

CITY OF ST. MARYS, GEORGIA
THIRD QUARTER TOWN MEETING
5:30 P.M.

CITY COUNCIL MEETING
July 9, 2007
6:00 P.M.

AMENDED
AGENDA

I. CALL TO ORDER

II. INVOCATION: *Kathy Galarita, Poet*

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

QUORUM: YES X NO

V. APPROVAL OF MINUTES:

June 11, 2007 Regular City Council Meeting Minutes

June 11, 2007 Public Hearing "Comprehensive Plan Community Assessment & Participation Program"

June 11, 2007 Public Hearing "Alcohol Ordinance Amendment"

VI. PRESENTATION:.....TAB "A"

Proclamation: *Maritime Force Protection Unit*

Finance Report

Chair-ity Auction Briefing

VII. GRANTING AUDIENCE TO THE PUBLIC:

VIII. OLD BUSINESS: None

IV. NEW BUSINESS:

A. RESOLUTION: *Comprehensive Plan*TAB "B"

B. NEW ALCOHOL LICENSES:TAB "C"
Advertising for the Salsa Grill & Bulldog Discount Liquors Public Hearing

C. TEMPORARY ALCOHOL LICENSE: *St. Marys DDA*.....TAB "D"

D. ORDINANCE: *Advertising for Election Qualifying*.....TAB "E"

E. ORDINANCE AMENDMENT: *Record Retention Schedule Revision*.....TAB "F"

F. BUDGET ORDINANCE AMENDMENT: *Executive Department FY 07 Budget*..TAB "G"

G. BRANT CREEK, LLC: *Wastewater Agreement*.....TAB "H"

H. **ADVERTISE FOR PUBLIC HEARING:**TAB “T”
City Manager & Assistant City Manager’s Vehicle Decal Exemption

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

A. **PLANNING DIRECTOR’S REPORT**.....TAB “J”

1. **Variance Appeal:** *James and Cynthia Sattler*
2. **Reverse Subdivision:** Mary Jane Reeder requests a reverse subdivision to combine two lots into one lot at 184 Fourth Street identified on Tax Map and Parcel135D-042E.
3. **Minor Subdivision:** Geneva and Gloria Douglas request a two lot minor subdivision located on the corner of Seagrove and Conyers Street, Tax Map and Parcel S36-13-001.
4. **Rezoning:** Christine Bunten requests the rezoning of 103 East Weed Street, located on Tax Map and Parcel S41-02-006 from R1 to C1.
5. **Annexation Request:** The City of St. Marys requests the annexation of four (4) parcels owned by the City and known as: Parcel #1 - Tax Map and Parcel 161A-101A of Point Peter Landing Phase 1 (Liberty Tree Road); Parcel #2 - Tax Map and Parcel161A-101C of Point Peter Landing Phase 1 (Liberty Tree Road); Parcel #3 - Tax Map and Parcel 161A-101 of Point Peter Landing Phase 1 (Liberty Tree Road); and Parcel #4 - Tax Map and Parcel 161B-107 of Cypress Lakes, Phase 2, Section 1 (Cypress Lane) from Camden County into the City of St. Marys. Parcels will be Zoned R-1 after annexation.
6. **Annexation Request:** Request of Joseph and Kisa Pendleton, 117 Liberty Tree Road, St. Marys, GA, 31558 for annexation of a parcel known as Tax map Number 161A-101B of Point Peter Landing Phase 1 from Camden County into the City of St. Marys. Parcel will be Zoned R-1, after annexation.
7. **Public Hearing:** Recommendation of the Planning Commission to hold a public hearing to amend Zoning Ordinance Chapter 110, Section 110-9 regarding enforcement of Covenants and Deed Restrictions.

B. **LIBRARY BOARD** – *Announcement of Three Term Expirations/Vacancies*

C. **ST. MARYS CONVENTION & VISITORS BUREAU AUTHORITY REPORT**

XI. **GRANTING AUDIENCE TO THE PUBLIC: (ADDED)**

XII. **REPORT OF MAYOR:**

XIII. **REPORT OF CITY MANAGER:**

XIV. **EXECUTIVE SESSION:** *Personnel*

XV. **ADJOURNMENT:**

CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
July 9, 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, July 9, 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
Councilmember Gull Weaver
Councilmember LJ Williams

ABSENT WERE:

Gary A. Bacon, City Attorney

CITY OFFICIALS PRESENT:

William Shanahan, City Manager
Max Tinsley, Asst. City Manager
Roger Weaver, Planning Director
Wiley King, Building Director
Tim Hatch, Police Chief
Chad Kinzly Asst. Public Works Director
Alyce Thornhill, Economic Development Director
Robby Horton, Fire Chief
Janet Brinko, Tourism Director
Jennifer Brown, Finance Director
Marsha Hershberger, Staff Accountant
Gene Rudy, IT Director
Lt. Roger Wooten, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the City Council Meeting to order at 6:00 P.M. Kathy Galarita read two poems “*God Gave America to Me*” and “*Today, They Still Battle*” as 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:

June 11, 2007 Regular City Council Meeting Minutes
June 11, 2007 Public Hearing “Comprehensive Plan Community Assessment & Participation Program”
June 11, 2007 Public Hearing “Alcohol Ordinance Amendment”

Councilmember DeLoughy made a motion to approve the minutes as presented. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

PRESENTATION:

PROCLAMATION: *Maritime Force Protection Unit*

Mayor Eskridge read a proclamation to designate July 24, 2007 as “*Maritime Force Protection Unit Kings Bay Day*” and called all citizens to show appreciation for the efforts and contributions of the Coast Guardsmen. Chief Warrant Officer John Casey accepted the proclamation on behalf of the U.S. Coast Guard Unit and thanked the City of St. Marys for their overwhelming hospitality.

FINANCE DIRECTOR’S REPORT

The Finance Director presented the 11-month report. A copy of the report is attached as part of the minutes. The Finance Director announced that the Fiscal Year 2008 Budget was available for review in the Water Department or for purchase at a cost of \$15 for a black and white copy and \$35 for color.

Mayor Eskridge announced that the millage rate will not be set until the tax digest is received from the county in August.

CHAIR-ITY AUCTION BRIEFING

The Economic Development Director addressed Council regarding a unique signature event sponsored by the Downtown Development Authority and St. Marys Tree Board to unveil creatively altered and embellished chairs for “*The Chair-ity Auction*” to raise money for live oaks in St. Marys. The auction will be held on Saturday, July 21, 2007, at 7:00 p.m. – 9:00 p.m. in The St. Marys Antique Mall, 921 Osborne Street. There will be live music, gourmet food, international beer tasting and a silent auction at the event. Advance tickets are on sale at St. Marys Economic Development Building for \$20 per person or \$30 per person at the door. Additionally, anyone wishing to purchase a tree in their family name may do so without participating in the auction.

Councilmember Johnson commented on selling beer and wine as long as it was indoors and suggested holding a public hearing prior to future events.

“AGENDA”

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

GRANTING AUDIENCE TO THE PUBLIC:

Dorie Brink, Kingsland resident and student thanked the City Manager and Tourism Director for being instrumental in partnering with education to develop skills in government administration finance and budget at Valdosta State University. She further thanked Mr. Shanahan for mentoring the students at Valdosta State at Kings Bay by encouraging them to participate and get hands on experience with city government. Ms. Brink also thanked Ms. Brinko for sharing the intricacies of writing grant applications. As a result of her help, three grants were secured totaling \$25,000.

OLD BUSINESS:

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

NEW BUSINESS:

A. RESOLUTION: *Comprehensive Plan*

The City Manager recommended approval of the resolution to authorize the transmission of the Community Assessment and Participation Program for the Joint Comprehensive Plan Update to the Coastal Redevelopment Center and the Georgia Department of Community Affairs for official review.

Councilmember Lockhart made a motion to approve the resolution for the Joint Comprehensive Plan Update. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

B. NEW ALCOHOL LICENSES:

Advertising for the Salsa Grill & Bulldog Discount Liquors Public Hearing

The City Manager and City Clerk recommend approval to advertise alcohol license public hearings for the Salsa Grill, Inc. and Bulldog Discount Liquors, LLC. Luis Corcuera has made application for an alcohol license at the Salsa Grill located at 711 Osborne Street (formerly known as Colonial Dinner House) for the sale of beer, wine and spirituous liquor for consumption on premises with food. Mr. Corcuera plans to lease the building to conduct business as a restaurant and lounge.

Joseph Lucent's alcohol application is for Bulldog Discount Liquors, LLC for the sale of beer, wine and spirituous liquor for consumption off premises without food. Mr. Lucent plans to open a package store at 1101 Osborne Street across from the mill site (presently known as the Kingdom Hall of Jehovah's Witnesses). Staff recommends approval to advertise for the public hearings on July 23, 2007 beginning at 5:30 P.M. in the Council Chamber at City Hall.

Councilmember Weaver made a motion to advertise for the public hearings. Councilmember DeLoughy seconded the motion. Councilmember DeLoughy questioned Mr. Lucent's application where it was marked on premises with food and requested that it be corrected. Voting was unanimous in favor of the motion.

C. TEMPORARY ALCOHOL LICENSE: *St. Marys DDA*

The City Manager recommended approval of the St. Marys Downtown Development Authority's (DDA) temporary alcohol license for sale of beer/wine, on-premise consumption with food at St. Marys Antique Mall. In the past, a public hearing was not necessary for a temporary license.

TEMPORARY ALCOHOL LICENSE (CON'T.)

Councilmember Weaver made a motion to approve the temporary alcohol license for the Downtown Development Authority. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

D. ORDINANCE: *Advertising for Election Qualifying*

The City Manager stated that in accordance with section 21-2-131 of the Georgia Election Code and Rules of the State Election Board, the governing authority for the Municipality shall advertise the general election call to set the qualifying date and to fix and publish a qualifying fee for each office to be filled in the upcoming election. An election for three council member seats will be held in the City of St. Marys on Tuesday, November 6, 2007. The City Manager recommended approval to qualify candidates on the following dates: Monday, August 27 through Friday, August 31, 2007 at 8:30 a.m. – 4:30 p.m.

Councilmember Johnson made a motion to approve the ordinance to advertise for the election qualifying. Councilmember DeLoughy seconded the motion. Councilmember DeLoughy questioned the five day qualifying period and the early dates. The City Clerk explained that it was a state requirement to hold qualifying for the amount of days the City is open for business during a week and the state sets the election calendar. Voting was unanimous in favor of the motion.

E. ORDINANCE AMENDMENT: *Record Retention Schedule Revision*

The City Manager and City Clerk recommended approval to amend the record retention schedule that was revised by the Secretary of State's office in May 2007. In doing so, it keeps St. Marys in line with State Law.

Councilmember Weaver made a motion to approve the ordinance amendment on the record retention revision. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

F. BUDGET ORDINANCE AMENDMENT: *Executive Department FY 07 Budget*

The City Manager recommended approval of the budget ordinance to amend the overages in the Executive Department to keep the City in compliance with the Department of Audits for the FY2007 Executive Budget.

Councilmember DeLoughy made a motion to approve the budget ordinance amendment for the Executive Department FY07 Budget. Councilmember Johnson seconded the motion. Councilmember DeLoughy questioned the significant salary increase. The City Manager responded that it was for attorney fees and benefits. Voting was unanimous in favor of the motion.

G. BRANT CREEK, LLC: Wastewater Agreement

The City Manager stated that Brant Creek requests Council consideration to approve the proposed agreement. On May 29, 2007, John Brook presented an agreement to reserve sewage treatment capacity to the Water Sewer Committee. Committee members discussed the Environmental Protection Division's (EPD) role in expediting each phase of the City's wastewater expansion and timeline. A meeting was scheduled through the City Manager's office to discuss other options for capacity with developers. The City Manager did not recommend approval, as the City is going through a process that will enable as many developers as possible, on the waiting list, to be allowed sewer capacity. If the City starts to allow developers to purchase capacity, it could hurt the smaller developers.

Following much discussion, no action was taken at this time.

H. ADVERTISE FOR PUBLIC HEARING:

City Manager & Asst. City Manager's Vehicle Decal Exemption

The City Manager stated that the identification decal on the City Manager's vehicle has been exempt for the past three years. This year, the Assistant City Manager's vehicle was added for the exemption. State law mandates advertisement of a public hearing prior to the adoption of the resolution to be renewed annually. Therefore, the City Manager recommended approval to advertise the public hearing.

Councilmember DeLoughy made a motion to advertise the public hearing for the City Manager and Assistant City Manager's vehicle decal exemptions. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PLANNING DIRECTORS REPORT

1. Variance Appeal: *James and Cynthia Sattler*

James Sattler addressed Council regarding the Planning Commission's denial of a variance. Mr. Sattler presented a brief history of the request leading to the Commission's decision of not showing a hardship. He questioned the approval of a variance granted to a resident for an addition of a two car garage and porch because the lot was not large enough to handle the additions. Mr. Sattler stated that a neighbor living on Conyers Street owns the empty lot beside his property. They are concerned that if built, the structure will inhibit the potential value of their property. Another resident who has access to his driveway from the Conyers side is concerned that Mr. Sattler will use the resident's driveway if the structure is built. He further stated that they wish to save as many trees as possible and it is just as much a hardship as any other of the variances the Planning Commission has approved recently. The structure (workshop and storage shed) will match the style of the house and complement the property.

Variance Appeal (CON'T.)

Councilmember Blount made a motion to postpone action until the next City Council meeting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

- 2. Reverse Subdivision:** Mary Jane Reeder requests a reverse subdivision to combine two lots into one lot at 184 Fourth Street identified on Tax Map and Parcel, 135D-042E. The Planning Director stated that Ms. Reeder is combining the two lots in order to build an addition.

Councilmember Weaver made a motion to approve the reverse subdivision for Mary Jane Reeder. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

- 3. Minor Subdivision:** Geneva and Gloria Douglas request a two lot minor subdivision located on the corner of Seagrove and Conyers Street, Tax Map and Parcel, S36-13-001. The Planning Director stated that the house is next to the lot and the Planning Commission recommended approval.

Councilmember Weaver made a motion to approve the minor subdivision for Geneva and Gloria Douglas. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

- 4. Rezoning:** Christine Buntun requests the rezoning of 103 East Weed Street, located on Tax Map and Parcel S41-02-006 from R1 to C1. The Planning Commission recommended approval. The Planning Director stated that when Council authorized the C1 changes, residents were asked to send a letter to the Planning Department if they wished to remain R1. If the Planning department was not notified the property would automatically change to C1. Ms. Buntun requested in writing to change from R1 to C1.

Councilmember Weaver made a motion to approve the rezoning for Christine Buntun located on S41-02-006 from R1 to C1. Councilmember Blount seconded the motion. Voting was unanimous in favor of the motion.

- 5. Annexation Request:** The City of St. Marys requests the annexation of four (4) parcels owned by the City and known as: Parcel #1 - Tax Map and Parcel 161A-101A of Point Peter Landing Phase 1 (Liberty Tree Road); Parcel #2 - Tax Map and Parcel 161A-101C of Point Peter Landing Phase 1 (Liberty Tree Road); Parcel #3 - Tax Map and Parcel 161A-101 of Point Peter Landing Phase 1 (Liberty Tree Road); and Parcel #4 - Tax Map and Parcel 161B-107 of Cypress Lakes, Phase 2, Section 1 (Cypress Lane) from Camden County into the City of St. Marys. Parcels will be Zoned R-1 after annexation. The Planning Director stated that by the annexation laws, the City already owns the property and has possession. When the annexation records

Annexation Request (CON'T.)

were reviewed the parcels and lot numbers did not appear anywhere. This action closes a small loop hole and clears up any confusion in the future.

Councilmember Weaver made a motion to annex the four parcels owned by the City. Councilmember Lockhart seconded the motion. Voting was unanimous in favor of the motion.

6. **Annexation Request:** Request of Joseph and Kisa Pendleton, 117 Liberty Tree Road, St. Marys, GA, 31558 for annexation of a parcel known as Tax Map, 161A-101B of Point Peter Landing Phase 1, from Camden County into the City of St. Marys. Parcel will be Zoned R-1, after annexation. The Planning Director stated that the Pendleton's are surrounded by the previous annexed parcels and elect to be annexed into the City.

Councilmember DeLoughy made a motion to approve the annexation of property located at 117 Liberty Tree Road into the City of St. Marys. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

7. **Public Hearing:** Recommendation of the Planning Commission to amend Zoning Ordinance Chapter 110, Section 110-9 regarding enforcement of Covenants and Deed Restrictions.

Councilmember Johnson made a motion to amend the Zoning Ordinance for Chapter 110 as recommended by the Planning Commission. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

B. LIBRARY BOARD – *Announcement of Three Term Expirations/Vacancies*

Mayor Eskridge announced that three vacancies were coming up at the end of July. Kathy Rowland and Mary Neff have reached their time of service limit on the board and Jeff Barker is resigning. He encouraged anyone that would be interested in serving on the Library Board provide a letter of intent to the City Clerk before the next City Council meeting.

C. ST. MARYS CONVENTION & VISITORS BUREAU AUTHORITY REPORT

Doug Vaught, Chairman of the St. Marys Convention and Visitors Bureau (CVB) presented the CVB activities report. A copy of the report is attached as part of the minutes.

“ADDITION TO THE AGENDA”

Councilmember Weaver made a motion to add the second “Granting Audience to the Public” to the agenda at this time. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Doug Vaught, resident addressed Council to consider designating the length of sidewalk from Shadowlawn to Borell Creek as a multi-purpose path for golf carts to travel downtown. It could be temporary until the railroad adds a path next to the trestle.

Dave Schmitz, resident addressed Council regarding the buffer that was owned by the Gilman organization at the end of Shadowlawn Drive that now has an 8-foot fence covered in black plastic and locked gate behind the houses. The gate is controlled by Osprey Cove residents with keys, for access through Shadowlawn subdivision to go downtown. That being the case, he would like access from his home in Shadowlawn through Osprey Cove so he could have access to the interstate. Councilmember Blount stated that the roads in Osprey Cove are privately owned, whereas, Shadowlawn's roads are public.

Mr. Schmitz commented about the parade route change, children's safety during the parade and continued reception difficulties with Comcast. Council Member's discussed temporary lines, tape or barricades to control the spectators.

Tom Turner, resident explained that the water/sewer fund is an enterprise fund that is self-supporting and that Red Light funds were available for water and sewer. Mr. Turner also asked for a progress report on Palmetto Street sidewalks.

Councilmember DeLoughy commented that the growth of the budget is how much the Ad Valorm will be with revenues and expenses so that we do not live beyond our means. The City Manager stated that there were problems with the design aspects of the Palmetto Street sidewalks.

REPORT OF MAYOR:

- June 13, 2007 – Attended a Camden County Board of Health meeting regarding Cumberland Harbour's pools.
- June 22 – 25, 2007 – Council and Staff attended the Georgia Municipal Association (GMA) Convention in Savannah.
- July 9, 2007 – Meeting with Drury & Associates

Mayor Eskridge read the City calendar of meetings, events and activities.

The City Clerk questioned whether the Water/Sewer Committee would continue to meet prior to the second monthly Council meeting or if the Developer's meeting would replace it. Councilmember Blount stated that there would only be one meeting, and it will be the Committee meeting. The City Manager stated, by then, information might be back from the Environmental Protection Division (EPD) for the 600 approved units, lots or houses for sewer extensions.

REPORT OF CITY MANAGER:

The City Manager congratulated Darlene Roellig on receiving the Municipal Clerk Certification given by Georgia Municipal Association (GMA) and Georgia Municipal Clerks and Finance Officers Association. Mrs. Roellig completed an intensive course of instruction and passed all

written examinations required for the Municipal Clerk certification. Darlene completed a three year Municipal Clerk Certification through The University of Georgia Carl Vinson Institute of Government in just two years.

- A recycling contract is under review.
- Thanked the Department Heads for the smoothest budget process so far because of their efficiency.
- Presentation giving an example of a millage rate calculation is as follows:
100 @ \$100,00 = \$10,000 for services
Less than \$10,000 for services lowers the millage rate
Greater than \$10,000 for services increases the millage rate
St. Marys' millage rate is 6.7%, the lowest in the county
- Millcreek – Core samples were sent out last week and the project is still on schedule to be completed by the end of July.

EXECUTIVE SESSION:

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

The Mayor and Council adjourned to executive session at 7:28 p.m., returning at 7:35 p.m. with Mayor Eskridge calling the Council meeting back to order.

PERSONNEL

No official action was taken at this time.

ADJOURNMENT:

Councilmember DeLoughy made a motion for adjournment. Councilmember Blount seconded the motion. Mayor Eskridge declared the meeting adjourned at 7:36 P.M.

Respectfully submitted,

Darlene M. Roellig, City Clerk