



**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
November 24, 2008
6:00 P.M.**

**AMENDED
AGENDA**

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL QUORUM: YES NO
- V. APPROVAL OF MINUTES: *November 10, 2008 Regular City Council Meeting Minutes*

PRESENTATION:

ANNOUNCEMENT OF TERM EXPIRATIONS & VACANCIES

- 1. **NEWLY FORMED BOARD OF ETHICS**: *Eight Citizen Appointments & One Attorney*
- 2. **TREE BOARD**: *Two Term Expirations in December (ADDED)*

APPOINTMENTS

- 1. **HISTORIC PRESERVATION COMMISSION**: *Three Term Expirations & One Vacancy in December*
- 3. **COASTAL RDC HISTORIC PRESERVATION ADVISORY COUNCIL**: *One Vacancy*
- 4. **PLANNING COMMISSION**: *Term Expiration in December*

SERVICE CORP OF RETIRED EXECUTIVES (SCORE): *Counselors for Americas Small Business*

FINANCE DIRECTOR'S REPORT

APPROVAL OF THE AGENDA

- VI. **GRANTING AUDIENCE TO THE PUBLIC:**
- VII. **OLD BUSINESS**: None
- VIII. **NEW BUSINESS:**
 - A. **NEW ALCOHOL LICENSE ADVERTISEMENT**: *Kishan Enterprises of Georgia, Inc...TAB "A"*

- B. **DECEMBER 22ND & JANUARY 22ND CITY COUNCIL MEETINGS:** *Cancellation/Reschedule Discussion*
 - C. **FLOODS ORDINANCE AMENDMENT:** *Flood Damage Protection.....* TAB “B”
 - D. **SUBDIVISION ORDINANCE AMENDMENT:** *Tree Protection.....* TAB “C”
 - E. **TDS TELECOM SERVICE AGREEMENT:** *City Hall Communications* TAB “D”
 - F. **ALLTEL CONTACT:** *Bid Award.....* TAB “E”
 - G. **ADMINISTRATION ORDINANCE AMENDMENT:** *Voting of the Planning Commission* TAB “F”
 - H. **ALCOHOL ORDINANCE:** *Off-Premises & Out of State Training.....* TAB “G”
 - I. **WASHINGTON FLY-IN:** *Discussion*
 - J. **THE HASKELL COMPANY CONTRACT:** *Proposed Change.....* TAB “H”
 - K. **BUDGET ORDINANCE:** *Solid Waste Fund.....* TAB “I”
- IX. **REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**
- A. **PERSONNEL COMMITTEE REPORT**
 - 1. **REDUCTION IN FORCE POLICY**
 - 2. **DISCIPLINARY POLICY**
 - 3. **BEREAVEMENT POLICY**
 - 4. **GRIEVANCE POLICY**
 - 5. **PAID LEAVE**
 - 6. **PART-TIME ASSISTANTS**
 - 7. **APPEALS POLICY**
 - B. **FINANCE COMMITTEE REPORT**
- X. **REPORT OF MAYOR:**
- XI **REPORT OF CITY MANAGER:**
- XII. **GRANTING AUDIENCE TO THE PUBLIC**
- XIII. **EXECUTIVE SESSION:** *Legal*
- XIV. **ADJOURNMENT:**

**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
November 24, 2008
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, November 24, 2008 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor Rowland Eskridge
Councilmember Greg Bird
Councilmember William DeLoughy
Councilmember Deborah Hase
Councilmember Larry Johnson
Councilmember Gull Weaver

ABSENT WERE:

Councilmember Chuck Trader

CITY OFFICIALS PRESENT:

William Shanahan, City Manager
Amanda Blackledge, City Attorney
Roger Weaver, Planning Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Director
Alyce Thornhill, Economic Dev. Director
Gene Rudy, IT Director
Janet Brinko, Tourism Director
Nicole Goebel, IT Assistant
Richard Riggle, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the City Council Meeting to order at 6:00 p.m. City Manager Bill Shanahan 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: *November 10, 2008 Regular City Council Meeting Minutes*

Councilmember Weaver made a motion to approve the November 10, 2008 regular City Council meeting minutes. Councilmember DeLoughy seconded the motion. Councilmember Bird corrected the percentage on page 10 from .25 % to "2.5%". Voting was unanimous in favor of the motion.

PRESENTATION:

ANNOUNCEMENT OF TERM EXPIRATIONS & VACANCIES

Mayor Eskridge announced the term expirations and vacancies on the following boards:

5. NEWLY FORMED BOARD OF ETHICS: *Seven Citizen Appointments & One Attorney*

6. TREE BOARD: *Two Term Expirations in December (ADDED)*

The appointments will be filled at the next council meeting. Anyone interested in the appointments should provide a letter of intent to the City Clerk's office. The attorney appointment to the Ethics Board will be made from the bar association. Councilmember Weaver questioned whether it precludes anyone on an existing authority board. The City Attorney responded that she would need to research that issue. However, she did not see why it would matter unless it was a conflict of interest with someone within their authority, then they would need to excuse themselves.

APPOINTMENTS

1. HISTORIC PRESERVATION COMMISSION: *Three Term Expirations & One Vacancy in December*

Mayor Eskridge stated that George Beaver, Fred Mercier, Rosemary Rillo and James Stacy have expressed an interest in the Historic Preservation Commission appointments. Councilmember Johnson made a motion to appoint all the candidates. Councilmember Hase seconded the motion. Councilmember Weaver recommended that James Stacy fill Ann Stacy's term. Voting was unanimous in favor of the motion.

2. COASTAL RDC HISTORIC PRESERVATION ADVISORY COUNCIL: *One Vacancy*

Mayor Eskridge stated that Walt Natzic and Kay Westberry have expressed an interest in the Coastal RDC Historic Preservation Advisory Council appointment. He requested one vote from each Councilmember. Voting was recorded as follows:

Walt Natzic – Councilmember's Hase, Weaver and DeLoughy
Kay Westberry – Councilmember's Bird and Johnson

The Mayor announced that Walt Natzic was appointed to the Council.

3. PLANNING COMMISSION: *Term Expiration in December*

Mayor Eskridge stated that Thomas Eskridge and John Toshach have expressed an interest in the Planning Commission. He requested one vote from each Councilmember. Voting was recorded as follows:

Thomas Eskridge – Councilmember's Bird, DeLoughy and Johnson
John Toshach – Councilmember's Hase and Weaver

The Mayor announced that Thomas Eskridge was appointed to the Commission.

SERVICE CORP OF RETIRED EXECUTIVES (SCORE): *Counselors for America's Small Business*

Alyce Thornhill, Economic Development Director gave an update on a small business project that the Downtown Development Authority (DDA) had been working on in their 2008 Planning Session. A current DDA board member and small business owner requested that the Board look into establishing a SCORE chapter in our community. Service Corp of Retired Executives (SCORE) is currently known as Counselors for America's Small Business. It is a national nonprofit association dedicated to educating entrepreneurs in the formation, growth and success of small businesses nationwide. SCORE is a resource partner with the Small Business Administration that provides free confidential business counseling. Ms. Thornhill and Ms. Fischer visited the Savannah Chapter who agreed to mentor and presented them with \$500 to cover the costs of signage and a telephone line pursuant to part of the chapter's requirements.

Ms. Thornhill introduced the St. Marys Economic Committee Chairman for Main Street, June Fischer, who researched the local and regional chapters. Ms. Fischer has lived in St. Marys for four years, is a member of the Industrial Development Authority, and chairs the Main Street Economic Development Committee. Prior to living in St. Marys, she was associated with the Arts Institute International for 25 years, director of Community and Professional Education, director of Fashion Marketing Department, Retail & Marketing Faculty Member, a part-time teacher for the Small Business Association. Ms. Fischer's extensive back ground in retail experience provided the expertise in managing multi-stores to operate in projected profit margins, trend analysis and consumer buyer habits.

June Fischer spoke about the goals and objectives for the small businesses. There are currently seven volunteers with experience in banking, mortgages, retail, distribution, marketing and human resources. SCORE will provide training to volunteers on December 4th. Their goal is to meet with new and existing business clients. The main objective is to create awareness to the whole community and establish partnerships with organizations, banks and the military, through press releases of events. They will maintain and recruit volunteers to build an inventory, conduct seminars for small business and hold fundraisers because they are self funded.

FINANCE DIRECTOR'S REPORT

The Finance Director presented the 4-months report for General, Water/Sewer, Solid Waste, Tourism, SPLOST and Aquatic Center. The Homestead Tax Relief was requested from the state in the amount of \$107,297 and the total tax billing was \$3,481,000, which does not include the appeals. Flyers will be included with the water bills to explain the rules. A copy of the report is attached as part of the minutes.

APPROVAL OF THE AGENDA

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

GRANTING AUDIENCE TO THE PUBLIC:

Chad Kinzly, Assistant Public Works Director requested that the authority to eliminate his position come from the same authority that approved it. A copy of Mr. Kinzly's request is attached as part of the minutes.

Terry Turner, resident expressed concerns that the City Manager has not kept an appointment, or responded to complaints regarding the contractor's employee kicking his personal trashcan and use of foul language, and a police department issue. Over a year ago, a letter of complaint was sent to the City Manager regarding a police officer that did damage to his property, but he has yet to get back with him. Mr. Turner supports Mr. Kinzly's position and spoke about the time Mr. Kinzly took care of broken water pipes, cleaned ditches and the removal of debris after the storm, when no one else would.

The City Manager responded that the garbage contractor was contacted regarding the language that was used. The two people involved disagreed with what was said. Their manager requested that they handle it because it was their staff. He will contract them again for an update.

OLD BUSINESS:

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

NEW BUSINESS:

A. **NEW ALCOHOL LICENSE ADVERTISEMENT:** *Kishan Enterprises of Georgia, Inc.*

Council approval to advertise for a public hearing for Kishan Enterprises at 2322 Osborne Road for the sale of beer, wine and spirituous liquor off-premises, without food. Mr. Patel is constructing a multi-store building to conduct business as a package store.

Councilmember Bird made a motion to approve advertising for Kishan Enterprises. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

B. **DECEMBER 22ND & JANUARY 26TH CITY COUNCIL MEETINGS:** *Cancellation/Reschedule Discussion*

Mayor Eskridge questioned whether Council would like to postpone the meetings or cancel them due to the Christmas holidays and GMA Conference.

Councilmember Johnson made a motion to cancel the December 22nd and January 26th council meetings. Councilmember Hase seconded the motion. Councilmember Hase stated that a Special City Council meeting could be called if there was a need. Voting was unanimous in favor of the motion.

C. **FLOOD ORDINANCE AMENDMENT:** *Flood Damage Protection*

Review and pass an updated Flood Damage Protection Ordinance as required by Federal Emergency Management Agency (FEMA). The ordinance must be passed as a whole document to keep flood insurance in effect after the statutory December 16, 2008 date.

Councilmember Hase made a motion to approve the flood ordinance amendment as presented. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

D. SUBDIVISION ORDINANCE AMENDMENT: *Tree Protection*

Review and approve the revised subdivision ordinance to add a tree protection section as to improve the visual landscape environment of the City.

Councilmember Weaver made a motion to approve the amendment to the subdivision ordinance for tree protection. Councilmember DeLoughy seconded the motion. Councilmember's discussed restrictions and protection of personal property. Following much discussion, Councilmember Hase made a motion to postpone to the next meeting. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

E. TDS TELECOM SERVICE AGREEMENT: *City Hall Communications*

Council approval to enter into a 5-year Service Agreement with TDS Telecom for voice and data communication for City Hall.

Councilmember DeLoughy made a motion to approve the TDS Telecom Service Agreement for City Hall communications. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

F. ALLTEL CONTACT: *Bid Award*

Council approval to award a bid and enter into contract for cellular voice and data service with Alltel for 2-years.

Councilmember DeLoughy made a motion to award the contract with Alltel. Councilmember Bird seconded the motion. Councilmember's discussed service coverage area, signal strength, minutes and costs negotiations. Following much discussion, Councilmember DeLoughy withdrew the motion. Councilmember Bird withdrew the seconded to the motion. This item was postponed until the next meeting.

G. ADMINISTRATION ORDINANCE AMENDMENT: *Voting of the Planning Commission*

Council approval to amend the administration ordinances recommended by the Planning Commission to allow three (3) members to vote at the Commission meetings to when a quorum (three (3) members) is present.

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

H. ALCOHOL ORDINANCE: *Off-Premises & Out of State Training*

Council approval to amend the alcohol ordinance to mandate training for off-premises sales and grant a six-month grace period for out of state training certificate holders.

Councilmember Bird made a motion to approve the amendment to the alcohol ordinance as presented. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

I. WASHINGTON FLY-IN: *Discussion*

The Mayor and Council discussed the benefits of attending the Washington Fly-In. Mayor Eskridge and Councilmember Hase volunteered to represent St. Marys in Washington.

J. THE HASKELL COMPANY CONTRACT: *Proposed Change*

Council approval of a change order to The Haskell Company Contract for the Pt. Peter Waste Water Treatment Facility expansion to 4.0 million gallons per day (MGD) for an addition of the concrete additive, Xypex in the construction of the Sequencing-Batch Reactor (SBR) Basin.

Councilmember Weaver made a motion to approve the contract change for the Haskell Company. Councilmember DeLoughy seconded the motion. Councilmember's discussed the reasons for the additive, the expense and reexamining contract changes. Following much discussion, voting was recorded as follows:

<u>FOR</u>	<u>OPPOSED</u>
Councilmember DeLoughy	Councilmember Bird
Councilmember Hase	
Councilmember Johnson	
Councilmember Weaver	

K. BUDGET ORDINANCE: *Solid Waste Fund*

Council approval of a budget ordinance to move funds in Solid Waste to cover insurance expenses, and vehicle repair supplies.

Councilmember Weaver made a motion to approve the solid waste fund budget ordinance. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

C. PERSONNEL COMMITTEE REPORT

8. REDUCTION IN FORCE POLICY

The Policy was posted for 14 days for employee comment as required. No comments were received.

Councilmember DeLoughy made a motion to approve the reduction in force policy. Councilmember Bird seconded the motion. Councilmember Hase requested postponing until the definition of reduction in force was determined and requested adding a provision for permanent non-probationary employees to fill the positions that are filled by probationary employees, if they are qualified. Councilmember DeLoughy withdrew the motion to approve. Councilmember Bird withdrew the seconded to the motion. No official action was taken at this time.

9. DISCIPLINARY POLICY

The Policy was posted for 14 days for employee comment. Due to the large number of comments, this item was brought before Personnel Committee for a second review. Staff is working on revisions, which were recommended at the November 19th Committee meeting. No official action was taken at this time.

10. BEREAVEMENT POLICY

The Policy was posted for 14 days for employee comment. One employee asked that part-time employees be included in this policy. After discussion at the November 19th Personnel Committee Meeting, members asked to get an opinion from the City Attorney about the legalities of part-time employees receiving benefits, prior to proceeding.

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

11. GRIEVANCE POLICY

Staff added a provision to this policy, which would deal with grievances against the HR Director and City Manager. After reviewing the provision at the November 19th Personnel Committee meeting, a motion was made to present this policy to Mayor and Council, to approve posting this policy for 14 days for employee comment.

Councilmember Weaver made a motion to approve the posting of the Grievance Policy for 14 days for employee comment. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

12. PAID LEAVE

Staff is drafting two separate paid leave policies. One would split leave into vacation/personal and sick time. The other policy would remain a combined paid leave policy; however, it would lower the maximum number of hours an employee can accumulate to 240 hours. Any hours accrued over 240 would be transferred to a catastrophic leave bank. No official action was taken at this time.

13. PART-TIME ASSISTANTS

A request was made for staff to have the ability to rehire any part-time assistant positions, in the event they should resign. After discussion, it was the opinion of the committee that because of the hiring freeze, prior to rehiring any position, the item would need to be brought before Council on the agenda, for individual approval. No official action was taken at this time.

14. APPEALS POLICY

The Policy was posted for 14 days for employee comment as required. No comments were received.

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

D. FINANCE COMMITTEE REPORT

Councilmember DeLoughy presented the Finance Committee report on Consolidated Pipe and Supply Company's plan to replace the City's current Touch Read meters with Radio Read meters. The City has over 7,000 water meters which are on average 10 years or more old. The replacement of 5,000 old meters would cost \$100 per meter with a discount of \$75 each and the balance of the meters costing \$175. The total cost of the project would be \$1,267,731 which could be financed over 10 years.

REPORT OF MAYOR:

Mayor Eskridge stated that the Coastal Comprehensive Plan has been received and a copy would be put in the Council mailboxes.

November 12, 2008 – Attended the Regional Development Center (RDC) meeting in Richmond Hill

November 20, 2008 – Attended the Georgia Municipal Association (GMA) District 12 meeting in Darien.

November 24, 2008 – Met with Ms. Patterson regarding Marsh Arbors

Mayor Eskridge read the calendar of events, meeting and activities for the next two weeks.

REPORT OF CITY MANAGER:

The City Manager outlined the Trash Plan to identify violators as follows:

- The Police Department and City Marshal have been directed to cite any individual caught dumping.
- All Department Heads have been directed to ensure that all city employees who see anyone illegally dumping, to take down their information and report it to the City.
- Anyone else seeing someone illegally dumping, to take down their license number, identification and report it to the City.

- The Police Department and City Marshal are looking for patterns to identify repeat violations and “stake out” those locations to see if they could catch the violators.
- All City employees have been directed through their Department Heads, to report all trash piles that were seen.
- All trash piles are identified and sent to the collectors for pick-up. Lists and invoices are kept as a record.
- The City Manager, Finance Director, and Planning Director are driving around the City to evaluate whether or not the trash is being picked up in a reasonable amount of time.
- The Finance Director has been directed to put a handout in with the water bills and an article in the newspaper, explaining the rules about dumping trash.
- The City Marshal has a door hanger that provides the rules about dumping trash.
- The Planning Director is contacting the schools regarding handouts for the students to take home.
- The Planning Director is in the process of setting up town hall meetings with the schools to help educate our citizens about the contract, State Laws, City Ordinances, and hold a question and answer session.

GRANTING AUDIENCE TO THE PUBLIC:

John Morrissey, resident commended Council for reviewing contracts and suggested that they continue reviewing contractual agreements in January to look at their critical supply base to see if contractors or suppliers are financially secure. Mr. Morrissey also reminded everyone to vote on December 2nd.

Chad Kinzly, employee questioned whether Council would be discussing his personnel issue.

EXECUTIVE SESSION: *Legal/Personnel (ADDED)*

Councilmember Hase made a motion to add personnel to executive session. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

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

The Mayor and Council adjourned to executive session at 7:45 p.m., returning at 8:29 p.m. with Mayor Eskridge calling the Council meeting back to order.

LEGAL

Councilmember DeLoughy made a motion to relinquish any rights the City has in what is commonly called West Hall Street, with the assurance by the Doninis & Marsh Arbors that ingress and egress for the convalescent center will continue. Councilmember Weaver seconded the motion. Voting was recorded as follows:

FOR

Councilmember DeLoughy
Councilmember Hase
Councilmember Weaver

OPPOSED

Councilmember Bird
Councilmember Johnson

Councilmember DeLoughy made a motion to accept the \$1,125 donation by Camden Partnership to assist in funding an airport appraisal. Councilmember Weaver seconded the motion. Councilmember Bird spoke against the motion. Voting was recorded as follows:

FOR

Councilmember DeLoughy
Councilmember Hase
Councilmember Weaver

OPPOSED

Councilmember Bird
Councilmember Johnson

PERSONNEL (ADDED)

No official action was taken at this time.

ADJOURNMENT

Councilmember Bird made a motion for adjournment. Councilmember Hase seconded the motion. Mayor Eskridge declared the meeting adjourned at 8:31p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk