



**CITY OF ST. MARYS, GEORGIA**  
**February 22, 2010**

**CONSENT AGENDA MEETING**  
**5:45 p.m.**

**CITY COUNCIL MEETING**  
**6:00 p.m.**

**AMENDED**  
**AGENDA**

- I. **CALL TO ORDER**
- II. **INVOCATION:** *Councilmember Greg Bird*
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL** **QUORUM: YES  NO**
- V. **APPROVAL OF MINUTES:** *February 8, 2010 Regular City Council Meeting Minutes*

**PRESENTATION:**

**JOINT PROCLAMATION:** *Declaring March 27, 2010, Earth Hour 2010, Between the Hours of 8:30 p.m. & 9:30 p.m.*

**APPROVAL OF THE AGENDA**

- VI. **GRANTING AUDIENCE TO THE PUBLIC**

**CONSENT AGENDA**

- VII. **OLD BUSINESS:**

- A. **PROPOSED LEGISLATION:** *St Marys Convention and Visitors Bureau Authority Act Amendment to HB 839 - Discussion.....REMOVED.....TAB "A"*
- B. **U.S. COAST GUARD** **(ADDED)**
- C. **VOTING SYSTEM HEARING** **(ADDED)**

**VIII. NEW BUSINESS:**

- A. **GEORGIA DEPARTMENT OF NATURAL RESOURCES:** *Easement at Howard Gilman Waterfront Park*.....TAB “B”  
To approve acceptance of the relocation of the existing Georgia Department of Natural Resources Pier/Dock Access Easement at the waterfront park.
- B. **SR964 CONSTITUTIONAL AMENDMENT PROHIBITING DOUBLE TAXATION:**  
*Discussion added by Councilmember Morrissey*.....TAB “C”
- C. **HR 1 CAP ON ASSESSMENTS:**.....TAB “D”  
*Discussion added by Councilmember Morrissey*
- D. **WASHINGTON FLY-IN:** *Delegates*  
To nominate two council delegates as the City’s representatives
- E. **ST. MARYS BRANDING:** *Discussion added by Councilmember Hase*

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

- A. **PLANNING DIRECTOR’S REPORT:**.....TAB “E”
  - 1. **Historic Preservation Ordinance Amendment**
  - 2. **Naming of a Short Unnamed Street Between Old Point Peter Road And Comeau Street:** *Harrell Lane*
  - 3. **Renaming of a Portion of Professional Circle Between Kings Bay Road and the New Jehovah’s Witness Building:** *Carnegie Street*
- B. **PERSONNEL COMMITTEE REPORT:**.....TAB “F”
  - 1. **Paid Leave & Excess Leave Policies**

**CITY CALENDAR:** *City Clerk*

**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**  
**February 22, 2010**  
**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, February 22, 2010 in the Council Chamber at City Hall.

**PRESENT WERE:**

Mayor William DeLoughy  
Councilmember Greg Bird  
Councilmember Deborah Hase  
Councilmember John Morrissey  
Councilmember Keith Post  
Councilmember Sidney Howell  
Councilmember Chuck Trader

**CITY OFFICIALS PRESENT:**

William Shanahan, City Manager  
J. Alexander Atwood, City Attorney  
Roger Weaver, Planning Director  
Bobby Marr, Public Works Director  
Robby Horton, Fire Chief  
Donna Folsom, HR Director  
Alyce Thornhill, Economic Dev. Director  
Bilal Muhammad, City Marshal  
Todd Isernhagen, Sergeant-At-Arms

**CALL TO ORDER**

Mayor DeLoughy called the City Council Meeting to order at 6:00 p.m. Councilmember Greg Bird gave the invocation. Mayor DeLoughy led the audience in the pledge of allegiance. Council roll call indicated a quorum of council members present for the meeting.

**APPROVAL OF MINUTES:** *February 8, 2010 Regular City Council Meeting Minutes*

Councilmember Trader made a motion to approve the February 8, 2010 regular City Council meeting minutes. Councilmember Morrissey seconded the motion. Voting was unanimous in favor of the motion.

**PRESENTATION:**

Mayor DeLoughy asked everyone to remember one of the City's dedicated volunteers Paula Amari who passed on Sunday, and keep the Amari family in our thoughts.

**JOINT PROCLAMATION:** *Declaring March 27, 2010, Earth Hour 2010, Between the Hours of 8:30 p.m. & 9:30 p.m.*

Mayor DeLoughy made a presentation of a joint proclamation declaring March 27, 2010 at 8:30 p.m. local time, Earth Hour 2010 to Alex Kearns on behalf of EarthKeepers. 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. He also congratulated Ms. Kearns for becoming a United States citizen.

#### **APPROVAL OF THE AGENDA**

Councilmember Post added Old Business item "B" Coast Guard and Councilmember Hase added Voting System Hearing to Old Business. Councilmember Bird made a motion to approve the agenda with the additions. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

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

Resident Brian Pollard presented his recommendation to identify St. Marys as "The Big Town with A Small Town Inside" instead of the Branding Campaign.

Library Chairman Arlene Norris gave a briefing on the St Marys Library move to the shopping center, storage and reopening on March 1<sup>st</sup>. Ms. Norris praised the library staff for what they have done under Ms. Judy's leadership, and thanked Gull Weaver and daughter, Doug Cooper, Library Board Members and Navy Base for their help.

Resident Jay Moreno asked who the City could contact to update the official GPS System for renamed or unidentified streets. The Economic Development Director recommended that businesses could contact their office for a data sheet to update the system.

Resident John Carroll stated that the Census Bureau will be remapping the streets to update the data base.

Resident Brian Pollard stated that he asked someone how copper was invented and was told that a contractor and Mr. Shanahan were fighting over a penny of your taxpayer dollars.

Resident Cookie Johnson spoke in opposition of changing St. to Saint because when it originally came up all the businesses began calling former Councilmember Johnson, refusing to make the change. Ms. Johnson complimented Councilmember Morrissey for all he was doing and answering emails. She also addressed the general public speaking at meetings, the VFW helping the Sr. Citizen Center with a nature trail; the boy scouts were making birdhouses, and the Mayor Pro Tem.

Resident Dave Schmitz commented that it was indicated at the last County meeting that Special Purpose Local Option Sales Tax (SPLOST), Local Option Sales Tax (LOST) and Education Special Purpose Local Option Sales Tax (ESPLOST) were being used because they could not operate in the budget. The City Manager provided an example of a SPLOST project. Mayor DeLoughy requested a presentation by the City Manager on the programs and how they enter into the budget. Mr. Schmitz requested Longwood Drive and Salt Grass Trace be paved.

Resident Bob Nutter stated that he read the Joint Comprehensive Plan and questioned when will it be updated, when would it be published and would there be meetings? Mr. Nutter suggested utilizing the City website and Tribune and Georgian with regard to publishing the Plans minutes and meetings.

The City Manager responded that the Plan is on the website and updates come from DCA on when and how it is done.

Resident Tom Cyphers thanked the Mayor for adding decorum to the meetings. Mr. Cyphers addressed SPLOST being another form of taxes, alarmed about asking questions during public sessions, notifying constituents of public hearings, and adding items to the agenda.

The Mayor stated that public hearing was added to expedite the hearing information distribution to the public.

**CONSENT AGENDA:**

There were no consent items at this time.

**OLD BUSINESS:**

- A. **PROPOSED LEGISLATION:** *St Marys Convention and Visitors Bureau Authority Act Amendment to HB 839 – Discussion* **REMOVED**
  
- B. **U.S. COAST GUARD (ADDED)**  
Councilmember Post briefed council on the proposed resolution to be voted on at the next meeting. Senator Chambliss, Senator Isakson and Congressman Kingston issued a joint letter to Secretary Napolitano to move forward with the Maritime Safety and Security Team (MSST) issue.
  
- C. **VOTING SYSTEM HEARING (ADDED)**  
Mayor DeLoughy stated that the methodology for holding elections, plurality vs. majority, districts and election dates were discussed at a public hearing on February 18<sup>th</sup>. Councilmember Hase made a motion to plan a future public hearing on the voting system in St. Marys to be held during daytime hours. Councilmember Post seconded the motion. Council discussed receiving more input from the community, Georgia Municipal Association's document on Georgia's election for plurality vs. majority and voting on a referendum. Following much discussion, voting was unanimous in favor of the motion.

Councilmember Bird made a motion to empower the city attorney to investigate the issue of plurality vs. majority, districting and any other modes of the elections, for any legal implications that might be involved and set a hearing within the next two weeks. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

Councilmember Bird made a motion to schedule a public hearing on March 8, 2010 at 1:00 p.m. to receive comments on the voting system. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

**NEW BUSINESS:**

**A. GEORGIA DEPARTMENT OF NATURAL RESOURCES: *Easement at Howard Gilman Waterfront Park***

To approve acceptance of the relocation of the existing Georgia Department of Natural Resources Pier/Dock Access Easement at the waterfront park. The City Manager recommended approval of the portion of the Seagrove Street Right-of-Way adjacent to the park and located through the main entrance of the park off St Marys Street.

Councilmember Trader made a motion to approve the Georgia Department of Natural Resources easement at Howard Gilman Waterfront Park. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

**B. SR964 CONSTITUTIONAL AMENDMENT PROHIBITING DOUBLE TAXATION: *Discussion added by Councilmember Morrissey***

Councilmember Morrissey stated it was recommended that the city make a statement in support of this amendment. Councilmember Morrissey made a motion to send a letter indicating to those who need to hear the message and do it this week. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

**C. HR 1 CAP ON ASSESSMENTS:**

*Discussion added by Councilmember Morrissey*

Councilmember Morrissey stated that the resolution would cap assessment increases on all property at three (3) percent, for a total of nine (9) percent in a three year cycle for assessments. GMA does not recommend adoption by the cities because of the restriction it puts on taxes over time. The commercial side impacts the ability to set up trusts and/or LLC's to create holding companies from owning and transferring homes. It would keep commercial rates flat and drive the tax burden to residents. He further stated that more information would be reported at the next meeting.

**D. WASHINGTON FLY-IN: *Delegates***

To nominate two council delegates as the City's representatives

Councilmember Hase made a motion for the Mayor and Councilmember Morrissey to go this year. Councilmember Trader seconded the motion.

Councilmember Bird amended the motion to include Councilmember Howell. Councilmember Trader seconded the motion. Council discussed the travel costs and city's budget. Voting was recorded as follows:

FOR  
Councilmember Bird  
Councilmember Hase  
Councilmember Post  
Councilmember Trader

ABSTAIN  
Councilmember Howell  
Councilmember Morrissey

**E. ST. MARYS BRANDING: *Discussion added by Councilmember Hase***

Councilmember Hase stated that a presentation was given several months ago on a Branding Campaign to provide a different look for the City's website, emblem and name. Councilmember Hase made a motion to bring the campaign back on the table tonight. Councilmember Trader seconded the motion for discussion.

Council discussed not changing the name or using both options; CVB and staff review and capitalize on components, costs for changing emblems and obtaining the opinion of the post office. Following much discussion, Councilmember Trader amended the motion to take the branding package with the exception of the name change and put it in the hands of City staff working with tourism and the CVB to look at the components to utilize to help promote St Marys. Councilmember Bird seconded the motion. Councilmember Hase suggested adding the proposed design to the City's website through the IT Department and to enhance it; and send a certified letter to the post office to fix the name. Voting was unanimous in favor of the motion.

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

**A. PLANNING DIRECTOR'S REPORT:**

**1. Historic Preservation Ordinance Amendment**

The Planning Director described the changes to the ordinance to clear up confusion and conform to current Georgia and Federal Laws. The ordinance was approved by the HPC and reviewed by the Property Committee.

Councilmember Hase moved to approve for discussion. Councilmember Howell seconded the motion. Councilmember Hase questioned whether real estate and political signs on private property was discussed. The Planning Director responded that it was recently addressed but not defined. The text would be changed after the sentence on page 9, except for directional or public safety push in signs, "*to include real estate, political, personal push in signs on private property and all other types of push in signs are not allowed at any time in the Historic District*". Councilmember Hase asked for clarification of the sentence on page 10, "No individual member of the Commission shall take any action in an official capacity that is not part of a properly advertised meeting". The Planning Director stated that laws prohibit Commission members from speaking with property owners privately after a Certificate of Appropriateness was issued because of liability.

Following Council discussion, Councilmember Trader amended the motion to delay until the next meeting to allow the attorney an opportunity to look at the ordinance. Councilmember Bird seconded the amended motion.

HPC Chairman Tom Cyphers explained the issue of people speaking to members or having them visit the property individually after making application because they do not have jurisdiction unless it officially comes before the body. Voting was unanimous in favor of the motion.

**2. Naming of a Short Unnamed Street Between Old Point Peter Road And Comeau Street: *Harrell Lane***

The Planning Director stated that the unnamed streets were not identified electronically, so businesses were not being found. The street only has one property owner, Mr. Harrell, hence the proposed name.

Councilmember Trader moved to approve the renaming of the street to Harrell Lane. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

**3. Renaming of a Portion of Professional Circle Between Kings Bay Road and the New Jehovah's Witness Building: *Carnegie Street***

The Planning Director explained that this portion of road was identified in part by the business Kickin Boots. Naming it Carnegie Street continues around the circle from Kings Bay Road to the new Jehovah's Witness Building to make it easier to find.

Councilmember Trader moved to approve the renaming of Carnegie Street. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

**B. PERSONNEL COMMITTEE REPORT:**

**1. Paid Leave & Excess Leave Policies**

Councilmember Hase stated that the Committee reviewed comments from employees that were received on the personnel policies which were posted for 14 days as required by City policy. The Committee recommended to Council to keep the excess leave as posted by changing the word **may** to "*shall*". However, it was also recommended under Catastrophic Leave, number 6, "*Employees are allowed to carry a maximum accumulation of 1040 hours in the catastrophic leave bank*", which must be posted because it was a significant change.

Councilmember Hase made a motion to post Catastrophic Leave for 14 days and vote on all of it in two weeks. Councilmember Howell seconded the motion. Council discussed employees losing catastrophic leave when resigning from the City and not accumulating hours beyond 1040.

Councilmember Morrissey amended the motion to add the statement, “*any hours above the 1040 are not applied to either the Catastrophic or the regular Leave policy*”. Council discussed excess leave over 240 hours and the catastrophic leave bank. Councilmember Hase seconded the amended motion, and to add “*Any additional hours above 1040 hours will be forfeited*”. Voting was unanimous in favor of the original and amended motions.

**C. WATER/SEWER COMMITTEE REPORT:**

Councilmember Morrissey stated that the Committee met today to discuss lift station 13 expenses, how it would affect closing Weed Street, a time table for Davis Gaines Subdivision’s resolution which depends on the right-of-way, working on the bond at Pt. Peter and tabling Scrubby Bluff because of environmental issues.

**CITY CALENDER:**

The City Clerk read the calendar of activities, events and meetings for the next two weeks. Councilmember Trader scheduled a Finance Committee meeting on March 22<sup>nd</sup> at 4:30.

**REPORT OF MAYOR:**

Mayor DeLoughy thanked EarthKeeper’s for all their efforts and coordinating the cleanup last week.

- Council will continue looking at the election process at public hearings
- The Tourism Department was thanked for a wonderful job in promoting and hosting the group named Bikers Across Georgia.
- The Mayor attended the Citizens Advisory Board meeting last week. Former CAB Chair Peggy Hollis was recognized for her hard work and contributions to the Board and the new Chair Tim Ward was introduced. In an effort to assist the City, CAB will spearhead the coordination of projects and volunteers. The Board has amended their By-Laws to reduce the membership from nine (9) to seven (7) members as recommended by Council.

**REPORT OF CITY MANAGER:**

- The Public Works Department budgeted \$85,000 to purchase a dump truck and \$55,000 for a forklift. Through their shopping efforts, a public auction was located in Florida to make the purchase of both vehicles for \$84,500 at a total savings of \$55,500.
- In coordination with Valdosta State University, Masters in Public Administration interns will be utilized to assist with studies and projects to aid the City in the future.
- A graffiti problem has begun to emerge, and citizens were encouraged to notify 911 if anything suspicious was noticed.

**GRANTING AUDIENCE TO THE PUBLIC:**

Newly appointed St Marys’ representative on the Camden County Board of Assessors Mike Wilson presented a briefing on the review of the procedures and guidelines for the board and appraisers, future discussion on the HR 1 and the deadline for property returns to the assessor’s office was March 1st.

Resident Brian Pollard commented on the zip code being the important part of mail delivery.

Resident Bob Nutter commented that selling leave back was paying for the same time twice, invited Council to attend Joint Development Authority meeting on Wednesday at 6:00 to discuss impact fees for Cabin Bluff and to attend major events in St. Marys.

Resident Jay Moreno recommended scheduling and advertising another voting method meeting at 6:00 p.m. and posting it on his blog for discussions.

Resident Kay Sullivan commented on the article in the newspaper regarding the historic district having no signs in the ground and the branding change which might mean a new zip code.

**EXECUTIVE SESSION:** *Legal & Personnel*

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

The Mayor and Council adjourned to executive session at 7:58 p.m., returning at 8:36 p.m. with Mayor DeLoughy calling the Council meeting back to order.

**PERSONNEL/LEGAL**

No official action was taken at this time.

**ADJOURNMENT:**

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

Respectfully submitted,

  
Darlene M. Roellig, City Clerk

City of St. Marys, Georgia

STATE OF GEORGIA )  
COUNTY OF CAMDEN )

Date: February 22, 2010

MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL

Council Member Trader makes the following motion:

That this Mayor and Council now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

- In order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved. [O.C.G.A. § 50-14-2(1)]
- Those tax matters which are otherwise made confidential by State Law. [O.C.G.A. 50-14-2(2)]
- Staff meeting held for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A. 50-14-3(1)]
- In order to discuss the future acquisition of real estate. [O.C.G.A. 50-14-3(4)]
- Meetings when discussing or deliberating (but not voting) upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee. [O.C.G.A. 50-14-3(6)]
- Meetings when discussing any records that are exempt from public inspection or disclosure pursuant to paragraph (15) of subsection (a) of Code Section 50-18-72 or when discussing any information a record of which would be exempt from public inspection or disclosure under said paragraph. [O.C.G.A. § 50-18-72 (a) (15) as set forth in this code section]
- Other. (Explanation and citation of statutory authority required):

Motion Seconded by: Council Member Post

Vote on Motion:

	Yay	Nay
Mayor William DeLoughy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Greg Bird	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Deborah Hase	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sidney Howell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman John Morrissey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Keith Post	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilwoman Chuck Trader	<input checked="" type="checkbox"/>	<input type="checkbox"/>

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

AFFIDAVIT
CLOSURE OF OPEN MEETINGS

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, William DeLoughy, who in his/her capacity as Mayor or Mayor Pro Tem presiding over a City Council Meeting of the City of St. Marys, and after being first duly sworn, certifies under oath and states to the best of his/her knowledge and belief the following:

At its meeting held on February 22, 2010, the City of St. Marys City Council voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows:

Check or initial as appropriate:

- (X) In order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved. [O.C.G.A. § 50-14-2(1)]
( ) Those tax matters which are otherwise made confidential by State Law. [O.C.G.A. 50-14-2(2)]
( ) Staff meeting held for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A. 50-14-3(1)]
( ) In order to discuss the future acquisition of real estate, except that such meetings shall be subject to the requirements of this chapter for the giving of the notice of such a meeting to the public and preparing the minutes of such a meeting for future disclosure. [O.C.G.A. 50-14-3(4)]
(X) Meetings when discussing or deliberating (but not voting) upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee (but not when receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee. The vote on any matter covered by this paragraph shall be taken in public and minutes of the meeting as provided in this chapter shall be made available. Meetings by an agency to discuss or take action on the filling of a vacancy in the membership of the agency itself shall at all times be open to the public as provided in this chapter). [O.C.G.A. 50-14-3(6)]
( ) Meetings when discussing any records that are exempt from public inspection or disclosure pursuant to paragraph (15) of subsection (a) of Code Section 50-18-72 or when discussing any information a record of which would be exempt from public inspection or disclosure under said paragraph (Specifically any records that, if revealed, would compromise security against sabotage or criminal terrorist acts, the nondisclosure of which is necessary for the protection of life, safety, or public property.). [O.C.G.A. § 50-18-72 (a) (15) as set forth in this code section]
( ) Other. (Explanation and citation of statutory authority required):

I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to matters of official business or policy within the exceptions provided by law as set forth above

Sworn to and subscribed before me
this 22nd day of February, 2010.

Notary Public, County of Camden
State of Georgia
My Commission Expires November 23, 2013

Notary
[Signature]

[Signatures]
Mayor William DeLoughy
Councilmember Greg Bird
Councilmember Deborah Hase
Councilmember Sidney Howell
Councilmember John Morrissey
Councilmember Keith Post
Councilmember Chuck Trader