

CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
March 12, 2007
6:00 P.M.

“AMENDED”
AGENDA

- I. **CALL TO ORDER**
- II. **INVOCATION** *Councilmember LJ Williams*
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL** **QUORUM: YES X NO**
- V. **APPROVAL OF MINUTES:** *February 26, 2007 Regular City Council Meeting Minutes*
March 5, 2007 Special City Council Meeting Minutes
- VI. **PRESENTATION:**
Meredith Lipson, Mauldin & Jenkins Certified Public Accountants, LLC
- VII. **GRANTING AUDIENCE TO THE PUBLIC:**
- VIII. **OLD BUSINESS:**
 - A. **RESOLUTIONS**– *Abandoning and Conveyance of Property*.....TAB “A”
- IX. **NEW BUSINESS:**
 - A. **RESOLUTION:** *Acceptance of the Certified Local Government Program Grant*..TAB “B”
 - B. **ST. MARYS AIRPORT:** *Discussion*
 - C. **ORDINANCE:** *Utilities*...(ADDED).....TAB “C”
- X. **REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**
 - A. **DOWNTOWN DEVELOPMENT AUTHORITY:** *Announcement of Two Term Expirations*
 - B. **PERSONNEL COMMITTEE REPORT:** *Minutes*.....TAB “D”
- XI. **REPORT OF MAYOR:**
- XII. **REPORT OF CITY MANAGER:**
- XIII. **GRANTING AUDIENCE TO THE PUBLIC**
- XIV. **EXECUTIVE SESSION:** *Personnel & Legal (ADDED)*
- XV. **ADJOURNMENT:**

**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
March 12, 2007
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 12, 2007 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor Rowland Eskridge
Councilmember Gary Blount
Councilmember William DeLoughy
Councilmember Larry Johnson
Councilmember Jerry Lockhart
Councilwoman Gull Weaver
Councilmember LJ Williams

CITY OFFICIALS PRESENT:

William Shanahan, City Manager
Gary A. Bacon, City Attorney
Max Tinsley, Planning Director
Wiley King, Building Director
Bobby Marr, Public Works Director
Alyce Thornhill, Economic Development Director
Robby Horton, Fire Chief
Marsha Hershberger, Staff Accountant
Nicole Goebel, Administrative Assistant
Lt. Roger Wooten, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the City Council Meeting to order at 6:00 P.M. Councilmember LJ Williams 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: *February 26, 2007 Regular City Council Meeting Minutes
March 5, 2007 Special City Council Meeting Minutes*

Councilmember Weaver made a motion to approve the minutes as presented. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion to approve the March 5, 2007 minutes. Voting was recorded for the February 26, 2007 minutes as follows:

For
Councilmember Blount
Councilmember Johnson
Councilmember Lockhart
Councilmember Weaver
Councilmember Williams

Abstain
Councilmember DeLoughy

PRESENTATION:

Meredith Lipson, Mauldin & Jenkins Certified Public Accountants, LLC

Ms. Lipson commended the finance staff for an exceptional job during the June 30, 2006 audit and for not having any reportable conditions or findings. She stated that the audit is an unqualified clean opinion. She further stated that the financial statements include Special Purpose Local Option Sales Tax (SPLOST) fund expenditures and single audit report and schedules. A single audit report was required for FY 06 because of spending in excess of \$500,000 for compliant internal control testing on federal funds. The Management Discussion Analysis is the most important section to read because it gives a summary of the year and explains how the financial statements work. For the first time, the Industrial Development Authority component unit was added to the audit as part of the financial statements. A number of new standards will be added for fiscal year 2007-2008, which will burden the City's Finance Department for weekly and monthly reporting.

Councilmember DeLoughy congratulated the Finance Department for a job well done.

“AMENDED AGENDA”

Councilmember DeLoughy made a motion to approve the amended agenda. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Tom Turner, resident spoke in opposition to increased air traffic at St. Marys Airport. Mr. Turner also spoke about restriping to shorten the runways to a level one airport and suggested a referendum so all St. Marys' citizens could make a decision about the airport.

OLD BUSINESS:

A. RESOLUTIONS– *Abandoning and Conveyance of Property*

The City Manager stated that two resolutions to abandon and convey City property to private citizens needed Council approval. There are two narrow strips of land so small to be incapable of being used independently. This land is being abandoned and conveyed to the abutting property owners. The property located on Burrell Boulevard is being conveyed to Adam and Sonja Smyk and property on St Marys Street to Paul Talley. Both property owners have assumed all costs associated with the transaction. The City Manager recommended approval.

Councilmember Johnson moved to approve the resolutions. Councilmember DeLoughy seconded the motion. Council Members discussed the property being transferred to Trolleys and granting an easement to the submarine museum.

RESOLUTIONS (CON'T.)

Following much discussion, Councilmember Johnson amended the motion to give the submarine museum an easement based on an equal agreement by Trolleys to effect the acceptance. Councilmember Johnson withdrew the amended motion.

Councilmember Johnson moved to approve the Smyk's conveyance and to send Trolleys' to the Planning Committee. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

NEW BUSINESS:

A. RESOLUTION: *Acceptance of the Certified Local Government Program Grant (CLGP)*

The City Manager stated that a contract for Georgia Alliance Preservation Commission Training Workshop Grant was approved by City Council at the last meeting. This resolution is required by the Department of Natural Resources to formalize the acceptance of the CLGP Grant. The City Manager read the resolution and recommended approval.

Councilmember Weaver made a motion to approve the resolution for the acceptance of the Certified Local Government Program Grant in the amount of \$6,000. Councilmember DeLoughy seconded the motion . Voting was unanimous in favor of the motion.

B. ST. MARYS AIRPORT: *Discussion*

Mayor Eskridge stated that this item is on the agenda due to Councilmember DeLoughy being out of town when the vote was taken at the last Council meeting. Councilmember DeLoughy stated that a vote this important and significant required the whole Council and it will cause a huge impact on the City's reputation. In April 2003, Congressman Kingston came to St Marys to request the adoption of a resolution by the cities and county to support the relocation of the airport. Once the resolution was approved, the plan moved forward. Everywhere he went, the FAA, Governor's office and even Washington asked how the relocation was going. The action Council has taken is a step that will alienate everyone that went out of their way to work with the City to get the process moving. By not considering the input of the other mayors, county commissioner and other government officials, it will cause irreparable damage to the City's creditability. In the immediate future, the City will be requesting aid for water and sewer from state and federal governments, they will listen, but our position will not have the same standing. Councilmember DeLoughy commented that he could not see why the process was stopped and for what purpose. With two days remaining for the completion of the study, it should have been finished, reviewed and brought to the public for comments. A critical decision was made without considering the facts. One major point that Dick Russell, Airport Authority Chairman brought out last week was that the airport will need the City's help, meaning financially and how much? An estimated cost of the Capital Improvement Plan for the airport from 2002 to 2007 is \$3.3 million dollars with one mil being \$3.85 million dollars.

ST. MARYS AIRPORT (CON'T.)

Councilmember DeLoughy further commented that there were many questions left unanswered as follows:

- What is the revenue of the airport businesses? *Some say \$6,000,000.*
- How many people does the airport employ?
- Does the City receive sales or ad valorem taxes?
- What is the number of flights made weekly, not just touch and goes?
- How many are flying lessons?
- How many are based in St. Marys?
- How is the airport used?
- How is the City involved?
- Do the jet owners spend money downtown?
- Will the airport receive FAA money? *Basically not, because there is no room for expansion. The local tax payers will need to pick up the money.*
- What can happen? *The airport could grow or close.*
- Do we want a busy airport in the middle of St. Marys?
- Will there be another airport in the north end of the county?
- Which one will the FAA support?

Councilmember DeLoughy stated that St Marys Airport sits on potentially very valuable property and many things that could go there as a tax producer. Even though the report was completed, the City does not know what options were available. With this decision comes the loss of the City's creditability with no good facts to support it. We need to be fair to all of the citizens of St Marys. Twenty plus people own planes and are businesses at the airport. There are 16,000 people in St. Marys. How many of those people benefit from the airport? An asset this size should bring in significant dollars into the community. RS&H Engineering Consultants were asked how much the airport brings into the community. Their response was \$6.0 million dollars to the overall economic system, which is a multiple five times its revenue sales, equaling \$1.2 million dollar earnings. Councilmember DeLoughy concluded that a business the size of a medium fast food franchise brings in \$1.2 million dollars. This decision was based on this information and many bridges were burned in the process.

C. ORDINANCE: Utilities (ADDED)

The City Manager stated that change to the utility ordinance is such that anyone building a new structure only has to pay for actual water used during construction. As soon as a water meter is installed on any project, the structure is billed a minimum water bill whether any water is used or not. Most structures use little to no water but are paying a monthly water bill because the water meter has been installed. This change will only require new construction projects to pay for actual water used until receipt of a certificate of occupancy or until someone starts occupying a structure, residential or commercial, then the normal billing rate will apply. This saves the developer or builder from paying for a service they are not receiving but requires paying for the actual service received. The City Manager recommended approval.

ORDINANCE (CON'T.)

Councilmember Blount made a motion to approve the change to the utility ordinance that anyone building a new structure needs only pay for water used during construction . Councilmember Johnson seconded the motion. Councilmember Blount stated that anyone building will continue to pay capital recovery fees for the infrastructure and construction fees. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. DOWNTOWN DEVELOPMENT AUTHORITY: *Announcement of Two Term Expirations*

Mayor Eskridge announced the term expirations of Walt Natzic and Barbara Ryan on the DDA Board at the end of the month. Councilmember DeLoughy stated that both members expressed their willingness to continue are endorsed by the entire board. Anyone interested in serving on the Board needs to provide a letter of intent to the City Clerk before the next Council meeting on March 26, 2007.

B. PERSONNEL COMMITTEE REPORT: *Minutes*

Councilmember Williams stated that the Personnel Committee met on March 5, 2007 to discuss hiring a solicitor, duties of court personnel, court procedures and the Municipal Court Ordinance. The Committee made a recommend action that the City Manager contact the Superior Court Judge and schedule a time when someone from Superior Court could sit in on the City's Municipal Court to approve our procedures and to provide guidance on the hiring of a solicitor. The Judge in turn stated that they did not need to sit in on the City's court because the rules/guidelines were simple enough to understand and they should be followed.

The City Attorney stated he is still of the opinion that someone needed to be in court as solicitor until one is hired and not without authority from Council. That in effect will stop the operation of what needs to be done. This Friday is a scheduled court date. An e-mail has been sent out to the entire bar asking for submittal of resumes to the Human Resources Department indicating their interest in being solicitor or the public defender. This should be done in house and taken up in personnel committee today for Council to make a decision. The City is getting itself into a situation again, if it goes forward with its prosecutions without authority from Council for someone to be in court doing it. To set up Municipal Court, the authority comes from the Legislature for the City to have the power to do Municipal Court. That power needs to be delegated to someone to act on behalf of the City in that position. The last court session was for arraignments, which means people plead not guilty or guilty without a trial. Friday's court is scheduled for trials, motions and defense attorneys.

Mayor Eskridge and Council Members discussed scheduling court activities, the City Attorney's authorization to act as temporary solicitor, the Municipal Court Ordinance, obtaining a list of potential solicitors for the Personnel Committee to review, Superior Court guidelines and legislation that allows the solicitor and public defender positions.

PERSONNEL COMMITTEE REPORT (CON'T.)

Councilmember Blount made a motion to cancel Municipal Court on Friday, March 16, 2007. Councilmember Williams seconded the motion. Voting was unanimous in favor of the motion.

A Personnel Committee meeting was scheduled on Wednesday, March 14, 2007 at 6:00 p.m. in the Council Chamber at City Hall to discuss the hiring of a solicitor.

REPORT OF MAYOR:

- March 5, 2007 – Personnel Committee meeting
- March 7, 2007 – Goals & Objectives and Board of Health meetings
- March 12, 2007 – Water & Sewer meeting

REPORT OF CITY MANAGER:

- The City Manager introduced Nicole Goebel, Administrative Assistant and recommended appointing her as Deputy Clerk.
- Goals and Objectives were held as the first step towards the budget process.
- The City Manager taught a Customer Service class last week for new employees. This class is required for all City Employees. The next class is scheduled on Friday, March 23, 2007.
- The new budget cycle is beginning. Budget meeting times will be announced in the near future and the City encourages all citizens to attend the meetings.

GRANTING AUDIENCE TO THE PUBLIC:

Lee Bernasek, St. Marys Convention & Visitors Bureau Authority Member read a letter from the Deputy Commissioner of Tourism Dan Rowe regarding the importance of St. Marys CVB's role in the community and State. A copy of the letter is attached as part of the minutes.

EXECUTIVE SESSION: Personnel & Legal (ADDED)

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

The Mayor and Council adjourned to executive session at 7:04 P.M., returning at 7:06 P.M. with Mayor Eskridge calling the Council meeting back to order.

PERSONNEL

Councilmember Blount made a motion to appoint Nicole Goebel as Deputy Clerk. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

LEGAL

No official action was taken at this time.

ADJOURNMENT:

Councilmember Blount made a motion for adjournment. Councilmember Johnson seconded the motion. Mayor Eskridge declared the meeting adjourned at 7:06 P.M.

Respectfully submitted,

Darlene M. Roellig, City Clerk