 4.0 Million Gallons Day (MGD) during the month of September.

Martha Drive Traffic Signal – The project is out for bid with the closing scheduled on November 20<sup>th</sup>. Notification has been received from the Department of Transportation (DOT) concerning their participation in the project. The City is waiting to receive the contact documents from DOT for the execution.

Mickler Drive Bridge Project – Thomas and Hutton Associates has completed the design. Preliminary cost estimates have been developed. Costs were estimated at \$900,000. The City has received a permit from the Army Corp of Engineers. Contract documents and bid specification are currently being reviewed prior to advertising for bids.

King Bay Road Traffic Signal (Pro 3's Parkway) – The plans have been completed and the bid package is being developed.

Last week, the City Manager was invited to go with the SRT Group to serve a warrant. The suspect was not there but they found drugs and a weapon. It was very well done and organized.

Councilmember Bird requested a status report on the new recreation center. The Public Service Authority (PSA) has broken ground on the new recreation center and it is scheduled to be completed by March 2009.

Mayor Eskridge commented about the newspaper article regarding the PSA land purchase by Gilligan's Island is in negotiations. The cost of the property was over \$2.0 million, resulting in the PSA backing off the purchase.

### **GRANTING AUDIENCE TO THE PUBLIC:**

**Tom Turner**, resident questioned the status of the photo recorder at traffic lights.

Councilmember Weaver responded that it was not determined whether the program was feasible to come to St. Marys.

**John Morrissey**, resident questioned whether there was a formalized Capital Project for water rate analysis and should consideration be given to having governor's on the use of reserve fund. The idea would be that not more than 10% of the reserve fund could be used in any one year and no more than 2-years in a row to help guide the budget process.

Councilmember DeLoughy responded that it was a major Capital Project and the City's meters are close to 10-years old. This would be a way to replace most of them at a good price. There needs to be labor savings with equipment, theft, waste and billing to help make more informed decisions. The City does not have a formalized process but an analysis in the form of alternative costs. A certain amount of funds were available in reserve for at least six (6) months operating

funds and the City went into about one-third of the reserve fund. We are trying not to go into the reserve fund, but by cutting the expenses the revenues will be short.

Councilmember Trader stated that we, as a policy, need to spend operating expenses offset with operating incomes and not dip into fund equity as part of the budgeting process. The City needs to get through this cycle because at this point it might not be attainable this year, in light of the uncertainty of the economy.

**Dave Schmitz**, resident asked who citizen's call for trash problems. The citizens only want to see the trash picked up because we are paying for the service. Early voting was a pleasure.

The City Manager responded that they could call customer service or the city manager's office. The Finance Director stated that the number is 510-4026 or 510-4027 and there is a log being kept.

Councilmember Weaver suggested putting the telephone number on the next water bill to reemphasize the contact information.

The City Marshal commented that in the past people were used to putting trash in one location and it was picked up. They expect the same service with Advance. He continually asks people not to put trash in open lots because it is against the City's Ordinance.

**Tom Turner**, resident asked if Kingsland has replaced water meters and if not, he suggested looking into a joint venture.

**EXECUTIVE SESSION:** *Personnel/Legal*

Councilmember DeLoughy made a motion to adjourn to executive session to discuss legal and personnel. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

The Mayor and Council adjourned to executive session at 8:12 p.m., returning at 8:49 p.m. with Mayor Eskridge calling the Council meeting back to order.

**PERSONNEL/REAL ESTATE/LEGAL**

No official action was taken at this time.

**ADJOURNMENT:**

Councilmember Weaver made a motion for adjournment. Councilmember DeLoughy seconded the motion. Mayor Eskridge declared the meeting adjourned at 8:50 p.m.

Respectfully submitted,

---

Darlene M. Roellig, City Clerk