

**CITY OF ST. MARYS, GEORGIA**  
**CITY COUNCIL MEETING**  
**February 25, 2008**  
**6:00 P.M.**

**AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION:** *Councilmember Deborah Hase*
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL** **QUORUM: YES X NO**
- V. APPROVAL OF MINUTES:** *February 11, 2008 Regular City Council Meeting Minutes*  
*February 11, 2008 Water/Sewer Committee Meeting Minutes*  
*February 18, 2008 Property Committee Meeting Minutes*  
*February 18, 2008 Public Safety-Police Committee Meeting Minutes*
- PRESENTATION:**  
**The Haskell Company**
- APPROVAL OF THE AGENDA**
- VI. GRANTING AUDIENCE TO THE PUBLIC:**
- VII. OLD BUSINESS:** *None*
- VIII. NEW BUSINESS:**
- A. BUDGET ORDINANCE:** *Legislative Laptops (Postponed from 2/11/08)..TAB "A"*
- B. ORDINANCE AMENDMENT:** *Construction Fees.....TAB "B"*
- C. IMMIGRATION COMPLIANCE ACT:.....TAB "C"**  
*Department of Homeland Security M.O.U.*
- D. LANDMAR M.O.U:** *Railroad Building Discussion*
- E. RESOLUTION:** *Employee Suggestion Program.....TAB "D"*
- F. CABLE FRANCHISE FEE:** *Finance Committee Review.....TAB "E"*
- G. ORDINANCE:** *Fats, Oil and Grease.....TAB "F"*
- H. PT. PETER WWTP 4.0 MGD EXPANSION PROJECT:.....TAB "G"**  
*Contractor Selection*
- I. PROJECT RESOLUTION:** *St. Marys Public Works Equipment Shed.....TAB "H"*
- IX. REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**
- A. APPOINTMENTS**

1. **Camden County Board of Education Sex Education Instructional Materials Review Committee:** Two seats
2. **Senior Department Advisory Committee:**.....TAB “I”  
Five seats plus one Council seat
3. **Library Board:** One seat.....TAB “J”
4. **Tree Board:** One seat.....TAB “K”

**B. PROPERTY COMMITTEE REPORT**

1. Downtown Multi-Media Center

**C. PUBLIC SAFETY-POLICE COMMITTEE REPORT**

1. Towing Ordinance Amendment:.....TAB “L”

**X. REPORT OF MAYOR:**

**XI REPORT OF CITY MANAGER:**

**XII. GRANTING AUDIENCE TO THE PUBLIC**

**XIII. EXECUTIVE SESSION: *Personnel & Legal***

**XIV. ADJOURNMENT:**

**CITY OF ST. MARYS, GEORGIA**  
**CITY COUNCIL MEETING**  
**February 25, 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, February 25, 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 Chuck Trader  
Councilmember Gull Weaver

**CITY OFFICIALS PRESENT:**

William Shanahan, City Manager  
Max Tinsley, Asst. City Manager  
Amanda Blackledge, City Attorney  
Roger Weaver, Planning Director  
Wiley King, Building Director  
Tim Hatch, Police Chief  
Bobby Marr, Public Works Director  
Robby Horton, Fire Chief  
Jennifer Brown, Finance Director  
Marsha Hershberger, Asst. Finance Director  
Janice Beckham, Jr. Accountant  
Janet Brinko, Tourism Director  
Shavon Gibbs, Court Administrator  
Amanda Katherman, Legal Assistant  
Nicole Goebel, IT 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 Hase 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 11, 2008 Regular City Council Meeting Minutes*

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

*February 11, 2008 Water/Sewer Committee Meeting Minutes*

Councilmember DeLoughy made a motion to approve the Water/Sewer Committee minutes as presented. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

February 18, 2008 Property Committee Meeting Minutes

Councilmember Weaver made a motion to approve the Property Committee minutes as presented. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

February 18, 2008 Public Safety-Police Committee Meeting Minutes

Councilmember Bird made a motion to approve the Public Safety-Police Committee minutes as presented. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

**PRESENTATION:**

**The Haskell Company**

Pete Kinsley, CGC Project Executive thanked City staff, the design engineers and The Haskell Company for the great job they have done at the Point Peter Waste Water Treatment Plan (WWTP). The Haskell Company project team members were as follows: Project Manager Will English, Superintendent Bobby Bradley and Assistant Project Manager Jason Plache.

