



CITY OF ST. MARYS, GEORGIA
March 9, 2009

CITY COUNCIL WORK SESSION
4:30 p.m.

CITY COUNCIL MEETING
6:00 p.m.

AGENDA

- I. CALL TO ORDER**
- II. INVOCATION:** *Councilmember Deborah Hase*
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL** **QUORUM: YES X NO _____**
- V. APPROVAL OF MINUTES:** *February 23, 2009 Regular City Council Meeting Minutes
February 23, 2009 Public Hearing Alcohol License LKC
Enterprises, Inc. D/B/A The Mill Seafood Bar & Grill*

PRESENTATION:

TREE BOARD REPORT: *Jerry Lockhart, Chairman*

DOWNTOWN DEVELOPMENT AUTHORITY:
One Appointment to Replace Carol Grayson-Buddin

JOINT PROCLAMATION:
Declaring March 28, 2009, Earth Hour 2009, Between the Hours of 8:30 p.m. & 9:30 p.m.

FINANCE DIRECTOR'S REPORT:
*Seven-Months Financial Report for General, Local Option Sales Tax (LOST),
Water/Sewer, Solid Waste, Tourism, Special Purpose Local Option Sales Tax (SPLOST)
and Aquatic Center Funds*

APPROVAL OF THE AGENDA

VI. GRANTING AUDIENCE TO THE PUBLIC:

EXECUTIVE SESSION: *Legal*

VII. OLD BUSINESS:

A. AIRPORT AUTHORITY:

Discuss the Airport Authority's Legal Appeal

B. FINS LIQUOR, INC NEW ALCOHOL LICENSE:

Approval to Advertise for a Public Hearing

C. AUTHORITIES, BOARDS AND COMMISSION OPEN MEETINGS/RECORDS TRAINING:

To Provide Open Meeting/Records Training for Authorities, Boards and Commissions

VIII. NEW BUSINESS:

A. PROPOSED RESOLUTION TO FREEZE PROPERTY TAX ASSESSMENTS:

Discuss Recent Property Tax Assessments Performed by the County and Approve the Proposed Resolution

B. RESOLUTION FOR RECERTIFICATION OF CITY OF ETHICS:

Re-adopt GMA's City of Ethics Principles in the form of a Resolution for Recertification

C. TDS SERVICE AGREEMENT RENEWAL FOR DSL:

Renew the DSL Service Agreement for Two Years

D. CONSIDERATION TO REINSTALL BUOYS IN ST. MARYS RIVER HARBOR:

Approval of the Reinstallation of the Buoys in the Harbor

E. INSTALLATION OF NEW POOL DRAIN COVERS:

To be Compliant with the Virginia Graham-Baker Act for New Federal Regulation Governing Pool Drain Covers

F. DONATION OF EXERCISE EQUIPMENT FROM THE US NAVY:

Acceptance of Two Exercise Machines Donated to the St. Marys Fire Department from the U.S. Navy

G. CONSIDERATION TO FILL THE VACANT PART-TIME COURT TECHNICIAN POSITION:

Request to fill the vacant Court Technician position in Municipal Court

H. FLY-IN UPDATE: *Councilmember Hase*

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

A. PERSONNEL COMMITTEE REPORT

B. BOARD OF ETHICS REPORT

X. REPORT OF MAYOR:

XI. REPORT OF CITY MANAGER:

XII. GRANTING AUDIENCE TO THE PUBLIC

XIII. EXECUTIVE SESSION:

XIV. ADJOURNMENT:

**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
March 9, 2009
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, March 9, 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
Amanda Blackledge, City Attorney
Roger Weaver, Planning Director
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Donna Folsom, HR Director
Alyce Thornhill, Economic Dev. Director
Gene Rudy, IT Director
Bilal Muhammad, City Marshal
Richard Riggle, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the City Council Meeting to order at 6:00 p.m. Councilmember Hase 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.

WELCOME

Mayor Eskridge welcomed the Camden County Commissioners to the meeting. Introductions were made as follows:

Chairman David Rainer
Commissioner Katherine Zell
Commissioner Willis "Chip" Keene
Commissioner Steve Berry
Commissioner Charlene Sears
County Attorney Brent Green
County Manager Steve Howard

Mayor Eskridge stated that he had written a letter to Chairman Rainer, Commissioner Sears and Commissioner Berry regarding their support on the St. Marys tax assessments. Their presence tonight is in response to that letter.

