CITY OF ST. MARYS, GEORGIA
May 16, 2011

CITY COUNCIL MEETING

6:00 p.m.

AGENDA

I. CALL TO ORDER

II. INVOCATION: *Pastor Johnny Rogers*

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL **QUORUM: YES_X NO____**

V. APPROVAL OF MINUTES: *May 2, 2011Regular City Council Meeting & Public Hearing Minutes*
May 3, 2011 Special City Council Meeting Minutes

VI. PRESENTATION:

Hospital Authority Annual Report: *Chairman Frank Frasca*

Announcement and/or Appointment of Board Vacancies or Term Expirations

1. Orange Hall Foundation *(Segear, Vacancy, Baker, Cole) Term Expiration 6/5/11*
2. Hospital Authority *(Lanham) Term Expiration 6/14/11*

VII. SET CONSENT AGENDA: *Proposed Consent Agenda - New Business A, B & C*

VIII. APPROVAL OF THE AGENDA

IX. GRANTING AUDIENCE TO THE PUBLIC:

X. OLD BUSINESS: *None*

XI. NEW BUSINESS:

A. DEPARTMENT OF HOMELAND SECURITY, U.S. CITIZENSHIP & IMMIGRATION SERVICES MOA:.....**TAB "A"**
To renew a federal mandated agreement with DHS-USCIS for the verification of illegal aliens

B. **MUNICIPAL COURT SCHEDULE REVISION**:.....**TAB "B"**
Council consideration and approval to change the court date from September 9, 2011 to September 2, 2011

C. **ST. MARYS CONVENTION & VISITORS BUREAU BY-LAWS**:.....**TAB "C"**

D. **WEED STREET CLOSING FINANCIAL IMPACT**: *Councilmember Morrissey*

E. **ADMIRAL'S DAY SPONSORSHIP**: *Discussion*

F. **SR. ADVISORY BOARD REQUEST**: *Councilmember Bird*

G. **CITY ATTORNEY'S CONTRACT RENEWAL**: *Discussion* .....**TAB "D"**

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

A. **PLANNING DIRECTOR'S REPORT**:.....**TAB "E"**

1. **TEXT AMENDMENT**: Tandee Hodge, 802 Ann Street, St. Marys Georgia, is submitting a request for a Text Amendment to amend the current R-1 zoning in the City of St. Marys Zoning Ordinance, Section 110-70, to allow chickens (no roosters) in R-1 as a permitted use. The property is zoned R-1, Tax Parcel S31-07-005.

B. **CITY CALENDAR**: *City Clerk*

XIII. REPORT OF MAYOR:

XIV. REPORT OF CITY MANAGER: *None*

XV. GRANTING AUDIENCE TO THE PUBLIC

MAYOR AND COUNCIL COMMENTS

XVI. EXECUTIVE SESSION:

XVII. ADJOURNMENT:

CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
May 16, 2011
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 16, 2011in the Council Chamber at City Hall.

PRESENT WERE:

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

ABSENT WERE:

Councilmember John Morrissey

CITY OFFICIALS PRESENT:

Gary Moore, City Attorney
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Donna Folsom, HR Director
Michele Wood, City Planner
Jeff Juliano, Sergeant-At-Arms
Matt Dawkins, Sergeant-At-Arms

CALL TO ORDER

Mayor DeLoughy called the City Council Meeting to order at 6:00 p.m. Pastor Johnny Rogers, Agape Christian Fellowship Church 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 and Mr. Morrissey absent.

APPROVAL OF MINUTES: *May 2 & 3, 2011 Regular and Special City Council Meeting Minutes*

Councilmember Post made a motion to approve the May 2 and 3, 2011 regular and Special City Council meeting minutes. Councilmember Hase seconded the motion. Voting was recorded as follows:

FOR	ABSTAINED
Councilmember Hase	Councilmember Bird
Councilmember Howell	
Councilmember Post	
Councilmember Trader	

PRESENTATION:

Hospital Authority Annual Report: (POSTPONED)

Announcement and/or Appointment of Board Vacancies or Term Expirations

3. Orange Hall Foundation *(Segear, Vacancy, Baker, Cole) Term Expiration 6/5/11*
4. Hospital Authority *(Lanham) Term Expiration 6/14/11*

Mayor DeLoughy announced the term expiration on the Orange Hall Foundation and Hospital Authority.

SET CONSENT AGENDA (*): *Proposed Consent Agenda - New Business A, B & C*
Councilmember Bird made a motion to add New Business "A & B" to the consent agenda. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

APPROVAL OF THE AGENDA

Councilmember Post moved to approve the agenda with the following changes: add executive session personnel, remove item D under new business due to the absence of Councilmember Morrissey and move the planning director's report, text amendment to the first item under new business. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Kim Pope, 290 Mary's Court, Elliotts Plantation: Support of the St. Marys Middle School resource officer

Barbara Ryan, 711 Mildred Street and CVB chairman: Thanked everyone for coming to the open house, and briefed council on the number of visitors last month, the stakeholders program, merchants program, and visitors rewards

Rosemary Rillo, 605 Wheeler Street: Questioned why Orange Hall Foundation was not working on grants and announced the June deadline for the Georgia Places in Peril for Historical Structures and Sites grant

Lori LaFreda, 308 Flamingo Drive: Weekly services for garbage and yard waste not being provided and street sweeper riding over debris

Bob Nutter, 521 Moeckel Place: Lack of open, honest communication on the elected officials' part, messages deleted without being read and nonresponse to questions.

OLD BUSINESS:

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

NEW BUSINESS:

PLANNING DIRECTOR'S REPORT (MOVED)

1. **TEXT AMENDMENT**: Tandee Hodge, 802 Ann Street, St. Marys Georgia, is submitting a request for a Text Amendment to amend the current R-1 zoning in the City of St. Marys Zoning Ordinance, Section 110-70, to allow chickens (no roosters) in R-1 as a permitted use. The property is zoned R-1, Tax Parcel S31-07-005.

The City Planner stated that the Planning Commission recommended council review and approval subject to a one-year trial period as submitted with the exception of changing the allowed number of chickens from 10 to 5. If approved, the Planning Department recommends that a process be put into place that would allow the City to monitor compliance by requiring a permit and fees subject to the minimum fees of a building permit of $45. This would allow the department to verify that the requirements of the text amendment had been met and allows for a record of residents with chickens.

Councilmember Bird moved to approve a trial basis for a period of a year. Councilmember Post seconded the motion. Councilmember Hase stated that in the past she had received many complaints from citizens in the downtown area about chickens roosting under houses, and that she would vote against the motion unless council was agreeable to revisiting the issue if complaints arise. Councilmember Bird stated that was not part of his motion. City Attorney requested clarification whether the amendment would be for one year then automatically sunset or stop. The City Planner stated that it would come back to council after one year, if there were multiple complaints to remove the text amendment.

FOR	OPPOSED
Councilmember Bird	Councilmember Hase
Councilmember Howell	
Councilmember Post	
Councilmember Trader	

A. **DEPARTMENT OF HOMELAND SECURITY, U.S. CITIZENSHIP & IMMIGRATION SERVICES MOA (*)**:
To renew a federal mandated agreement with DHS-USCIS for the verification of illegal aliens

Councilmember Bird made a motion to approve the Memorandum of Agreement with the DHS. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

B. **MUNICIPAL COURT SCHEDULE REVISION(*)**:
Council consideration and approval to change the court date from September 9, 2011 to September 2, 2011

Councilmember Bird made a motion to approve the Municipal Court Schedule revision as presented. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

C. ST. MARYS CONVENTION & VISITORS BUREAU BY-LAWS: (WITHDRAWN)

The CVB Chairman stated that the board was operating without by-laws. By-laws presented are standard to include membership, meetings, appointments, officers and duties.

Councilmember Post made a motion to not approve the by-laws at this time. Councilmember Trader seconded the motion. Council discussed by-laws conflicting with state law; the Department of Community Affairs and Department of Economic Development meeting scheduled in June; use of state operational guidelines or development non-conflicting guidelines; recruitment and removal of members and creation of new legislation. Following discussions, the chairman withdrew the request until after the meeting. Therefore, Councilmember Post withdrew the motion and Councilmember Trader withdrew the seconded motion.

D. WEED STREET CLOSING FINANCIAL IMPACT: *Councilmember Morrissey* **(REMOVED)**

E. ADMIRAL'S DAY SPONSORSHIP: *Discussion*

Mayor DeLoughy stated that the Chamber and Camden Partnership were planning U.S. Coast Guard Admiral's Day and requested sponsorship of $300.

Councilmember Trader made a motion to provide a $300 sponsorship for Admiral's Day. Councilmember Post seconded the motion. Council discussed creating a budget ordinance for fiscal year 2011, support of the local facility and use of federal taxes.

Following discussion, Councilmember Hase called for the question with the Mayor calling a vote, which was unanimous. Voting was unanimous in favor of the motion.

F. SR. ADVISORY BOARD REQUEST: *Councilmember Bird*

Councilmember Bird stated on behalf of the Hospital Authority that they have agreed to fund a walking path at the Senior Center. The authority has requested a preliminary design or drawing of a walking path that would meet code from the planning department for the Senior Center and funding through the Hospital Authority.

Councilmember Bird made a motion to allow the planning department to provide the Hospital Authority with drawings or specifications to meet our code for a path at the Senior Center. Councilmember Post seconded the motion. Council commended the Hospital Authority for providing a path and support for seniors. Voting was unanimous in favor of the motion.

G. CITY ATTORNEY'S CONTRACT RENEWAL: *Discussion*

Councilmember Trader made a motion to approve the city attorney contact as presented with the change that it expires at the first organizational meeting in January 2012. Councilmember Post seconded the motion. Council clarified that other city employees will be authorized by the city manager to contact the attorney or the mayor in his/her absence; add language on page 20 after public statements "on behalf of council"; add to

page 5, Exhibit "A" – Scope of Work item B (a) the phrase "any other city employees authorized by the city manager or the mayor in his/her absence; on page 6 remove item j and m and remove G on page 8. Following much discussion, Councilmember Trader amended the motion to incorporate the changes to the contract. Councilmember Post seconded the amended motion.

The City Attorney requested the exploration of attending meetings electronically for additional savings. Council commented on the attorney's travel expenses for court, meetings were charged to the hourly rate, management of time for reviews going through a gatekeeper and changing council appointments annually at the organizational meeting in January. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. CITY CALENDAR: *City Clerk*
The City Clerk read the calendar of meetings, events and activities for the last two weeks in May and first week in June.

REPORT OF MAYOR:

Mayor DeLoughy attended the Budget workshop to hold the millage rate at the current rate and not use contingency funds. The public was invited to attend the Budget workshop scheduled on May 17th at 3:30 p.m.

Mayor DeLoughy reported on the following issues from the Town Hall meeting:

1. Contingency Fund: Things unforeseen for operations but disaster funds come from reserves.
2. Broken Paupers Cemetery Sign: Being replaced by the people who constructed it
3. Piles of Junk Downtown: Has been postponed until the next meeting.
4. Paper Mill: The Joint Development Authority (JDA) director will be invited to a council meeting when more information becomes available.
5. Attorney: Acquisition of Gaines Davis easements
6. Public Works Equipment Rentals: Working on this issue with the director
7. Flashing Light: Has been taken care of
8. Martha Drive Traffic Light: The school board has changed their position that it may not be necessary and funding was to come from SPLOST V, which are obsolete.

Councilmember Trader reported on the following issues:

1. Repair of St. Marys Road: The repair includes the washout that will be drilled and filled to make it solid.
2. Temporary Church Speed Limit of 35 mph: Waiting for a response a from DOT

REPORT OF CITY MANAGER:

There was no "City Manager" report at this time.

GRANTING AUDIENCE TO THE PUBLIC:

Barbara Ryan, 711 Mildred Street: Synchronize Julia Street traffic light
The light is not synchronized because it was not decommissioned. It cannot be removed because of the truck traffic from Georgia Pacific

Walt Natzic, 209 Osprey Circle: Martha Drive traffic light
Decommission the Julia Street light on crossing for student's bike path for the Greenway Project was Martha Drive

Ron Johnson, 270 Chase Court South: Church sign not authorized by Department of Transportation, the spelling of Arnow and allowing the mayor, police and fire chiefs to speak for themselves, not though the city attorney

Bob Nutter, 521 Moeckel Place: Commend the work done on the candidates by the mayor, council and HR director

MAYOR AND COUNCIL COMMENTS

Councilmember Trader commented that the School Resource Officers (SRO) were funded by the school board in the amount of $119,000 for Kingsland. The City chose not to have the board fund the position because the chief could pull the officer out of the school as needed. Kingsland's direct cost is $146,000 for three (3) officers. Differential is picked up by the City of Kingsland. Coverage includes trips, athletic team events, traffic & Emergency Medical Service. SRO is needed for safety of the school and information in the community. We continue to invest in safety and positive image of public safety officers to contribute to the community and kids.

Bobby Marr commented on the waste issue by responding that Advance Disposal was to put extra trucks to catch up. Councilmember Trader commented that there was no fee increase in the garbage rates.

A citizen requested the senior discount and garbage fee to show on the bill.

Mayor DeLoughy commented that the Julia Street light is more important to the Joint Development Authority because of the traffic, and they are not supporting Martha Drive.

Councilmember Trader commented that the school board withdrew funding because it was not adjacent to the school. County funding was withdrawn to change the traffic pattern and moving gas and power lines. There is no Special Purpose Local Sales Tax (SPLOST) V left so St Marys would need to fund the whole project.

Mayor DeLoughy commented that the deleted items were read then deleted.

Councilmember Post commented that the Orange Hall Foundation did not meet last year's deadline for the grant, met with Georgia Trust twice and continue to hold discussions on the subject. The electrical has been replaced inside and Roger Weaver is providing a Request for Proposals (RFP) for outside. The Foundation is getting costs on a website, working on the Georgia Trust Places in Peril this year and contracted for an Architectural Historical Structure Report, which was needed for the grants. However, there was greater need in other areas because of hurricane Katrina.

Councilmember Hase commented on the email situation to read without deleting, responding by telephone and the SRO position was about funding, not doing without the position.

Councilmember Bird suggested getting together with Kingsland concerning funding with different requirements, and not removing the SRO

EXECUTIVE SESSION: *Personnel*

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

The Mayor and Council adjourned to executive session at 7:36 p.m., returning at 7:54 p.m. with Mayor DeLoughy calling the Council meeting back to order.

PERSONNEL

No official action was taken at this time.

ADJOURNMENT:
Councilmember Trader made a motion for adjournment. Councilmember Bird seconded the motion. Mayor DeLoughy declared the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Darlene M. Roellig

Darlene M. Roellig, City Clerk

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

Date: May 16, 2011

MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL

Council Member Hase 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)]

(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. [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 Trader

Vote on Motion:

	Yay	Nay
Mayor William DeLoughy	☑	☐
Councilman Greg Bird	☑	☐
Councilman Deborah Hase	☑	☐
Councilman Sidney Howell	☑	☐
Councilman John Morrissey	☐	☐
Councilman Keith Post	☑	☐
Councilwoman Chuck Trader	☑	☐

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 T. 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 May 16, 2011 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:

( ) 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)]

( ) 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 16th day of May, 2011

Notary Public, County of Camden
State of Georgia
My Commission Expires: _____

Notary Public, Camden County, Georgia
My Commission Expires November 24, 2013

Notary

Mayor William DeLoughy

Councilmember Greg Bird

Councilmember Deborah Hase

Councilmember Sidney Howell

Councilmember John Morrissey

Councilmember Keith Post

Councilmember Chuck Trader