Mr. Kinsley gave a brief history of the Company and presented a PowerPoint slideshow on the Pt. Peter WWTP emergency modifications that were currently under construction. A copy of the presentation is available in the City Clerk's office for review.

Mayor Eskridge and City Council Members commended The Haskell Company for doing such an excellent job on the project and how proud the City will be for years to come.

**AGENDA APPROVAL**

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

**GRANTING AUDIENCE TO THE PUBLIC:**

There were no public comments at this time.

**OLD BUSINESS:**

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

**NEW BUSINESS:**

**A. BUDGET ORDINANCE: *Legislative Laptops* (Postponed from 2/11/08)**

The City Manager recommended approval to purchase laptops for Council Members at a total cost of \$5,000 from contingency fund. Currently, the City has upgraded to Windows 2007, which caused communication problems between City and Council's computers. At the last Georgia Municipal Association (GMA) conference, their legal department strongly advised that Council use City computers for security reasons. It

would also eliminate open record requests that could possible access personal computers, if used for City business.

Councilmember Bird made a motion to approve the Budget Ordinance for the purchase of legislative laptops. Councilmember DeLoughy seconded the motion. The Mayor and Council discussed the computers not being personal property, used by the post, legal ramifications and communication. Voting was unanimous in favor of the motion.

**B. ORDINANCE AMENDMENT: *Construction Fees***

The City Manager recommended approval to correct the language in the construction fee ordinance. The current Construction Fee Ordinance receives payment of construction fees with final plat approval. This includes all new residential and commercial subdivisions, approval of engineering plans for platted commercial subdivisions and continued receipt of the construction fee for platted subdivisions with the building permit issuance. In order to be consistent with the terms, a correction is necessary to make clear that the residential lot is, in fact, a “unit”.

Councilmember Weaver made a motion to approve the Ordinance Amendment for Construction Fees. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

**C. IMMIGRATION COMPLIANCE ACT: *Department of Homeland Security M.O.U.***

The City Manager recommended approval of a Memorandum of Understanding between the City, Department of Homeland Security, and Social Security Administration so that the City’s Human Resources Department can serve as the designated agent for the City to ensure compliance of immigration reform legislation. Pursuant to O.C.G.A. § 13-10-91, on or after July 1, 2008, every public employer shall register and participate in the federal work authorization program to verify information of all new employees. No public employer shall enter into a contract for the physical performance of services within this state unless the contractor registers and participates in the federal work authorization program to verify information of all new employees. The M.O.U. allows the City’s Director of Human Resources to monitor the program and work with DHS and SSA according to state and federal law.

Councilmember Weaver made a motion to approve the Immigration Compliance Act Department of Homeland Security M.O.U. Councilmember Hase seconded the motion. Councilmember DeLoughy requested that the designated agent is only by title, not name. Councilmember Weaver needed clarification for checking City employees as well as contractor employees. The City Attorney responded that all new City employees will be e-verified for immigration status so the City is not hiring anyone illegally. After July 2008, the contractors will be responsible for verifying status but the City has to ensure that all future contracts will have a provision with an affidavit that they have qualified all of their employees. Following much discussion, voting was unanimous in favor of the motion.

**D. LANDMAR M.O.U: *Railroad Building Discussion***

The City Manager requested that Council direct the Property Committee to schedule a meeting to discuss the possibility of the City obtaining ownership of the railroad building that Landmar is proposing.

Councilmember Hase called for a Point of Order to see whether Council was really interested or not. According to the Rules of Procedure, a majority of Council designates when issues go to committee. Councilmember Johnson made a motion to move this issue to the Property Committee for review for the City's use as necessary. Councilmember Weaver seconded the motion.

The City Manager stated that the City was asked to look at a possible use for the building. To his knowledge, no elected official or staff has ever made the decision to move City Hall to that location. The building is available and City has an opportunity for its use. It was requested for discussion purposes only, that this issue be brought to the Property Committee for a recommendation to Council, for a decision. Councilmember Hase asked whether Landmar offered to give the City the building. The City Manager responded that Landmar is not giving the building to the City and that is one of the reasons for it to be sent to the Committee. Councilmember Weaver commented that the Property Committee would not do anything without Council approval. Councilmember Johnson stated that several citizens telephoned with concerns regarding moving the entire City Hall to this building. It is his understanding that it would be an additional building used for storage, railroad museum and other purposes. Councilmember Bird commented that it is important to send the issue to the Committee because more information was needed from Landmar on what is being offered and whether Council would want to proceed. Councilmember Trader stated that anytime there is an opportunity to get some property Council needs to have a hard look at it, which includes are we buying a liability. Mayor Eskridge stated that all the details should come out of the Committee to make their recommendation back to Council for a vote. Following much discussion, voting was unanimous in favor of the motion.

A Property Committee meeting was scheduled on March 10, 2008 at 5:00 p.m. in the Council Chamber at City Hall.

**E. RESOLUTION: *Employee Suggestion Program***

The City Manager recommended approval to create an employee suggestion program. Employees who are not department heads or elected officials that come up with an idea to save money for the City will receive compensation, if the suggestion is implemented by Council and the real cash savings measure at least \$5,000 or more over a two (2) year period. The cash award shall be equal to no more than 10% (with a cap of \$3,000) of the total savings to the City.

Councilmember Weaver made a motion to approve the implementation of the Employee Suggestion Program. Councilmember DeLoughy seconded the motion.

Councilmember Trader questioned whether the program was reviewed by the Personnel Committee. The City Manager responded that it has not been to committee. Councilmember Trader stated that he is not against the program, but this would probably become part of the personnel policy, and it should be reviewed by the Committee first.

Councilmember Weaver withdrew the motion to approve the program. Councilmember DeLoughy withdrew the seconded to the original motion.

Councilmember Trader made a motion to refer this to the Personnel Committee for further review. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

A Personnel Committee meeting was scheduled on March 3, 2008 at 5:00 p.m. in the Council Chamber at City Hall.

**F. CABLE FRANCHISE FEE: *Finance Committee Review***

The City Manager requested Council to direct the finance committee to determine an appropriate franchise fee and to present a resolution to Council for approval at the next Council meeting. Cable and video providers in Georgia may now apply to the Secretary of State for a state franchise to provide services in St. Marys, utilizing the City's rights of way. A franchise fee of up to 5% of gross revenues is allowed to be charged by the City to each provider. A provider is not required to pay franchise fees until fifteen (15) days after receiving the rate information from the City. GMA recommended putting this in place.

Councilmember Johnson made a motion to move the franchise fee discussion to the Finance Committee for further review. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

A Finance Committee meeting was scheduled on February 27, 2008 at 5:00 p.m. in the Council Chamber at City Hall.

**G. ORDINANCE: *Fats, Oil and Grease***

The City Manager recommended approval of a Fats, Oil and Grease Ordinance to comply with EPD Consent Order # EPD-WQ-4827, Item #9. As part of a Consent Order issued by EPD, the City is required to adopt and implement a Fats, Oil and Grease Ordinance to help prevent sanitary sewer overflows as a result of grease entering the collection system and creating clogs in the main lines and causing problems at the City's lift stations and treatment plants. The Ordinance shall also regulate grease transporters to comply with state law, in particular Chapter 391-3-6-24 of the Rules and Regulations of the State of Georgia, Department of Natural Resources, and Environmental Protection Division.

Councilmember Bird made a motion to approve the ordinance for Fats, Oils and Grease. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

**H. PT. PETER WWTP 4.0 MGD EXPANSION PROJECT: *Contractor Selection***

The City Manager recommended approval to select The Haskell Company as the contractor for the expansion of the Point Peter WWTP to 4.0 MGD. The City sent out a request for qualifications for interested contractors to construct the next phase of the Point Peter WWTP expansion to 4.0 MGD. Packages were received from six contracting firms. A review committee was formed consisting of Bobby Marr, Max Tinsley, Bill Shanahan, Sarah Lee, Tom Kelley and Wayne Price. The committee rated all of the contractors independently and then met to go over the scoring. Based on the scoring, two contractors were selected to be interviewed by the committee. These two contractors were The Haskell Company and Western Summit. After the interviews, the committee scored the interviewed firms. Based on the scoring, The Haskell Company was selected as the contractor to be recommended to City Council for approval at the February 25, 2008 meeting. If City Council approves the selection, the contractor will prepare a fee for preconstruction services, which will be brought back to council for approval.

Councilmember Hase made a motion to approve the Pt. Peter WWTP 4.0 expansion project with Haskell Company. Council Councilmember Weaver seconded the motion.

Councilmember Trader questioned whether quotes were sent out for pricing on a project of this magnitude. The Public Works Director stated that the reason for using this procedure was to get qualified contractors instead of the type that were used at the Scrubby Bluff Plant. The City Manager stated that open book pricing is brought to the Committee by the in-house engineer and JJ&G engineers for review. It is then brought to Council with the reasons why the Committee agrees that it is the best price. Councilmember Hase questioned when did purchasing get away from having qualifications in one package and bids in another. The Public Works Director stated that there is no firm scope to bid on for the project. The process is to have the contractor on board early to have input into the design so money is saved by not having to redesign later. Following much discussion, voting was unanimous in favor of the motion.

**I. PROJECT RESOLUTION: *St. Marys Public Works Equipment Shed***

The City Manager recommended approval of a Project Resolution entitled St. Marys Public Works Equipment Shed Project and award the Project to Coastal Construction, Inc. Over the past few years the City of St. Marys has experienced amazing growth. The Public Works Department has been acquiring the necessary equipment to continue providing services to the growing population. To protect the additional equipment from the weather it has become necessary to build another Equipment Shed. The City of St. Marys advertised and has received four bids for the Public Works Equipment Shed.

The results of the bids are as follows:

Double T Construction	\$56,950.00
Coastal Construction, Inc.	\$63,840.00
Murrell Custom Homes	\$74,044.72
K.B.T. Contracting	\$122,230.00

Double T Construction has been determined to be non-responsive because they failed to obtain the necessary certifications to acquire a building permit from the City. City staff has recommended awarding the project to Coastal Construction, Inc for the amount of \$63,840.00. The amount budgeted for this project is \$60, 000.00. The additional \$3,840.00 could come from Capital Outlays for site improvements.

Councilmember DeLoughy made a motion to approve the St. Marys Public Works equipment shed. Councilmember Weaver seconded the motion. Councilmember Johnson requested clarification for the public as to why the first bidders failed. The City Manager stated that there are certain certifications one must have to be a builder in the City of St. Marys. The first bidder did not meet the deadline to complete the certifications. Voting was unanimous in favor of the motion.

## **REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**

### **A. APPOINTMENTS**

#### **1. Camden County Board of Education Sex Education Instructional Materials Review Committee:** Two seats

Mayor Eskridge stated that there were two seats available but only one person is interested in an appointment.

Councilmember Weaver made a motion to reappoint Reeney Adams to the Committee. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

#### **2. Senior Department Advisory Committee:** Five seats plus one Council seat Mayor Eskridge stated that there are five seats, plus one Council seat open.

Councilmember Trader made a motion to appoint Councilmember Bird, Lyle Campbell, Barbara Conner, Rick Douylliez, Cookie Johnson and Mary Keating. Councilmember DeLoughy seconded the motion. Mayor Eskridge stated that since terms were never set, he suggested staggering the terms to fill the seats by taking the first three for two years and the last two for three. Councilmember Weaver commented that where we do not want to replace the member every year, we should take the time to allow the City Attorney to recommend the best way to formalize the board at another time. Councilmember Hase questioned whether there is a written job description on what they do. The City Attorney stated that there is an e-mail where it was left up to the will of Council as to how the board was created and it was never

codified in any way. The Assistant City Manager stated that basic rules and procedures were submitted to the Sr. Department Committee for review.

Voting was recorded as follows:

**YAY**

Councilmember DeLoughy  
Councilmember Hase  
Councilmember Johnson  
Councilmember Trader  
Councilmember Weaver

**ABSTAINED**

Councilmember Bird

**3. Library Board: One seat**

Mayor Eskridge stated that two candidates submitted letters of intent to fill one vacancy. Ms. Terry Waskett spoke about her love and respect for the library.

Voting was recorded as follows:

Penny Hahn – Councilmember’s DeLoughy and Hase

\*Terry Waskett – Councilmember’s Bird, Johnson, Trader and Weaver

**4. Tree Board: One seat**

Mayor Eskridge stated that one seat is vacant and one individual is interested in the appointment, who is Mr. Lockhart.

Councilmember Trader made a motion to appoint Jerry Lockhart to the Tree Board. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

**B. PROPERTY COMMITTEE REPORT**

**Downtown Multi-Media Center**

Councilmember DeLoughy gave a brief history of the project and presented the floor plan to Council. A copy of the property report is attached as part of the minutes.

Councilmember made a motion to approve the floor plan as presented, inventory on what is owed and paid, get projected costs and move forward to the next level, which is the elevation. Councilmember DeLoughy seconded the motion. Councilmember’s discussed the project floor plan, outstanding itemized invoices, expenditures, funding and projected costs. Following much discussion, voting was unanimous in favor of the motion.

**C. PUBLIC SAFETY-POLICE COMMITTEE REPORT**

**Towing Ordinance Amendment**

Councilmember Bird stated that City Staff met several times with towing operators to discuss the changes. He further stated that the Public Safety-Police Committee met with City Staff twice to review and discuss the ordinance amendment.

Councilmember Weaver made a motion to approve the towing ordinance amendment as presented. Councilmember Trader seconded the motion. Councilmember's discussed the definition of debris, timing, set fees and public safety. Voting was unanimous in favor of the motion.

### **REPORT OF MAYOR:**

February 13, 2008 – Participated in the City's Goals and Objectives

February 18, 2008 – Attended a meeting with the City Manager to discuss some problems

February 21, 2008 – Attended the Public Service Authority (PSA) Off Your Rocker ceremony

February 22, 2008 – Attended the St. Marys Garden Club tree ceremony

Mayor Eskridge announced a vacancy on the Hospital Board and read the calendar of events, meetings and activities.

### **REPORT OF CITY MANAGER:**

- Department of Transportation inspected the traffic signals today and the will begin flashing on Tuesday if the next inspection goes well.
- There was a sink hole on Douglas Drive that was worked on over the weekend by the Public Works Department. Mr. Shanahan thanked staff for all their hard work to make it safe for the citizens and visitors. The Bridge repair cannot wait until the summer, so emergency repairs are necessary for everyone's safety. Additional information will be presented as soon as it is available.
- There is a surplus of the City's trash cans that are available until the end of March for anyone who wants some but they cannot be used for regular garbage pickup.
- March 23, 2008 is the first annual City of St. Marys employee Cookie Cooking contest.

### **GRANTING AUDIENCE TO THE PUBLIC**

**Cookie Johnson**, resident announced that she and Councilmember Johnson were celebrating 50 years of marriage.

**Bill Creed**, resident thanked Council for moving forward with the Waterfront Theatre Project that has been in the works for 8 years and congratulated them for approving the Veterans Park at the former location.

**John Morrison**, resident knows someone who would be interested in the surplus cans for a recycling program.

**Keith Post**, resident reminded the public that the USS Georgia ceremony is 31 days away, the State flag will arrive in Camden County on March 27<sup>th</sup>, it is not too late to be a Plank Owner participant, and Vice Admiral J. Cohn, Under Secretary of Homeland Security for Research and Development will be the guest speaker at the Navy League dinner on March 13<sup>th</sup> at the base.

**EXECUTIVE SESSION:** *Personnel & Legal*

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

The Mayor and Council adjourned to executive session at 7:35 p.m., returning at 8:12 p.m. with Mayor Eskridge calling the Council meeting back to order.

**PERSONNEL**

Councilmember Trader made a motion to appoint Kathy Johnson as Deputy Clerk. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

**LEGAL**

Councilmember Weaver made a motion to allow the City Attorney to do additional research on the force main problem. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

Councilmember Weaver made a motion to allow the City Attorney to do additional research on the Douglas Asphalt issue. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

Councilmember Weaver made a motion to allow review and redraft of the Attorney related ordinances. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

**ADJOURNMENT:**

Councilmember Bird made a motion for adjournment. Councilmember DeLoughy seconded the motion. Mayor Eskridge declared the meeting adjourned at 8:14 p.m.

Respectfully submitted,

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Darlene M. Roellig, City Clerk