APPROVAL OF MINUTES:

February 23, 2009 Regular City Council Meeting Minutes

Councilmember Weaver made a motion to approve the February 23, 2009 regular City Council meeting minutes. Councilmember DeLoughy seconded the motion. Councilmember Bird noted a correction on page 7 by inserting after his name, “*moved to disapprove the agreement for CodeRed due to the critical financial situation of our times and because...*” Councilmember Hase noted a correction on page 5, under item “C”, to change the spelling of the Lieutenant’s name to “*Cain*” and page 9, under item “I”, “*Councilmember Hase made a motion to deny, and following discussion with the City Attorney withdrew the motion*”. Voting was unanimous in favor of the motion.

February 23, 2009 Public Hearing Alcohol License LKC Enterprises, Inc. Minutes

Councilmember Weaver made a motion to approve the February 23, 2009 Public Hearing minutes. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

Chairman Rainer stated that the reassessments were a very serious matter due to economic conditions across America and that property values have decreased drastically. Mr. Rainer pledged his support to work on the problem and announced that a county Work Session is scheduled on March 17, 2009 at 4:00 p.m. to discuss assessments.

Commissioner Sears stated that she is committed to explore every avenue at the work session, and questioned why the cities were not included in the County freeze several years ago.

Commissioner Zell stated that she is committed as well to do everything that can be done for the citizens of Camden County by supporting the cities.

Commissioner Berry urged Council to be very careful with the legislation that will be proposed by Senator Chapman because it sounds like a good idea just like it did four years ago when it was proposed to the County. The legislation affects a small minority of people, homesteaded properties. Taxes will not be eliminated but shifted to commercial property, vacant land and non-homesteaders, who are the majority. Unless the City plans to cut their budget to match the homestead exemptions, there will be problems. It will help for a year or two but it will catch up eventually. Mr. Berry suggested freezing everyone - not only homesteaders, and to not allow the 2006 values to be locked as presented in the bill. He stated that it will take radical and brave solutions but the county Commissioners are committed.

Councilmember DeLoughy questioned whether there is a way to speed the process besides filing a form to review the assessments.

Commissioner Berry responded that the problem is computers were assessing the properties not humans.

Councilmember Bird questioned the amount of people or appeals it takes to trigger a broader investigation.

Commissioner Berry responded that appeals from five percent of the digest automatically shut it down until it is resolved.

Commissioner Keene stated that in order to remove the board of assessors, 100 residents with just cause could change the composition by going to Superior Court and/or the Department of Revenue to perform a compliance review.

PRESENTATION:

TREE BOARD REPORT: *Jerry Lockhart, Chairman*

Mr. Lockhart reported on the annual Tree Board accomplishments and activities as follows:

1. Celebrated its third Arbor Day Program by planting a 14 foot live oak in the median downtown across from the Presbyterian Church. Included in the program were St. Marys Elementary School kindergarten students, the Mayor and members of the Downtown Development Authority who have been the Board's co-sponsors.
2. The DDA held a Chair-ity Auction to assist with funding for trees and raised over \$5,000.
3. The Board planted nine live oak trees and six crape myrtles.
4. Rescued and replanted five palm trees in the median at the Conyers Street during the middle school construction.
5. Planted four live oak trees in the median at Wheeler Street.
6. Adoption of the Tree Protection ordinance by City Council that was inserted into the Building and Planning ordinance, which protects trees on City property.
7. Designation of Tree City USA for the third year.

DOWNTOWN DEVELOPMENT AUTHORITY: *One Appointment to Replace Carol Grayson-Buddin*

Councilmember DeLoughy made a motion to appoint Charles A. Smith to the Downtown Development Authority. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

JOINT PROCLAMATION: *Declaring March 28, 2009, Earth Hour 2009, Between 8:30 p.m. to 9:30 p.m.*

Mayor Eskridge read a joint proclamation declaring March 28, 2009 at 8:30 p.m. local time, Earth Hour 2009. The Mayor urged all individuals, businesses, governments and organizations around the world to join the World Wildlife Fund in turning off all non-essential lighting for one hour to make a global statement of concern about climate change and to demonstrate their commitment to finding solutions.

FINANCE DIRECTOR'S REPORT:

The Finance Director presented the 7-months financial reports for General, Local Option Sales Tax (LOST), Water/Sewer, Solid Waste, Tourism, Special Purpose Local Option Sales Tax (SPLOST) and Aquatic Center. The Georgia Power franchise tax was received in the amount of \$645,000, which was \$25,000 over the budgeted amount. Property tax collection to date was over \$3,000,000. Delinquent tax notices were mailed to property owners who have not paid taxes to notify them that a 10% penalty would be assessed. A copy of the report is attached as part of the minutes.

APPROVAL OF THE AGENDA

Mayor Eskridge stated that during the work session, council discussed executing a consent agenda. Councilmember's Weaver and DeLoughy discussed adding items "B, C, D, E & F" of new business as a consent agenda. Although there was no official motion on the floor, the agenda was amended. The Mayor opened the floor to the public for questions on those items.

GRANTING AUDIENCE TO THE PUBLIC:

Burt Guy, resident thanked Council for their service to the citizens of St. Marys and the Camden County Commissioners for coming out and showing solidarity with the issues and concerns of St. Marys. He also encouraged the members of council to pass a resolution urging the commission to deny the 2009 digest, to provide the tax payers relief on the outrageous assessments and continue to work with the city for realistic assessments.

Roger Rillo, resident thanked the councilmembers for attending the citizens meeting and requested Council consideration in approving the resolution to freeze St. Marys' assessments.

Randy Dockery, Sr. Pastor Church of God Prophecy located at 101 Pine Street, once again requested the denial of the petition of a hearing for Fins Liquor Store. He further requested Council to consider the intent of the law rather than the letter of the law. The intent of the law is to protect the citizens of St Marys as well as to consider the wishes of its citizens. When going by the letter of the law, there is no reason to hold a hearing concerning liquor licenses, only to allow employees of the city to collect revenue and grant the license. The purpose of a hearing is to consider what is in the best interest of the citizens. The church community is present tonight because the establishment would be too close to the property of the church as indicated on the survey. The church and the proposed youth center are a little over 600 feet by walking the street, which is too close to the property and within view. There are so many children using the basketball court and other activities weekly. The church community feels that the foot traffic on Pine Street would increase from Cumberland Oaks and The Pines Apartments. With children walking home from St. Marys Middle School daily, it is not a positive influence. Pastor Dockery stated in conclusion that with all the considerations in mind, Council has the authority to stop the request now.

Reggie Whitehrst, resident opposed the petition of a hearing for Fins Liquor Store. Mr. Whitehouse gave a brief history of the church to include 37 years of service, 400 members and

an active youth program. He also addressed the distance from churches being a minimum distance, the amount of liquor stores on the road and concerns of citizens.

Charlene Sears, Kiwanis Club member thanked Council for considering placement of the buoys because it could be a liability issue for the Kiwanis during the 4th of July festivities. The event is family orientated and brings business to the downtown district. Ms. Sears also thanked public works for their assistance over the past 10 years with the fireworks barge, and the organizers of the tax assessment meetings.

Councilmember Trader thanked the Kiwanis Club.

Doug Vaught, resident thanked the commissioner, the three council members and Mayor for attending the citizen's tax meeting to show their support and allow them to speak tonight. Mr. Vaught announced following the council meeting is another after hours meeting at J's and a website was put together by Bob Barry at camdenwatchdog.org.

John Morrissey, resident reminded the public to vote early in Kingsland by the Board of Education and in Woodbine 8:00 a.m. until 5:00 p.m. for Education Special Purpose Option Sales Tax (ESPLOST) and regular voting is on March 17th.

Charlene Sears, announced the St. Marys River Management Committee is holding their annual River Clean Up on March 21st at 8:00 a.m. Tee shirts will be distributed during registration and lunch will be held at White Oak Plantation.

Steve Swanson, resident and chairman of the St. Marys Airport Authority commented on the misinformation printed in a letter to the editor on the value of the St. Marys Airport. According to the Airport Feasibility and Site Selection Study, the present airport supports approximately 68 full-time employees and generates \$1,500,000 in income to the local community, and overall economic impact which exceeds \$5,900,000. Public Works Department is mowing to off-set the property used by the Fire Department. The Airport Authority cancelled their insurance policy because the City could carry insurance at no additional cost which saves the authority money.

Councilmember DeLoughy stated that he objected to the funding report when it was provided at the time and has no problem with doing an independent study. Councilmember Hase agreed verbally a few years ago to have a blanket insurance policy, since then \$15,000 is taken from tax payer money.

Eve Gonzales, Church of God and Caring Hearts, Inc. spoke against the liquor license as a voice for the children and families that are going through tough times to provide a safe place for children away from their hardships. The pathway across the street cuts through the church area.

Winston Barlowe, business owner thanked the council and the commissioner for getting together on the tax issue. Mr. Barlow spoke about looking at each and every project to tighten our belts during the economic crisis and morals regarding the churches issue.

Councilmember Weaver thanked Mr. Barlowe for helping with Crooked Rivers.

Rindy Howell, resident requested that Council vote on the alcohol license according to their moral judgment, not the law. Ms. Howell also read a letter from Senator Chapman as his legislative assistant for the proposed legislation regarding reassessed property values of St. Marys' residents. A copy of the letter is attached as part of the minutes.

Mike McCloskey, stated he has been a property owner in St Marys for over ten years and they are good citizens and moral people. Denying the license for meeting all the requirements denies us the opportunity to make a living by denying the rent on the facility.

Becky Burns, resident stated her home is behind the church and putting a liquor store in front of her house allows people to walk past her front yard where there are always children playing.

Reggie Whitehurst, resident thanked council for listening to the public's concern regarding the liquor store.

Walt Natzic, resident commended Senator Chapman for taking action regarding taxes and suggested fixing the long term affects, not just short term. Mr. Natzic also spoke about the data on the airport having indirect benefits and the projections with a growth until 2020. Currently, there are 4 1/2 full-time people working at the airport.

Councilmember Bird commented that there were five known business at the airport and all five businesses have employees.

Eve Gonzales, resident commented that no consumption on property means taking it and walking across the street to drink it on the way home. They will be buying at one location and drinking it at another.

Roger Rillo, resident spoke about impact on the community at the airport and how many people come to St. Marys to eat at the restaurants and stay. Why not get a hotel/convention center at the industrial park where there are so many empty buildings instead of building one.

EXECUTIVE SESSION: *Legal*

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

The Mayor and Council adjourned to executive session at 7:21 p.m., returning at 7:41 p.m. with Mayor Eskridge calling the Council meeting back to order.

Legal

No official action was taken at this time.

OLD BUSINESS:

A. AIRPORT AUTHORITY:

Discuss the Airport Authority's Legal Appeal

Mr. Jim Stein, Attorney for Airport Authority stated that a letter was forthcoming regarding dropping the authority's request for declaratory judgment and what is their future role.

Councilmember Bird made a motion to defer to the City Attorney, to task her and the Airport Authority with their representation to put together a draft document for a lease, other airport issues on management and operations. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

B. FINS LIQUOR, INC NEW ALCOHOL LICENSE:

Approval to Advertise for a Public Hearing

Councilmember Trader moved to deny the request. Councilmember Hase seconded the motion. Councilmember Weaver questioned a legal opinion. Mayor Eskridge stated that this would be referred to our attorney. Councilmember Trader stated that there were several things that needed to be looked at concerning the intent of the law and the intent of staying within the 600 feet agreement. There are many different ways to the proposed liquor store and by people walking directly it is 450 feet. Council knows the neighborhood and it will be a detriment to the citizens who live in the area. It should be denied before it is looked at any further.

Baker McGee, attorney for the applicant stated that his client has made an application that meets each and every criteria set.

Councilmember Hase stated that it was not correct, the fact that those licenses for a highly controlled substance has to come to the governing body, not just staff, to meet criteria, implies that there is some judgment and discernment involved with each one of the liquor licenses. The church has been in the location for 37 years and children are always present. It cannot go anywhere else, but the liquor store could. The path and traffic coming from the apartments is in one of the highest crime areas in the City and it goes right through the area at the church property.

Baker McGee, stated that a public hearing was not held before any judgment could be exercised as statute requires and discernment on your own could not be done when a law was passed. When speaking about morals, an oath was taken to follow the law.

Councilmember Hase stated there was a provision in the ordinance, which allows Council to deny the license anytime during the process. When she tried to deny it at the last meeting there was a misunderstanding about that particular section.

Baker McGee, stated their position as having met all the requirements and having been issued an occupational tax registration for the operation of a liquor store at that location. They were entitled to a public hearing under the law.

Councilmember Bird agreed that a public hearing was not set up but the item was only on the agenda. As a government body it is Council's responsibility to set the tone on how things should be done in the community. It is incumbent upon us to hold a hearing to hear the other side make their arguments. Councilmember Trader commented that he made the motion because he was uncomfortable with the information provided and whether it was in compliance.

Baker McGee, stated that the purpose of the public hearing is to tell the applicant whether or not they comply, what they have done wrong and how it could be corrected.

Councilmember Weaver questioned the City Attorney whether a public hearing must be held to be legal. The City Attorney stated that the current code of the City Section 10-19 "*No license shall be denied without the opportunity for a hearing as provided in this section*". The City Attorney recommended for due process standards to advertise a public hearing. Councilmember Hase commented that there were many conflicting sections in the ordinance and it did state the license could be denied at anytime during the process. The City Attorney recommended revising the ordinance.

Councilmember Trader withdrew the motion. Mayor Eskridge agreed with the City Attorney that if the law reads as stated, we must hold a public hearing and that is where it needs to go. If there were any comments to be made, they should be done at the public hearing. Following much discussion, Councilmember Hase withdrew the seconded motion.

Councilmember Bird moved to hold a public hearing to look at this liquor license issue. Councilmember Weaver seconded the motion. Councilmember Bird commented that churches set high standards and it is critically important for that church to make sure everybody is given their due diligence in the law itself. We hope you will support the public hearing by bringing back the information and the challenges in a public setting to give equal opportunity to the opposing side. Councilmember Johnson commented that rules were set requiring a public hearing. There were valid comments made by the church and the business owners would like to have their chance to speak.

Pastor Dockery stated that the church is not opposing the business only the location. Every American has the right to free enterprise.

Councilmember Hase questioned whether the local person should be on the application because there was only a letter.

The City Clerk responded there was a letter of consent for the local designee, who is not necessarily the manager or a requirement on the application. The applicant has met all the requirements to hold a public hearing. A public hearing was scheduled for Monday, March 23, 2009 at 5:00 p.m. in the Council Chamber at City Hall.

Voting was recorded as follows:

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

C. AUTHORITIES, BOARDS AND COMMISSION OPEN MEETINGS/RECORDS

TRAINING:

To Provide Open Meeting/Records Training for Authorities, Boards and Commissions

Councilmember Hase made a motion to authorize the City Attorney and City Clerk to facilitate regular training for the City's Authorities, Boards, Commissions and Committees on applicable federal, state and local laws with an emphasis on open meetings/open records. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

NEW BUSINESS:

A. PROPOSED RESOLUTION TO FREEZE PROPERTY TAX ASSESSMENTS:

Discuss Recent Property Tax Assessments Performed by the County and Approve the Proposed Resolution

Councilmember Bird made a motion to urge the county Commissioners to reject the 2009 tax digest as it stands. Councilmember Johnson seconded the motion. Councilmember's agreed to wait until the meeting before a resolution was approved and thanked the commissioners for attending tonight's meeting because it shows a vote of solidarity.

Councilmember Bird amended the motion to urge the County Commissioners reject any increase in the 2009 tax assessments. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

B. *RESOLUTION FOR RECERTIFICATION OF CITY OF ETHICS:

Re-adopt GMA's City of Ethics Principles in the form of a Resolution for Recertification

Councilmember Bird made a motion to approve the City of Ethics resolution. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

C. *TDS SERVICE AGREEMENT RENEWAL FOR DSL:

Renew the DSL Service Agreement for Two Years

Councilmember Bird made a motion to approve the renewal of the TDS service agreement for DSL. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

D. *CONSIDERATION TO REINSTALL BUOYS IN ST. MARYS RIVER HARBOR:

Approval of the Reinstallation of the Buoys in the Harbor

Councilmember Bird made a motion to approve the reinstallation of the buoys in the St. Marys River harbor. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

E. *INSTALLATION OF NEW POOL DRAIN COVERS:

To be Compliant with the Virginia Graham-Baker Act for New Federal Regulation Governing Pool Drain Covers

Councilmember Bird made a motion to approve the installation of the new pool drain covers. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

F. *DONATION OF EXERCISE EQUIPMENT FROM THE US NAVY:

Acceptance of Two Exercise Machines Donated to the St. Marys Fire Department from the U.S. Navy

Councilmember Bird made a motion to approve the exercise equipment donation from the US Navy. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

G. CONSIDERATION TO FILL THE VACANT PART-TIME COURT TECHNICIAN POSITION:

Request to fill the vacant Court Technician position in Municipal Court

Councilmember Weaver made a motion to fill the part-time position. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

H. FLY-IN UPDATE: *Councilmember Hase*

Councilmember Hase stated that the issues on the Washington Fly-In agenda continue to be military, education, quality of life, Colerain Road and water/sewer upgrades and improvements.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PERSONNEL COMMITTEE REPORT

1. Reduction of Force Policy

Councilmember Hase made a motion to adopt the proposed RIF Policy as presented. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

2. Paid Leave Accrual for Public Safety Personnel

Councilmember weaver made a motion to advertise the Policy. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

B. BOARD OF ETHICS REPORT

Frank Drane, Chairman reported that they held three meetings. The Board finalized forms, the agenda on hearings and two proposed changes to the ordinance with selection of the members and forms. Mr. Drane requested Council consideration to approve the revised Ethics Ordinance as presented.

Councilmember Hase moved to make a motion approve the changes to Section 2-371 (c) and 2-372 (b) of the ordinance. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

REPORT OF MAYOR:

February 25th – Welcomed regional Tourism Center personnel

February 27th – Attended a play at St. Marys Elementary School

March 2nd – Attended a Department of Transportation meeting in Jesup to change Martha Drive's speed limit to 35 up to the bridge on Highway 40 and plans were needed to approve the planting of crape myrtles on St. Marys Road

March 4th – Attended the Board of Ethics and Airport Authority meetings

March 5th – Attended a Board of Health meeting

March 9th – Attended the Work Session and two meetings regarding tax problems.

Mayor Eskridge read a resolution in support of Mr. Jerry Brandon's renovation and improvement at 105 St. Marys Street known as the Riverview Hotel for a DDRL loan from the Department of Community Affairs and requested Council approval.

Councilmember Trader moved to approve the resolution. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

Mayor Eskridge read the calendar of events, meetings and activities for the next two weeks. A Council Work Session was scheduled on March 23, 2009 at 4:00 p.m. and Water/Sewer Committee meeting on March 18, 2009 at 4:00 p.m. to be held at the Council Chamber in City Hall.

REPORT OF CITY MANAGER:

The City Manager reported on the Special Purpose Local Option Sales Tax (SPLOST) V Projects as follows:

1. Martha Drive Traffic Signal – This project has been awarded to Seaboard Construction. A Preconstruction meeting was held on January 7, 2009. Notice to Proceed has been issued. After having the project staked out in the field, two problems were identified. The first problem is a conflict with the strain poles and the existing power lines. The engineer on the project is working on a solution with GA Power. The second problem is a conflict with the existing storm drain structures on Highway 40. The engineer is working on a solution to this problem as well. Due to these problems, the contractor has asked for a time extension since work has been halted until these problems have reached resolution.
2. Mickler Drive Bridge Project – This project was awarded to Underground Excavating, Inc. A preconstruction meet has been scheduled for March 26th at 5:00 p.m. Following the preconstruction meeting, at 6:00 p.m., a public meeting will be held to address questions concerning the project and discuss the project schedule. Project duration is set at 300 days. Notice to proceed is expected to be given at the preconstruction meeting.
3. Storm Water Master Plan Project 1 – The City has contracted with P&A Engineering for the design of the first project of the master plan which includes the Douglas Drive drainage basin. The design for this project is about 95% complete. Some easements may need to be acquired prior to construction.
4. Martha Drive Speed Study and School Zone Design Project – LAI Engineering was selected to do the study and school zone design. LAI has completed the speed study and has submitted to the City. The City has forwarded the study and school zone design to DOT for approval.
5. Kings Bay Road Traffic Signal (Pro 3's Parkway) – The bid opening date was January 22, 2009. Metropower has been awarded the bid for this project.
6. Colerain Road/Winding Road Traffic Signal – Design on this project has been completed. Right of Way/Easements need to be acquired prior to advertising for bids
7. Douglas Drive/Colerain Road Realignment – This project concept is being changed to move the realigned roadway along the existing right of way of June Street to the base instead of through the undeveloped corner property.
8. St. Marys Road Shoulder Paving – A state aid contract has been requested from the DOT for this project. The Federal Government has already earmarked \$100,000 for this project.
9. Storm Water Master Plan Projects – Public Works Department needs approval to continue with the next prioritized project in the Storm Water Master Plan by hiring an engineering firm to prepare the construction drawings. The next project, "Project C", is identified as a high priority by the design engineers and covers storm drain replacements in a portion of the downtown area including some areas of Bartlett Street, Seagrove Street, St. Marys Street, West Conyers Street, Ready Street, East Dillingham Street, and the Cemetery (adjacent to vacant lot).

The City has the authority in the law to approve a professional contract without putting it out for bid. With the current economy, this would allow us to look at companies within the City of St Marys to give them business. It would be understood that the Public Works Director, who is an engineer will review the packet and if they do not qualify the project would be put out for bid. Another possibility would be to keep it in house.

In SPLOST V, the Multi-Cultural Center was not approved, which leaves \$150,000-175,000 available for a new project to use the funds. According to the county finance director, those funds could be either reallocated for a new project that is easier to do than an existing project. Councilmember Weaver commented that the Waterfront Theater group proposed putting a cap over the amphitheater and Martha Drive needed additional funding. There were other projects that were not fully funded and the money could be used for existing/ongoing projects. The Councilmember's were in agreement to reallocate the funds to an existing project.

Councilmember Weaver questioned whether Comcast was contacted about Georgia Public Television only being available on a high tier package. Federal Communication Commission (FCC) requires the local and public television channels. The City Manager responded that it was not up to the City. Councilmember Trader questioned if there was any legal recourse on the franchise agreement. The City Attorney responded that she is working on a new franchise agreement and the current agreement only requires one public/educational channel.

Councilmember Hase questioned whether the engineering firm was on board with the airport project because the resolution authorized the City Manager to move forward and the engineer goes after the funding from the Federal Aviation Administration (FAA). The City Manager responded that he spoke briefly with RS&H and they received a copy of Sea Island's appraisal. He also needed to speak with Carol Comer about the engineer before the City moved forward with the original contract.

GRANTING AUDIENCE TO THE PUBLIC:

Kay Sullivan, resident expressed concerns about CodeRed being turned down because of the economy and saving money when another item was approved for \$40,000 and why were there not reserved seats for regular attendees at council meetings.

Tom Cyphers, resident reported that after attending the Tax Assessors meeting this evening, citizens were told their hands are tied by state law. The assessments were based on 25% of sales being foreclosures and 233 will not go into effect until 2010. According to Rick Daniels GMAS performed a mass appraisal and put it on the website in error. The contact number for Rick Daniels is 576-3241 to request the values.

Dave Schmitz, resident commented that Georgia Public Television is channel 25, so why is channel 8 available in Jacksonville on digital.

Jeff Stanford, Fixed Based Operator at St. Marys Airport responded to questions about the number of employees at the airport, 1) Jeff Stanford, 2) Bird Aviation, 3) Jumping Place, 4) Upholstery Shop and 5) Steve Swanson. Mr. Stanford questioned why Mr. Swanson as a business owner at the airport was allowed on the board and he was not.

EXECUTIVE SESSION: (MOVED)

ADJOURNMENT:

Councilmember Trader made a motion for adjournment. Councilmember Hase seconded the motion. Mayor Eskridge declared the meeting adjourned at 9:03 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk