



CITY OF ST. MARYS, GEORGIA

PUBLIC HEARING
Proposed FY 09 Budget
5:30 p.m.

CITY COUNCIL MEETING
May 12, 2008
6:00 P.M.

(AMENDED)
AGENDA

- I. **CALL TO ORDER**
- II. **INVOCATION:** *Assistant City Manager Max Tinsley*
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL** **QUORUM: YES X NO**
- V. **APPROVAL OF MINUTES:** *April 28, 2008 Regular City Council Meeting Minutes*

PRESENTATION:

ORANGE HALL FOUNDATION REPORT: *Royal Weaver*

COMPREHENSIVE PLAN COMMUNITY AGENDA: *Tricia Reynolds, RDC*

PROCLAMATION: *Employee Wellness Month*

APPROVAL OF THE AGENDA

- VI. **GRANTING AUDIENCE TO THE PUBLIC:**
- VII. **OLD BUSINESS:** NONE
- VIII. **NEW BUSINESS:**
 - A. **ORDINANCE:** *Proposed FY09 Budget* **TAB "A"**
 - B. **ADVERTISING NEW ALCOHOL LICENSE:**..... **TAB "B"**
Silver Star Steakhouse, Inc.
 - C. **TDS TELECOM DSL CONTRACT:** **TAB "C"**
Pt. Peter Wastewater Treatment Plant

- D. **DOWNTOWN MULTI-MEDIA CENTER: CDAI Invoice**TAB “D”
- E. **2008 GMA ANNUAL CONVENTION:**.....TAB “E”
Voting Delegate, Flag Bearer & Door Prize
- E. **BUDGET ORDINANCE: Water & Sewer Vehicle Repairs**..... TAB “F”
- F. **BUDGET ORDINANCE: Water & Sewer Temporary Loan**TAB “G”
- G. **BUDGET ORDINANCE: Water & Sewer Bond**TAB “H”
- H. **BUDGET ORDINANCE: Solid Waste Collection** TAB “I”
- I. **SENIOR ADVISORY COMMITTEE:** TAB “J”
Appoint Additional Member
- J. **JJ&G TASK ORDER #28: (ADDED)**
2008 Pt. Peter/Scrubby Bluff Watershed Management Report

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

- A. **PLANNING DIRECTOR’S REPORT**TAB “K”
 - 1. **REZONING:** Temothy MacDonell requests rezoning of 22 acres located at Colerain Road and Spur 40, Tax Map 134A 001, from R-3 to PD.
 - 2. **TEXT AMENDMENT:** Charles C. Smith, Jr., representing Victor Insetta, D/B/A Reeltime Properties, LLC requests an amendment to the definition of Light Industrial in the City of St. Marys Zoning Ordinance, Section 110-72, I-L.
 - 3. **SPECIAL USE PERMIT:** Kevin & Loretta Hutchinson representing Ray Carter are requesting a Special Use Permit to operate True Freedom Ministries Daycare at 1905 Pt. Peter Road, Tax Map S02-01-009A. The property is zoned C2.
 - 4. **REZONING:** Tom Purdie/Brant Creek, LLC requests rezoning of 2 parcels totaling 16.57 acres located on Highway 40 East, Tax Map 135-002 & 135-002C, from PD R-5 to PD R-3.
- B. **WATER AND SEWER COMMITTEE REPORT**
 - 1. **ST. MARYS LAND DEVELOPMENT: Developers Agreement**TAB “L”
- C. **DOWNTOWN DEVELOPMENT AUTHORITY VACANCY ANNOUNCEMENT: One Seat**
- D. **ORANGE HALL FOUNDATION TERM EXPIRATIONS ANNOUNCEMENT: Four Seats**
- E. **INVESTIGATIVE COMMITTEE REPORT**
- F. **HOSPITAL AUTHORITY VACANCY ANNOUNCEMENT: One Seat** TAB “M”

G. PUBLIC SAFETY-POLICE COMMITTEE: *Meeting Request to Discuss Alcohol Ordinance*

X. REPORT OF MAYOR:

XI REPORT OF CITY MANAGER:

XII. GRANTING AUDIENCE TO THE PUBLIC

XIII. EXECUTIVE SESSION: *Personnel, Real Estate & Legal*

XIV. ADJOURNMENT:

CITY OF ST. MARYS, GEORGIA

PUBLIC HEARING
“FY 09 BUDGET”

May 12, 2008
5:30 p.m.

MINUTES

The Mayor and City Council for the City of St. Marys, Georgia met in a Public Hearing on Monday, May 12, 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
Councilmember Chuck Trader
Councilmember Gull Weaver

CITY OFFICIALS PRESENT:

William Shanahan, City Manager
Max Tinsley, Asst. City Manager
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Director
Janet Brinko, Tourism Director
Donna Folsom, Human Resources Director
Shavon Gibbs, Court Administrator
Nicole Goebel, IT Assistant
Richard Riggles, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the Budget Hearing for FY09 to order at 5:30 p.m.

Royal Weaver, resident spoke about the needs and wants in the budget. Council makes cuts before it is presented to the public. The budget bottom line will never go down because prices continually increase. It is best to have more businesses than residences to help keep the millage rate and taxes down. Mr. Weaver is willing to pay extra taxes if the police department needs something. He strongly disagreed with council’s proposed pay raise and if the rules hold, the raise will not come into play until 2010. New council members have not shown whether the citizens are getting their money’s worth yet and the next election will tell if the incumbents

deserve a pay raise. This savings alone is \$42,000, which could be used to hire one or two employees. Both tourism and economic development have done everything in their power to bring in people and businesses. Mr. Weaver stated that he is willing to pay for a person that is needed to market the city and a person for public affairs. Many good things happen in the city that never gets documented. The City Manager tries to do this job, but it is not his job to be the public affairs person for the city. Marketing St. Marys will lower taxes, make us look better and bring more people and businesses in when there is a positive look. Council signed on for their current salaries. If the people decide council needs an increase, they will be the first to let you know. Mr. Weaver knew firsthand how much work council does because he has helped his wife and other council members from time to time. He believes money could be spent a little better because we need to get more money into the city, not necessarily charging the people.

Joyce Flenniken, resident spoke in regards to the budget in the newspaper stating that tourism, solid waste and the aquatic center are self supported. There is \$219,000 for IT, which has been a work in progress for the past couple years. However, when the website was visited the latest agenda was not posted and the last council minutes were from March. This is an area that needs to be expanded because we are an information society. Ms. Flenniken also addressed council's raise by stating that according to the newspaper, council spends 15-20 hours per month doing a job for a population of 17,000. If no tax increase is needed for the raise, where is the money? It is not a line item in the budget. Does every line item in the budget have a built in contingency fund, in case something comes up so you could create a budget ordinance? The website lists 16 boards and authorities with volunteer members totaling approximately 191 people. Only three list City Council Members. Who is doing the work the citizens, the staff or the council? More funds should be allotted to the things that she cannot afford to get for herself, such as, water/sewer, infrastructure, police and fire. These people put in 40 hours a week, not a month. This is where the money should be spent.

Mayor Eskridge stated that the pay raise has been taken out of the budget. The pay raise could be voted on this year but any salary increase for the incumbents will not become effective until 2010 and for the new council in 2012. The total budget has been decreased by \$112,460 within the last few days so there would not be millage increase.

Councilmember DeLoughy stated that in order to address the millage, property taxes needed to be lowered \$150,000. With the Cost of Living Adjustment (COLA), the fund equity has been adjusted by \$150,000, which is a wash. The total expenditures for the year are budgeted for less because the capital equipment is less. He further stated that the 15-20 hours a month is for meetings. When the work is added the time is doubled or tripled. Council is not here for the money. It cannot be helped if people think council is over paid. For the past two years, Council did not vote for a salary increase for themselves because employee's salaries needed to be addressed.

Councilmember Trader stated that there was also a significant reduction in insurance costs.

Doug Vaught, resident reiterated what Councilmember DeLoughy said about the hours of work involved with being on Council because he is a former member. Mr. Vaught stated that there were many people at the meeting to support Janet Brinko. Ms. Brinko has two years left before

becoming eligible to retire and she should not be reduced down as a welcome center manager. She should stay on as a department head.

Mayor Eskridge commented that this issue is not on the agenda. The City Manager questioned who said she would be reduced? Someone in the audience said the newspaper quoted him.

Mr. Vaught responded that it has been reported, the fix is in. You have already decided that Alyce Thornhill will take the position, someone would move up in Downtown Development Authority (DDA) and Janet would be reduced to a manager. All of us here are against this happening.

Mayor Eskridge stated that Mr. Shanahan sent a concept to council of what he thought might work. It was just a concept, nothing more, nothing less. It has gone through the city and everyone is talking about it. It was strictly a concept.

Mr. Vaught responded that he believed the Mayor. It was through the city, everybody is talking about it and some of it was attributed to the Mayor. When the Mayor speaks people listen.

Roger Rillo, resident questioned why there is an Economic Development Authority, Downtown Development Authority and Industrial Development Authority. All three claimed to have brought one business to the property by the airport and now they have left. There seems to be a lot of money being spent on EDA. This year's budget is over \$136,000. There is also property given to the DDA to sell. Where are all the businesses the DDA has brought in to the downtown area? The businesses that recently located downtown were already there. Silver Star Steakhouse is in a building that was there for years. A lot of money was spent refurbishing the EDA building. One councilmember ran their election on cutting back spending. Personnel keeps growing, and now a marketing position will be added, which should be a function of the EDA, DDA or IDA, not tourism. Mr. Rillo commented that he is not sure who is supposed to do what any more. There is already a city manager and an assistant city manager. The city clerk needed an assistant because of the workload. How many more people do we need? The government is growing and growing but where is the money going? Council knew what the salary was before running for office. Over the past three years, if you were a regular attendee of the council meetings, you would know how much was going on. The citizens should not have to compensate your time, when it was more then you expected. A 100% pay raise is not justifiable with the way the economy is now. Also for a new councilmember to bring the issue up was the wrong approach. He agrees that council does a lot of work and that is why you volunteered, for the love of the city.

Councilmember Trader stated that for a new council member to bring the issue up was not in appropriate. It has been brought up in the finance committee for a number of years. Facts somewhat speak for themselves. Granted we knew what we were getting into. We are here because we want to be here. Council has gone out of their way to give city employees what they have received for many years. Their increases average 7% per year with COLA and evaluation increase. Staff recommended that Council look at their salary and put together an analysis on compensation. It is not council's intent to gouge the people of St. Marys but we are looking to see some level of increase. All our expenses have increased.

Councilmember Johnson commented that the percentage of the increase looked very bad and might have been more acceptable if it were lower. He proposed a smaller dollar amount because of the increases in expenses. A feasible amount might be \$100 - \$200 and worth considering. It will need to go up somewhat because it has been many years since the council's compensation was increased. Mr. Johnson agreed with Mr. Rillo that a 100% increase does not look good when you double the salary. Particularly, if the increase is a percentage not an actual dollar amount.

Councilmember Bird commented that it was his understanding council has not had an increase in 11 years. Council cannot give a pay raise to themselves but sets a stage for another election cycle. He also recognized the fact that our country is in a recession and St. Marys' economy is in a decline. The building permit numbers are down in the past two years. All the revenue streams are challenged. The increase for council salaries would not be coming until the next election cycle. Mr. Weaver stated earlier that the citizens would want to increase the salary in the future. Councilmember Bird urged the citizens to consider the increase in the future, 10, 15 to 20 years from now. It is not about us, but a position. It is about city that is growing and has grown from 7,000 -12,000 to 17,000 in population. During that growth the responsibilities have expanded considerably. We did not take this job for the money. Most of us were on committees working for the city and received no compensation.

Mayor Eskridge stated that many hours were spent putting the budget together, reviewing each line item and making cuts. The only thing left is to let good people go, which we do not want to do. Every position is staffed and there will not be any high paid salary positions added. Mayor Eskridge commended Council for doing an excellent job on the budget by attending all the workshops, public hearings and not increasing the millage rate.

Councilmember Hase commented that the best news is that the budget has been reduced approximately \$2,000,000 from last year.

Councilmember Trader commented that everyone worked really hard to focus on what is important. A good solid foundation has been built for the city. Even though we thought it would have been bigger over a year and a half ago. The right people are in the right places, in the right structure that will take the city forward.

Walt Natzic, resident commented that much progress has occurred over the years in the community. The leadership gets credit for the progress and successes everyone has enjoyed over the years. When he first arrived in St. Mary, the communities of Kingsland, Woodbine and the County hardly spoke with one another. Now, there is much interaction. Mr. Natzic further commented on the pay issue as being very critical. He is also in favor of an increase that is in parity to what others receive throughout the state. Council only gets a token of what should be paid, which is hardly enough to pay gas. Council has his vote of confidence and they deserve a raise.

Mayor Eskridge stated that other cities were reviewed before the figure was entertained.

ADJOURNMENT

No further comments were made. Therefore, Mayor Eskridge declared the Budget Hearing adjourned at 5:59 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk

CITY COUNCIL MEETING
May 12, 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, May 12, 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
Councilmember Chuck Trader
Councilmember Gull Weaver

CITY OFFICIALS PRESENT:

William Shanahan, City Manager
Max Tinsley, Asst. City Manager
Amanda Blackledge, City Attorney
Wiley King, Building Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Tom Lackner, Asst. Fire Chief
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Director
Janet Brinko, Tourism Director
Donna Folsom, Human Resources Director
Nicole Goebel, IT Assistant
Michele Woods, City Planner
Bilal Muhammad, City Marshal
Richard Riggle, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the City Council Meeting to order at 6:05 p.m. Assistant City Manager Max Tinsley 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: April 28, 2008 *Regular City Council Meeting Minutes*
Councilmember Trader made a motion to approve the April 28, 2008 regular City Council meeting minutes. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

PRESENTATION:

ORANGE HALL FOUNDATION REPORT: *Royal Weaver*

Mr. Weaver reported that the Foundation Board has gone through some changes this the year. The current board is working well together and looking to the future to improve Orange Hall structurally as well as marketability. Several fundraisers were held for administrative costs of the Foundation and marketing Orange Hall through advertising in local publications. The main issues are safety and appearance to keep visitors safe and Orange Hall profitable. A copy of the Orange Hall Foundation report is attached as part of the minutes.

COMPREHENSIVE PLAN COMMUNITY AGENDA: *Tricia Reynolds, RDC*

Ms. Reynolds, Director of Planning and Government Services Coastal Redevelopment Center presented the St. Marys Community Agenda for day-to-day decision-making, the Future Development Map representing the boundaries of previously identified Character Areas and corridors throughout the City of St. Marys. A copy of the presentation is attached as part of the minutes.

PROCLAMATION: *Employee Wellness Month*

Mayor Eskridge read and proclaimed the month of June 2008 as “*Employee Wellness Month*” and urged all St. Marys’ employees to recognize and participate in this observance, including attendance at the Health & Wellness Fair on June 12, 2008, a focused opportunity to learn about healthy lifestyle habits to practice now and in the future.

APPROVAL OF THE AGENDA

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

GRANTING AUDIENCE TO THE PUBLIC:

Doug Vaught, resident thanked Council on behalf of the 10,383 residents owning golf carts in St. Marys who appreciate the golf cart parking at the Waterfront.

OLD BUSINESS:

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

NEW BUSINESS:

A. ORDINANCE: *Proposed FY09 Budget*

The City Manager recommended approval of the FY09 Budget. By law the City is required to pass a budget for each fiscal year.

Councilmember Weaver made a motion to postpone the FY 09 Budget until the June council meeting. Councilmember Bird seconded the motion. Councilmember’s Weaver and Trader concurred that there were several changes that still needed to be reviewed.

Councilmember DeLoughy encouraged the public to come to the budget workshops next year to make comments. Voting was unanimous in favor of the motion.

B. ADVERTISING NEW ALCOHOL LICENSE: *Silver Star Steakhouse, Inc.*

The City Clerk requests approval to advertise for a public hearing for a new 2008 Alcohol License. David Joyner has made application for an alcohol license located at 219 Osborne Street, for sale of beer, wine and spirituous liquor for consumption on-premises with food. Mr. Joyner wishes to conduct business as a full service restaurant. The City Clerk recommends approval to advertise for a public hearing on June 9, 2008 at 6:00 p.m. in the Council Chamber at City Hall immediately following the Comprehensive Plan Community Agenda public hearing. The City Manager recommended approval.

Councilmember Trader made a motion to approve the advertisement for the Silver Star Steakhouse alcohol license. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

C. TDS TELECOM DSL CONTRACT: *Pt. Peter Wastewater Treatment Plant*

The City Manager stated that authorization is needed to allow the Mayor to sign a contract with TDS Telecom to provide DSL service to the Point Peter WWTP. The Public Works Department recommends approval of a DSL contract with TDS Telecom to provide service to the Point Peter WWTP. By having DSL, the plant can be remotely monitored by plant personnel after hours as well as having the capability for manufacturer personnel to access the plant for troubleshooting during problems. This could minimize the amount of time that the plant is down while waiting on a service tech to arrive on site to troubleshoot. The City Manager recommended approval of a two year contract at \$89.00 per month.

Councilmember Johnson made a motion to approve a two year contract at \$89.00 per month. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

D. DOWNTOWN MULTI-MEDIA CENTER: *CDAI Invoice*

The City Manager recommended approval of an invoice for services provided by Cape Dixson Associates (CDAI). On August 7, 2007, the Waterfront Theatre Group requested that the architect Millard Inc. contact a theater consultant to meet with them to discuss concerns about the current building, site plans and exploration of flex theatre space. CDAI presented information conducive to a theater environment and was tasked to work with the architect to develop a scope, fee and schedule for preparing a schematic study illustrating how the flex theater concept and banquet facility could work on the new site. The total amount expensed thus far for the project is \$60,315.19, which has been reimbursed by the county through SPLOST funds. This invoice is in the amount of \$24,993.58 and will be presented to the county for SPLOST reimbursement. The current balance in the donation account is \$115,000.

Councilmember DeLoughy made a motion to approve the CDAI invoice.
Councilmember Trader seconded the motion. Voting was recorded as follows:

For
Councilmember Bird
Councilmember DeLoughy
Councilmember Hase
Councilmember Trader
Councilmember Weaver

Abstain
Councilmember Johnson

Councilmember Hase questioned whether Councilmember Johnson abstaining had a personal gain financially to him. Councilmember Johnson responded that under penalty of being harassed, he takes the fifth.

E. 2008 GMA ANNUAL CONVENTION: *Voting Delegate, Flag Bearer & Door Prize*

The City Manager requested the appointment of a voting delegate and flag bearer and to authorize the solicitation of a door prize for the GMA Annual Convention in Savannah. Each year, the city is entitled to one vote at the annual membership business meeting. During the annual business meeting, the membership will be electing GMA's 2008-2009 Board of Directors. Special activities are offered to the cities for participation. The Parade of Flags is one of those activities. This event opens the general session with a representative from each municipality carrying their city flag. Another activity is the donation of a door prize from a local business or the City. (With a value of \$50.00 or more.)

Councilmember Trader made a motion to nominate a voting delegate, flag bearer and door prize. Councilmember Weaver seconded the motion. Mayor Eskridge nominated Councilmember Deloughy as Voting Delegate, Councilmember Hase recommended the City Manager as flag bearer and Councilmember Weaver will help coordinate the door prize. Voting was unanimous in favor of the motion.

F. BUDGET ORDINANCE: *Water & Sewer Vehicle Repairs*

The City Manager recommended approval to increase Water/Sewer Revenue for insurance funds received and Vehicle Repairs Expenses. A Water/Sewer vehicle was involved in an accident. This is to adjust the budget to reflect the funds received from the insurance company and for repair of the vehicle.

Councilmember Weaver made a motion to approve the budget ordinance for water and sewer vehicle repairs. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

G. BUDGET ORDINANCE: *Water & Sewer Temporary Loan*

The City Manager recommended approval to record Water/Sewer Lease Revenues of \$5 Million Dollars. The City received funds from a temporary loan for the sewer upgrade. This is to record the expenditures associated with this loan.

Councilmember Weaver made a motion to approve the budget ordinance for the water and sewer temporary loan. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

H. BUDGET ORDINANCE: *Water & Sewer Bond*

The City Manager recommended approval to record the Water/Sewer Bond for Infrastructure. The City only reflected \$16 million dollars of the bond upgrade funds and adjustment is needed in the budget to capture the total bond amount that the City secured. This will also reflect the interest expense in the current year for the bond.

Councilmember Weaver made a motion to approve the budget ordinance for the water and sewer bond. Councilmember DeLoughy seconded the motion. Councilmember Johnson questioned the total amount of the bond. The City Manager responded that the net change is \$43,695,000. Voting was unanimous in favor of the motion.

I. BUDGET ORDINANCE: *Solid Waste Collection*

The City Manager recommended approval to adjust the Solid Waste Budget for the outsourcing of services. When the current year budget was passed, the City was collecting solid waste. Midyear the City negotiated to outsource collection. This is to correct the budget to reflect this change.

Councilmember DeLoughy made a motion to approve the budget ordinance for solid waste collection. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

J. SENIOR ADVISORY COMMITTEE: *Appoint Additional Member*

The City Manager recommended approval to increase the number of appointed Senior Advisory Committee members from five (5) to six (6) appointed members. The Senior Advisory Committee was created in February 2007 with five (5) appointed members and one councilmember making up the voting members of the committee. The committee has had a lot of success promoting the Senior Center and our senior population but finds they need additional help and are requesting to increase the appointed members from five (5) to six (6). The Senior Advisory Committee voted at their last meeting to request one additional member.

Councilmember Weaver made a motion to approve adding another member to the Senior Advisory Committee. Councilmember Bird seconded the motion. Councilmember Hase commented that every board commission or committee is always an odd number in case of a tie or decisive vote on an issue and questioned whether the committee actually votes

on anything or makes decisions with a consensus. Councilmember Johnson responded that the chairman does not vote unless there is a tie. The Assistant City Manager stated that the councilmember is a voting member. Voting was unanimous in favor of the motion.

K. JJ&G TASK ORDER #28: 2008 Pt. Peter/Scrubby Bluff Watershed Management Report

The City Manager stated that authorization is needed for the Mayor to enter into an agreement with JJ&G (Task Order No. 28) to assist the City in preparing the annual EPD Watershed Management Report. In order for the City to comply with the approved Watershed Assessment and Watershed Protection Plan for the Point Peter and Scrubby Bluff Treatment Plants, a Watershed Management Report must be compiled and submitted to the EPD each year. The deadline for submittal of the final report is June 30. The Public Works Department solicited proposals from four engineering firms with the results as follows:

- Jordan, Jones & Goulding - \$9,500
- Hussey Gay Bell and DeYoung - \$15,400.00
- Saussy Engineering, LLC - Declined
- Thomas & Hutton – No response

The City Manager recommended approval of the contract to JJ&G in the amount of \$9,500.

Councilmember Weaver made a motion to approve JJ&G Task Order #28. Councilmember Johnson seconded the motion. Councilmember Johnson questioned the large range in costs between JJ&G and the other company. The City Manager responded that when the original proposal from JJ&G was received the cost was still the lowest at \$12,500. Then, the Public Works Director negotiated to lower it more because of their good business relationship with the City. Councilmember Weaver questioned if the fee was annual. The Public Works Director stated that it should be a one-time fee and it could be changed out every year. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PLANNING DIRECTOR'S REPORT

1. **REZONING:** Timothy MacDonell requests rezoning of 22 acres located at Colerain Road and Spur 40, Tax Map 134A 001, from R-3 to PD C2 and C3. The Planning Commission recommended approval and the Planning Department recommend additional approval upon the property owners agreement to provide a 100 foot right-a-way at no cost to the City for the relocation of Douglas Drive and Colerain Road.

Councilmember DeLoughy made a motion to approve the rezoning. Councilmember Weaver seconded the motion.

Following discussion on the proposed concept, the possibility of a traffic light at the intersection and review of the map, Councilmember Trader amended the motion to

defer the decision until the next City Council meeting for more of an opportunity to assess the issue. Councilmember Bird seconded the amended motion.

The MacDonell family's representative Mr. Roper spoke about rezoning the property and meeting with the city several times regarding changes to the road. The property is zoned for 300 hundred apartments and surrounded by commercial property. When it was revaluated it was found that it is more viable for a commercial development that would attract big block retail businesses in a shopping center setting. The City is requesting the right-of-way in return for paying for the road, which the family is not willing to do. However, they are not against working out a barter or trade so the City could avoid paying for the right-a-way. The Planning Commission approved the rezoning without the condition that was added three weeks ago. Currently, it is on the agenda to approve the rezoning to commercial, not the road or the traffic light.

Councilmember Hase requested a recommendation from the City Manager and asked whether he was involved in the issue. The City Manager responded that at the last meeting that he, the Mayor and Assistant City Manager attended it was their understanding it was a go for the road. Since this has undoubtedly changed, he recommended another meeting.

Mr. Roper stated that there was mis-communication about the road and did not hear the part of the right-of-way donation. He further stated that the family has acreage on other streets, thoroughfares and variances that could be negotiated. Mayor Eskridge stated that the property is platted and recorded as a City street, which leaves no bargaining.

Following much discussion, Councilmember Johnson moved to defer everything except the rezoning. Motion failed for lack of second.

Councilmember Trader withdrew the amended motion. Councilmember Bird seconded the motion to withdraw the amendment.

Councilmember DeLoughy made a motion to send the issue to the Property Committee for review and recommendation. Councilmember Weaver seconded the motion.

Councilmember Trader withdrew the amended motion. Councilmember Bird seconded the motion to withdraw the amendment. Voting was unanimous in favor of the motion.

2. **TEXT AMENDMENT:** Charles C. Smith, Jr., representing Victor Insetta, D/B/A Reeltime Properties, LLC requests an amendment to the definition of Light Industrial in the City of St. Marys Zoning Ordinance, Section 110-72, I-L. The Planning Commission recommended approval subject to the removal of the line "*less than 50 feet in length*" from the second paragraph of the amended ordinance.

Councilmember Weaver made a motion to approve the amendment with the exclusion. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

3. **SPECIAL USE PERMIT:** Kevin & Loretta Hutchinson representing Ray Carter are requesting a Special Use Permit to operate True Freedom Ministries Daycare at 1905 Pt. Peter Road, Tax Map S02-01-009A. The property is zoned C2. The Planning Commission recommended approval. The Planning Department recommends approval conditional upon the applicant receiving a state license.

Councilmember Hase made a motion to approve the Special Use Permit for True Freedom Ministries Daycare upon receiving the state license. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

4. **REZONING:** Tom Purdie/Brant Creek, LLC requests rezoning of 2 parcels totaling 16.57 acres located on Highway 40 East, Tax Map 135-002 & 135-002C, from PD R-5 to PD R-3. Brant Creek received approval of the Development of Regional Impact (DRI). The Planning Commission recommended approval.

Councilmember Hase made a motion to approve rezoning for Brant Creek, LLC. Councilmember Trader seconded the motion. Councilmember Weaver questioned the fence that was to surround the property. Mr. Purdie responded that a 1,400 foot fence would separate the church parking to the vacant land north and east. The same would be done by the muffler shop to the wetlands. Voting was unanimous in favor of the motion.

B. WATER AND SEWER COMMITTEE REPORT

1. ST. MARYS LAND DEVELOPMENT: *Developers Agreement*

Councilmember Trader stated that the Committee reviewed the developer's agreement with St. Marys Land Development recommending approval with striking the word "assume" and adding a caveat of, "more than 6 months, the capacity will be returned to the City". Staff provided a report of the approved plats and noted the slowdown of construction in March 2008 only 56 building permits were pulled, which affects the water & sewer fees.

Councilmember Trader made a motion to approve the developer's agreement as presented. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

C. DOWNTOWN DEVELOPMENT AUTHORITY VACANCY ANNOUNCEMENT: *One Seat*

Mayor Eskridge announced one vacancy on the Downtown Development Authority.

D. ORANGE HALL FOUNDATION TERM EXPIRATIONS ANNOUNCEMENT: *Four Seats*

Mayor Eskridge announced four term expirations on the Orange Hall Foundation Board in June.

E. INVESTIGATIVE COMMITTEE REPORT

Councilmember DeLoughy made a report of the committee by stating a letter was received with allegations made with respect to an ethics violation. The Committee was charged with investigating allegations made against Councilmember Bird and the Code of Ethics violation outlined in Mr. Walt Natzic's letter of April 18, 2008, which is attached as part of the minutes. The Committee was not charged with making a determination as to truth or non truth of the allegation. It was charged to determine whether it should be moved to an Ethics Committee and whether it warranted a hearing before a Board of Ethics. A decision of 2-1 was made on the merits of the facts and circumstances warranted a hearing of the Board of Ethics.

Mayor Eskridge stated that he is directed through the By Laws of City to appoint the Committee from the Council Members. Councilmember's DeLoughy, Weaver and Johnson were appointed to the Committee. The Mayor also appointed same on the Board of Ethics and requested that a chair is appointed from the Board Members.

Councilmember DeLoughy made a motion to nominate Councilmember Weaver as Chairman of the Board of Ethics Committee. Councilmember Trader seconded the motion.

A Board of Ethics Procedure meeting was scheduled on May 28, 2008 at 5:00 p.m. in the Council Chamber at City Hall.

Councilmember Hase requested clarification from the attorney about exactly what the hearing is. The City Attorney stated that in the City code there is a two step process to any kind of ethical violation brought to the attention of the Mayor and Council. The first step was already discussed and reported on tonight with the Investigating Committee to look at the four corners of the paper presented and to decide whether there is enough on its face to warrant an additional hearing, where any kind of evidence could be brought forward on defense moves. Step two, the investigating Committee looked at the paper and decided it needed to be looked into by the Board of Ethics. The Board of Ethics holds a hearing in a trial like setting, where Mr. Bird could bring in counsel, witnesses and evidentiary information. The actual detail of how the hearing will operate is left up to board at the procedural meeting.

The Board of Ethics hearing was scheduled on June 4, 2008 at 5:00 p.m. Voting was unanimous in favor of the nomination.

Councilmember Hase requested clarification on whether the second stage would be open to the public or not. The City Attorney stated that the hearing should be open to the public and it is not necessary for the procedural meeting to be open.

F. HOSPITAL AUTHORITY VACANCY ANNOUNCEMENT: *One Seat*

Mayor Eskridge announced one vacancy on the Hospital Authority Board and the Senior Advisory Committee.

All interested parties should provide a letter of intent to the City Clerk for any of the seats for appointment at the next regular council meeting.

G. PUBLIC SAFETY-POLICE COMMITTEE: *Meeting Request to Discuss Alcohol Ordinance*

Councilmember Hase questioned what would be discussed about the ordinance. The City Clerk stated that the amended ordinance would clear up some language and a request made by the DDA to review training requirements for nonprofits.

Councilmember Hase made a motion to send the issue to committee for the purpose of discussion. Councilmember DeLoughy seconded the motion. Councilmember Hase stated that this is a highly regulated substance, are there specific recommendations that are in compliance with state law? The City Clerk responded that most of the recommendations are technical with exception of the alcohol training. For example: the current ordinance has the amount of events for nonprofits as four, the state limits two. All of the changes need to be in compliance with state law or be more stringent. Councilmember's expressed concerns with the alcohol training issue and major changes requiring a hearing. Voting was unanimous in favor of the motion.

A meeting was scheduled on May 19, 2008 at 5:00 p.m. in the Council Chamber at City Hall.

REPORT OF MAYOR:

May 1 & 8, 2008 – Attended the Camden County Board of Health Meeting

May 8, 2008 – Conference call with Federal Aviation Administration (FAA) regarding the airport and attended a meeting at the Public Service Authority (PSA) regarding bids for the new recreation building coming in too high.

May 9, 2008 – Attended a meeting at the Regional Development Center for the newly named Coastal Regional Development Center (CRDC), effective July 1, 2008 with a new board. This new committee is being set up by the Department of Community Affairs (DCA).

May 10, 2008 – Attended a Department of Natural Resources (DNR) function at Cumberland Harbour on the War of 1812.

May 12, 2008 – Water/Sewer Committee meeting and Public Hearing on the Budget

Mayor Eskridge read the calendar of events, meeting and activities. Councilmember Trader announced the presentation for the new financial software would be on May 20th at 4:00 p.m. in the Council Chamber at City Hall.

The Submarine Museum Board meeting was changed from the third Thursday to Tuesday, May 20, 2008 at 8:45 a.m.

REPORT OF CITY MANAGER:

- Tourism received a check for \$14,608 from a grant and the Tourism Director received tuition for the Southeast Georgia Marketing College.
- The Human Resources Department received a Health and Wellness Grant in the amount of \$5,000 and the Human Resources Director Donna Folsom will receive HR Management Certification on Wednesday from the Georgia Municipal Association and Carl Vinson Institute of Government. Point Peter Wastewater Treatment Plant – the plant is scheduled to start up at the end of May. The design of the 4.0 MGD plant is continuing and the permit application has been submitted to the Environmental Protection Division (EPD). The Design Development has been approved by the EPD for the upgrades.

Mayor Eskridge announced a Water and Sewer Committee meeting on June 9, 2008 at 5:00 p.m.

GRANTING AUDIENCE TO THE PUBLIC:

Tom Cyphers, resident commented on the Board of Ethics being responsibly tasked to set rules as if they were defendants and set precedence for issues. The procedure meeting would go more swiftly if it is not open to the public.

Ann Stacy, Historic Preservation Commission requested a height demonstration of 52 feet at the waterfront by Chief Horton with the ladder truck.

Councilmember Weaver stated that the item is on the Property Committee agenda. The demonstration will be held at 4:00 prior to the meeting at the waterfront on St. Marys Street.

Roger Rillo, resident expressed his disappointment in council who's platform was open government. Having meetings open to the public should be above board.

Councilmember Weaver responded that the insinuation of not being above board is offensive. The procedure meeting is for an agreed upon method. Councilmember DeLoughy stated that the Board would establish a policy and procedure.

Councilmember Hase stated that policy and procedures were already drawn up and available from Georgia Municipal Association (GMA) and used by other cities.

EXECUTIVE SESSION: *Personnel, Real Estate & Legal*

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

The Mayor and Council adjourned to executive session at 8:00 p.m., returning at 8:35 p.m. with Mayor Eskridge calling the Council meeting back to order.

PERSONNEL

Councilmember Weaver made a motion to approve the ordinance for associate judge, to change the fee to \$500.00 per court session and appoint William Ashe to the position.

REAL ESTATE

No official action was taken at this time.

LEGAL

No official action was taken at this time.

ADJOURNMENT:

Councilmember Trader made a motion for adjournment. Councilmember DeLoughy seconded the motion. Mayor Eskridge declared the meeting adjourned at 8:36 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk