



**CITY OF ST. MARYS, GEORGIA
SPECIAL CITY COUNCIL MEETING**

**December 20, 2013
3:00 p.m.**

AMENDED AGENDA (12/19/2013)

- I. CALL TO ORDER**
- II. INVOCATION: Councilmember Sidney Howell**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL** **QUORUM: YES X NO**
- V. BUSINESS:**
 - A. BORRELL CREEK LANDING RESTAURANT 2014 ALCOHOL LICENSE RENEWAL APPLICATION:**
 - B. EXECUTIVE SESSION: PENDING LITIGATION**
- VI. ADJOURNMENT:**

CITY OF ST. MARYS, GEORGIA
SPECIAL CALLED CITY COUNCIL MEETING
December 20, 2013
3:00 p.m.

MINUTES

The Mayor and City Council for the City of St. Marys, Georgia met for a Special Called City Council session on Friday, December 20, 2013 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor Pro Tem John F. Morrissey
Councilmember Jim Gant
Councilmember Sidney Howell
Councilmember Robert L. Nutter
Councilmember Keith Post

ABSENT

Mayor William T. DeLoughy
Councilmember Nancy Stasinis

CITY OFFICIALS PRESENT:

Jennifer Brown, Finance Director
Roger Weaver, Planning Director
Donna Folsom, Human Resources Director
Tim Hatch, Chief of Police

CALL TO ORDER:

Mayor Pro Tem John F. Morrissey called the Special Called City Council Meeting to order at 3:01 p.m. Councilmember Howell gave the invocation. Mayor Pro Tem Morrissey led the audience in the pledge of allegiance. Council roll call indicated a quorum of Council members present for the meeting.

BUSINESS:

A. BORRELL CREEK LANDING RESTAURANT 2014 ALCOHOL LICENSE RENEWAL

APPLICATION:

Attorney Gary Moore (City Attorney) gave a brief overview of the City ordinance relating to Alcohol License Renewals, denials and revocations.

Attorney Bert Guy (Borrell Creek Landing Restaurant) gave an overview of Borrell Creek Landing Restaurant's steps to address noise concerns including: meeting with neighbors, altering bands booked, sound materials being utilized, company hired to install materials, and tickets issued to Borrell Creek. Attorney Guy also stated that Borrell Creek has been a good neighbor for over 30 years in St. Marys and is striving to work with the community and City.

GRANTING AUDIENCE TO THE PUBLIC:

George Hurley, 108 Salt Grass Trace: Mr. Hurley addressed noise concerns and sound barrier materials currently being utilized.

Bob Taylor, 303 Long Point Circle: Mr. Taylor commented on sound barrier materials currently being utilized, permit issued by Department of Natural Resources and tickets issued to Borrell Creek Restaurant.

Royce Montgomery, 106 Salt Grass Trace: Mr. Montgomery stated he is in support of approving Borrell Creek Restaurant for their license.

Mike Wilson, 111 Yellow Bluff Trace: Mr. Wilson addressed the noise from Borrell Creek Restaurant that penetrates his home.

Councilmember Gant requested information on a provisional license from Attorney Moore. Attorney Gary Moore stated the ordinance currently does not allow for a provisional alcohol license but that a revocation hearing could be conducted at any time. Attorney Moore referenced a citation issued to Mr. Alfred Wong on June 9, 2013.

Councilmember Gant requested additional information on the company being utilized, timeline for installation and type of band. Attorney Bert Guy gave a brief overview of the company and location of installation to prevent noise concerns. Mr. Alfred Wong addressed the types of bands currently being utilized.

GRANTING AUDIENCE TO THE PUBLIC:

Rhonda Delboccio, 38 Coastal Walk: Mrs. Delboccio addressed the materials being used at the Borrell Creek to absorb noise.

Sean Necaise, 400 Flamingo Drive: Mr. Necaise stated as a musician he never received a complaint while playing at Borrell Creek Restaurant.

Rob Hope, 807 Lane, Woodbine, Georgia: Mr. Hope stated Borrell Creek contributes to the community and stated his band purchased their own sound meter to use on stage.

Mayor Pro Tem Morrissey stated that the City is looking for a solution for the residents and Borrell Creek Restaurant. Councilmember Nutter made a motion to approve the 2014 Alcohol License Renewal for Borrell Creek Landing Restaurant. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

B. EXECUTIVE SESSION: PENDING LITIGATION (Added)

Councilmember Nutter made a motion to adjourn to Executive Session to discuss pending litigation. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

The Mayor Pro Tem and Council adjourned to Executive Session at 4:04 p.m., returning at 4:12 p.m. with Mayor Pro Tem Morrissey calling the Council meeting back to order.

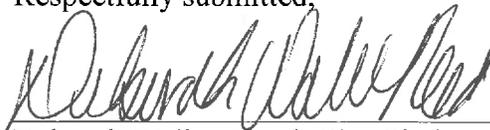
Councilmember Gant stated that Council would like a timeline in writing what procedures Borrell Creek Landing Restaurant plans to implement to address the noise concerns at the restaurant.

ADJOURNMENT:

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Councilmember Howell made a motion for adjournment. Councilmember Nutter seconded the motion. Mayor Pro Tem Morrissey declared the meeting adjourned at 4:14 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deborah Walker-Reed", written over a horizontal line.

Deborah Walker-Reed, City Clerk