



**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
April 27, 2009
6:00 p.m.**

AGENDA

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL** **QUORUM: YES X NO ___**
- V. APPROVAL OF MINUTES: April 6, 2009 Regular City Council Meeting Minutes**

PRESENTATION:

- 1. JOINT PROCLAMATION: *Health & Safety Fair***
- 2. SENIOR ADVISORY COMMITTEE VACANCY ANNOUNCEMENT**

APPROVAL OF THE AGENDA

- VI. GRANTING AUDIENCE TO THE PUBLIC:**
- VII. OLD BUSINESS: None**
- VIII. NEW BUSINESS:**
- LEE & MARGARET BERNASEK'S REQUEST TO ADDRESS COUNCIL:**
Discuss interest, costs and penalty associated with property tax payment.
 - DEPUTY CLERK APPOINTMENT: *Deborah Walker-Reed***
Request to appoint the executive assistant in the City Clerk's office as Deputy Clerk to serve as backup to the clerk.
 - SOUTHEASTERN PIZZA GROUP, LLC: *Advertising of a Public Hearing***
Request approval to advertise for a public hearing on a new alcohol license for Pizza Hut.
 - UNIVERSITY OF TENNESSEE: *Temporary Alcohol License***
Request approval of a temporary alcohol license for Jacksonville UT Alumni Chapter non-profit fundraiser to be held at Osprey Cove.
 - JOINT RESOLUTION: *Keep Camden Beautiful***
Request approval of a resolution to establish "Keep Camden Beautiful" as the recognized Anti-Litter Program for Camden County.

- F. **SOUTHPORT FINANCIAL SERVICES, INC. PROPOSED DEVELOPMENT AUTUMN PLACE (FORMERLY CUMBERLAND COVE AND PELICAN POINT) RESOLUTION OF SUPPORT:**
Consideration to approve a resolution letter in support of a DCA application for the newly named (Autumn Place) affordable rental community.
 - G. **GREG BIRD'S CONFLICT OF INTEREST:** *Councilmember Hase*
To resolve this issue before another vote is taken on airport issues.
 - H. **AIRPORT AUTHORITY LEASE AGREEMENT:** Request approval to enter into a lease with the Airport Authority for the St. Marys Airport.
 - I. **WATER, SEWER & SOLID WASTE ORDINANCE AMENDMENT:**
Request approval of the proposed changes to the Water/Sewer Ordinance.
 - J. **WATERFRONT PARK FLOATING DOCK REPAIRS:**
Consideration to award a contract to Coastal Construction, Inc. for dock repairs.
 - K. **ACCIDENT POLICY FOR VOLUNTEERS:**
Consideration to purchase an accident policy, which would provide medical coverage for volunteers, in the event of being injured while volunteering for the City.
 - L. **CONTAINERS DONATED BY THE US NAVY:**
Request approval to accept the US Navy's donation of two 20' foot containers to use for live fire training.
- IX. REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**
- A. **PLANNING DIRECTOR'S REPORT**
 - 1. **Jerome Lee's Variance Appeal:** Consideration to appeal the Planning Commission's variance denial of the reduction of the front yard setback from 25' to 17' and reduce the rear yard setback from 15' to 5' at 211 Dillingham Street.
 - B. **PUBLIC-SAFETY POLICE COMMITTEE REPORT**
 - C. **PROPERTY COMMITTEE REPORT**
- X. **REPORT OF MAYOR:**
- XI **REPORT OF CITY MANAGER:**
- XII. **GRANTING AUDIENCE TO THE PUBLIC**
- XIII. **EXECUTIVE SESSION:** Legal (Possible discussion of airport lease)
- XIV. **ADJOURNMENT:**

CITY OF ST. MARYS, GEORGIA

**Budget Public Hearing
April 27, 2009
10:00 a.m.**

MINUTES

On April 27, 2009, the City of St. Marys held a public hearing at 10:00 a.m. on the 2010 Budget.

City Personnel Present: Bill Shanahan, City Manager; Robby Horton, Fire Chief; Donna Folsom, HR Director and Jennifer Brown, Finance Director

Guests in attendance: None

BUSINESS:

A. Budget Public Hearing

There were no citizens present for the meeting. There was no discussion. The meeting was ended 10:15a.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk

PUBLIC HEARING
April 27, 2009

FY10 BUDGET
5:30 p.m.

The Mayor and City Council for the City of St. Marys, Georgia met for a Public Hearing on Monday, April 27, 2009 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
Roger Weaver, Planning Director
Bobby Marr, Public Works Director
Tim Hatch, Police Chief
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Dir.
Janice Beckham, Tax Clerk
Judy Armantrout, Library Director
Donna Folsom, HR Director
Jane Drake, Aquatic Center Director
Gene Rudy, IT Director
Bilal Muhammad, City Marshal
Richard Riggle, Sergeant-At-Arms

CALL TO ORDER

Mayor Eskridge called the Budget Hearing for FY10 to order at 5:30 p.m.

Walt Natzic, presented a brief overview of the Coastal Georgia Greenway 161 mile expansion project totaling \$100,000,000 with \$27,000,000 for Camden County. Mr. Natzic requested \$250,000 to be allocated in the budget for St. Marys' portion of the project.

ADJOURNMENT

No further comments were made. Therefore, Mayor Eskridge declared the Budget Hearing adjourned at 5:41 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk

**CITY COUNCIL MEETING
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, April 27, 2009 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
Amanda Blackledge, City Attorney
Roger Weaver, Planning Director
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Dir.
Janice Beckham, Tax Clerk
Donna Folsom, HR Director
Janet Brinko, Tourism Director
Bilal Muhammad, City Marshal
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: April 6, 2009 *Regular City Council Meeting Minutes*
Councilmember Weaver made a motion to approve the April 6, 2009 regular City Council meeting minutes. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

PRESENTATION:

JOINT PROCLAMATION: *Health & Safety Fair*

Mayor Eskridge read the Joint Proclamation recognizing a joint effort between Camden County Board of Commissioners and the cities of St. Marys, Kingsland, and Woodbine to host an Employee Health & Safety Fair on October 23, 2009.

SENIOR ADVISORY COMMITTEE VACANCY ANNOUNCEMENT

Mayor Eskridge announced the vacancy on the Senior Advisory Committee, and anyone interested in an appointment should provide a letter of intent to the City Clerk.

APPROVAL OF THE AGENDA

Councilmember DeLoughy made a motion to approve adding item "M" Consent Agenda. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Cookie Johnson, resident thanked the Hospital Authority for their generosity and Councilmember Bird for assisting with the new Senior Center. She also reported on Councilmember Johnson's telephone calls received from citizens who are now hesitant to move the airport, why Councilmember Bird's issue is being brought up again and what is Councilmember Hase's interest. Mrs. Johnson commented that taxpayer dollars were being wasted on the same issue when they could be used for other services.

Councilmember Hase responded that she receives the exact opposite telephone calls and in accordance to Georgia Law, public land needs to be auctioned or bid so no real estate agent or commissions are involved.

Rosemary Rillo, resident questioned why Item G was repeatedly addressed when hearings were already heard that Councilmember Bird was well within his rights to vote on issues involving the airport, and if he were so inclined to vote with Councilmember Hase on any of these issues the question would not be raised. If Councilmember Bird would stand to gain from this move, he is voting against his personal interest not in favor. If that were a problem, then Mrs. Hase should also recuse herself from voting because she is a real estate agent who could potentially benefit from selling property in the Sea Island's planned development that would surround the new airport, even if her license is not active. The reason for the hurry to get the airport relocation started as quickly as possible is because there are many environmental concerns that will come into play against you. Many endangered species make their home in the middle of high quality wetlands that will be destroyed and cause flooding in surrounding areas because the natural water flow patterns will be altered. Last July, Sea Island indicated to City representatives their desire to move the airport that will benefit its clients, develop its other properties near the proposed site and let the City do the dirty work, while remaining in the background to organize monies from other developers and landowners. Taxpayers would be holding a very large bag if the Tax Allocation District (TAD) had passed.

Doug Cooper, resident stated that the Ethics Board of St. Marys did not say that Councilmember Bird did or did not violate ethics. The Ethics Board said they never reached the question because the ordinance stated he could not be tried twice for the same thing.

Councilmember Hase responded to Ms. Rillo's comment that Councilmember Bird would benefit more by moving the airport, which is more reason not vote on the issue whether you benefit or lose, he should not be voting. If he was in agreement with me, I would still think that he had a conflict.

Councilmember Bird read the investigating report from Jeff Stanford's complaint as follows:

“The investigating committee has determined that this complaint is based on the same acts/occurrences as previously argued in a hearing before the Ethics Board in June, 2008. No new facts or information were set forth in the investigation to constitute a separate violation. The investigating committee did not reach the question, did Councilmember Bird violate the Code of Ethics, as the City ordinance prohibits members from being subject to additional hearings on allegations where no violation was previously found“. Councilmember Bird responded that he was innocent until proven guilty.

Jeff Stanford, resident commented that during the original ethics investigation the complainant could not ask Councilmember Bird questions but had to go through an attorney on whether he made money at the airport. Since there were no cancelled checks or evidence the case was dismissed. Mr. Stanford stated that he waited until Councilmember Bird voted on another question because he possessed evidence of income. It was his understanding with the new format all he had to do was bring the situation up for an ethics investigation. Mr. Stanford asked Councilmember Bird if he made money at the airport.

Councilmember Bird responded yes to the question, as Bird Aviation.

Sidney Howell, resident stated that he has lived in town longer than anyone on Council, is tired of hearing about the airport. Council has more important things to do and if the Navy wanted the airport closed they would shut it down without asking. If councilmember’s have something to gain, it will eventually come out.

Mayor Eskridge requested that the public refrain from attacking council because they are trying to do a job and you could speak with them after the meeting.

Sandy Feller, resident thanked the Mayor for participating in the groundbreaking ceremony at Our Lady Star of the Sea. Mr. Feller commented that it is too bad people do not like the way Councilmember Bird’s hearing was handled. He cannot be tried over and over again on the same issue. He further commented that the businessmen cannot recycle or have yard waste picked up but they pay more than homeowners. It is grossly unfair to increase water and sewer fees when Council bypassed normal procedures to allow the citizens to decide on a bond referendum, and went to the PSA instead, told the bank that it would be paid with Special Purpose Option Sales Tax (SPLOST) money and building fees. Now, there is a situation that cannot be sustained to pay for the future.

OLD BUSINESS:

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

NEW BUSINESS:

A. LEE & MARGARET BERNASEK’S REQUEST TO ADDRESS COUNCIL:

Discuss interest, costs and penalty associated with property tax payment.

Lee Bernasek, requested relief from council concerning \$86.62 of additional fees added

to his property tax by the City of St. Marys and Camden County. Mr. Bernasek felt that a simple policy change of updating the system when a property is purchased would eliminate this confusion. He indicated that the county offers a remedy in the form of an appeal but the city does not. He stated his only recourse is to appear before council and request a relief of the money.

Mayor Eskridge stated Mr. Bernasek is coming before council for relief on his bill when he did not follow the procedures set before him. Mr. Bernasek and his wife signed a notice and acknowledgement concerning taking care of his taxes and contacting the city by October 15th if he had not received a bill. Mr. Bernasek did not comply with the procedures. He did not contact the city until April 3, 2009.

Councilmember Bird stated he would like to wait and see what remedies the county will present and Councilmember Hase agreed.

No official action was taken at this time.

B. DEPUTY CLERK APPOINTMENT: *Deborah Walker-Reed*

Request to appoint the executive assistant in the City Clerk's office as Deputy Clerk to serve as backup to the clerk.

Councilmember Johnson made a motion to approve Deborah Walker-Reed to the position of Deputy Clerk. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

C. SOUTHEASTERN PIZZA GROUP, LLC: *Advertisement of a Public Hearing*

Request approval to advertise for a public hearing on a new alcohol license for Pizza Hut on May 11th at 5:45 p.m in St. Marys City Council Chambers.

Councilmember Bird made a motion to approve the public hearing. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

D. UNIVERSITY OF TENNESSEE: *Temporary Alcohol License*

Request approval of a temporary alcohol license for Jacksonville UT Alumni Chapter non-profit fundraiser to be held at Osprey Cove on Monday, May 18th from 9:00 a.m. until 11:00 p.m.

Councilmember Bird made a motion to approve the temporary license. Councilmember Johnson seconded the motion. Voting was unanimous in favor of the motion.

E. JOINT RESOLUTION: *Keep Camden Beautiful*

Request approval of a resolution to establish "Keep Camden Beautiful" as the recognized Anti-Litter Program for Camden County.

Doug Cooper made a brief statement concerning the proposed resolution. He stated this was the first time Kings Bay Naval Base had been included on the resolution with St. Marys, Kingsland, Woodbine, and Camden County. Mr. Cooper stated \$2500 of the

\$2900 initial fee was donated by State Line with the other \$400 being divided between the four areas.

Councilmember DeLoughy made a motion to approve the joint resolution.
Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

F. SOUTHPORT FINANCIAL SERVICES, INC. PROPOSED DEVELOPMENT AUTUMN PLACE (FORMERLY CUMBERLAND COVE AND PELICAN POINT) RESOLUTION OF SUPPORT:

Consideration to approve a resolution letter in support of a DCA application for the newly named (Autumn Place) affordable rental community.

Councilmember Johnson made a motion to approve for discussion.

Councilmember Johnson stated that he voted against this on June 9th and he would like to reiterate his reasons. He stated that St. Marys and the Camden County does need affordable housing. He also stated that this particular area has caused difficulties to the residents, area and police. We already have Cumberland Oaks and The Pines Apartments, we do not need to add a third rent controlled subdivision in that area.

Councilmember Weaver stated that Ashton Pines is a rent controlled subdivision and it is a success.

Councilmember Weaver made a motion to approve the letter of support. Councilmember Hase seconded the motion.

FOR

Councilmember DeLoughy
Councilmember Hase
Councilmember Trader
Councilmember Weaver
Councilmember Bird

OPPOSED

Councilmember Johnson

G. COUNCILMEMEBER BIRD'S CONFLICT OF INTEREST: Councilmember Hase

To resolve this issue before another vote is taken on airport issues.

Councilmember Hase made a motion that Council has been provided with several documents regarding Councilman Bird's business at the airport. She also noted for the record that Mr. Bird did admit earlier that he does make money at the airport. Based on Georgia Law §36-30-6 which says, "it is improper and illegal for a member of a municipal council to vote upon any question brought before the council in which he is "personally interested", and "personal interest" is construed as a financial interest, that Councilman Bird be warned by a vote of this body, as per City Charter § 2-57, to abstain from voting on any matters regarding the St. Marys Airport and the St. Marys Airport Authority; and if he does not heed this warning, he risks further action by this body. The motion died for lack of seconded.

Mayor Eskridge stated that this issue has been before the Ethics Board twice. The first

board made the decision not to go any further with it, as did the second board. If the City has a Board of Ethics to handle these issues, who were appointed by Council, we should rely on their judgment. For Council to come in and second guess their decision is not good for any of the City's boards. If Council wishes to take this ethics issue further, it should go to the Supreme Court or district attorney to file a complaint.

Councilmember Hase stated that this board needs to be on the record one way or the other that it is a conflict.

Councilmember DeLoughy made a motion to refer this issue to the appropriate party in the State of Georgia. Councilmember Weaver seconded the motion.

Councilmember Bird stated that all the material put together by Councilmember Hase is correct. He has a business license for Bird Aviation in his name, building permits, diagram of the facilities, water/sewer and the 2003 contract, all of which has never been disputed. The Financial Disclosure Statement dated August 31, 2007 when running for public office was also provided identifying the business entities of Bird Aviation, the Golf Cart Store, and direct percentage of ownership interest in businesses and direct value of real property. Councilmember Bird explained the two different types of contracts in the City, one to sell services and the other for revenues. The 2003 contact with the City was to put buildings at the airport in which he pays to have the opportunity to have that business. On January 2008, a question was posed to the City Attorney, after being sworn in as an elected official, whether it was a conflict of interest when Councilmember Bird seconded the motion to approve the airport engineering firm because he owned Bird Aviation. The City Attorney's response was, "it was not a conflict of interest for Mr. Bird". Councilmember Bird asked the City Attorney if she saw Bird Aviation as a private business and has he ever voted on Bird Aviation as a Council member. The City Attorney's response was no because the fact is he is the sole proprietor. However, if an ethics violation occurred the Board of Ethics would need to make the determination. Councilmember Bird affirmed Councilmember Hase stated that it is completely illegal, not only unethical for him to vote as a councilmember on anything to do with Bird Aviation. He was not elected to abstain from city issues or issues concerning where the city is headed.

Councilmember Birds asked Councilmember Hase who owns the City of St. Mary's Airport? Councilmember Hase responded that the City of St. Marys owns the airport but he was leasing property on the airport. Councilmember Bird stated he agrees with Councilmember Hase that it is illegal for him to vote on anything concerning Bird Aviation, which he has not done. Councilmember Bird stated he is willing to send this to a higher level, and feels that a conflict of interest has to be some type of personal gain for him as a councilmember. He felt the council is not voting on anything where he has a personal interest. Councilmember Bird further stated that if he is wrong he will apologize to council and the citizens of St. Marys.

Councilmember DeLoughy read the definition of conflict of interest that is found in the GMA Ethics in Government publication as follows: Any situation when the personal interest of a public official in a matter before them may prevent, or even appear to

prevent, them from making a biased decision. Councilmember DeLoughy stated that this issue needed to be resolved one way or another referring it to someone else to look at it.

Councilmember Weaver stated that the Ethics Board did what they had to and as far as she is concerned it was a conflict of interest. She further stated that it was not meant to persecute Councilmember Bird. However, because he is Bird Aviation and holds a lease with the Airport Authority that constitutes a conflict of interest and it needs to get resolved.

Councilmember DeLoughy stated that this issue needs to be off the agenda and the only way it could be resolved is by referring it to the state and provide all the facts that were relevant.

Council Member DeLoughy reiterated the motion to refer this issue to the proper party or authority in the State of Georgia.

Mayor Eskridge stated that it was not up to Council to refer this issue to anyone. The individual complainant needs to be the one to refer it to those departments. Voting was recorded as follows:

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

H. AIRPORT AUTHORITY LEASE AGREEMENT: Request approval to enter into a lease with the Airport Authority for the St. Marys Airport.

Councilmember Trader made the motion to approve the first lease which was a draft of 04/06/09 with the exception of inserting paragraph thirteen of the second draft from 04/21/09. Councilmember Hase seconded the motion.

Councilmember Bird asked a question of the city attorney concerning if she felt he should be excluded from making a comment or voting on the Airport Authority's Lease due to the approval of the motion before this one. The city attorney stated regardless of whom the city has a lease with, if you are at that property you are going to continue at that property. She also stated she would leave it up to council if he was allowed to vote on the issue however in her professional opinion, he was fine.

Councilmember Hase stated questioned how Councilmember Bird could be a lessor and a lessee to the same property. The city attorney stated in her opinion he can vote. Councilmember Bird has no financial gain in this issue.

Councilmember Bird stated the council does not want to hear from the five members of the Airport Authority who are federally licensed individuals. He stated what we need is an Airport Authority with a lease that is going to take care of a city asset. The lease was

put together by Councilmember Trader, but Councilmember Bird felt the language needed to be adjusted. Councilmember Bird felt two members of council, namely Councilmember Trader and Councilmember Johnson, along with two members of the Airport Authority should sit down and draft a new lease.

Councilmember Bird amended motion for Councilmember Trader and Councilmember Johnson along with two members of the Airport Authority to draft a lease and report back to the next council meeting. Councilmember Johnson seconded the motion.

Councilmember DeLoughy stated he does not want to address this issue or vote while a lawsuit is pending. Councilmember Trader stated he was uncomfortable being on a committee with the Airport Authority while there was a lawsuit pending.

Councilmember Bird amended his motion to remove Councilmember Trader and replace him with Councilmember Weaver. He stated Councilmember Johnson, Councilmember Weaver along with the two members of the Airport Authority should draft a new lease.

OPPOSED

Councilmember Trader
Councilmember Hase
Councilmember DeLoughy
Councilmember Weaver

FOR

Councilmember Bird
Councilmember Johnson

Councilmember Trader amended his motion to let the lease terminate to see the outcome of the lawsuit or if the lawsuit is dropped we could sit down and negotiate. Councilmember DeLoughy seconded the motion. Voting was recorded as follows:

FOR

Councilmember DeLoughy
Councilmember Hase
Councilmember Trader
Councilmember Weaver

OPPOSED

Councilmember Bird
Councilmember Johnson

I. WATER, SEWER & SOLID WASTE ORDINANCE AMENDMENT:

Request approval of the proposed changes to the Water/Sewer Ordinance.

Councilmember Bird stated he would prefer to see a 5% increase versus a 10% increase in fees for the citizens of St. Marys. Councilmember DeLoughy and Trader stated they are not in favor of an increase but it is necessary to avoid the daily penalties that would be incurred by not being in compliance with the Bond Agreement.

Councilmember Weaver stated there is no process in place concerning allowing commercial businesses to participate in the recycling program. She would like the city manager to revisit the recycling issue concerning commercial businesses.

Councilmember Weaver made a motion to approve the water and sewer usage fees. Councilmember Trader seconded the motion. Voting was recorded as follows:

FOR

Councilmember DeLoughy
Councilmember Hase
Councilmember Trader
Councilmember Weaver

OPPOSED

Councilmember Bird
Councilmember Johnson

J. WATERFRONT PARK FLOATING DOCK REPAIRS:

Consideration to award a contract to Coastal Construction, Inc. for dock repairs.

Councilmember DeLoughy made a motion to approve the waterfront park repairs.
Councilmember Hase seconded the motion for discussion.

Councilmember Hase questioned the city manager whether the recommended bidder was a responsive bidder as well as a responsible bidder. The city manager's response was yes.

Councilmember Bird stated with the budget cuts, why is this project not being completed by Public Works. Councilmember Weaver stated this project requires special skills when you are working with a barge, crane and water. Councilmember Trader stated we have already cut four million from the budget but this project needs to be outsourced due to the special skills required. Voting was recorded as follow:

FOR

Councilmember DeLoughy
Councilmember Hase
Councilmember Trader
Councilmember Weaver
Councilmember Johnson

OPPOSED

Councilmember Bird

K. ACCIDENT POLICY FOR VOLUNTEERS:

Consideration to purchase an accident policy, which would provide medical coverage for volunteers, in the event of being injured while volunteering for the City.

Councilmember Weaver made a motion to approve the accident policy purchase for volunteers. Councilmember DeLoughy seconded the motion.

Councilmember Hase made motion for discussion. Councilmember Hase questioned whether Finance or any other department has researched whether the volunteers already have their own coverage. The city manager stated no. The city manager stated the Fire Department has their own policy concerning volunteers but this would cover other departments like Tourism, DDA and Foundation Hall.

Councilmember Trader questioned whether this policy or payment is secondary to their primary coverage. Councilmember's questioned the city manager and Human Resources Department as to whether we have a record of volunteers. We do not want anyone not being able to volunteer. The Human Resources Director stated that the only department

we do background checks on for volunteers is the Senior Center. Councilmember Hase stated this is her point. We need procedures and a policy in place. The city manager stated he would contact every department that uses volunteers to make sure they are following procedures. Following much discussion, voting was unanimous in favor of the motion.

L. CONTAINERS DONATED BY THE US NAVY:

Request approval to accept the US Navy's donation of two 20 foot long containers to use for live fire training.

Councilmember Weaver made a motion to approve the donation of two 20 foot long containers from the United States Navy. Councilmember DeLoughy seconded the motion. Voting was unanimous in favor of the motion.

M. Consent Agenda (ADDED)

Councilmember DeLoughy made a motion to schedule a meeting for the consent agenda one-half hour prior to the council meeting. Councilmember Weaver seconded the motion. Voting was unanimous in favor of the motion.

Council adjourned for a break at 8:20 p.m., reconvening at 8:30 p.m.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PLANNING DIRECTOR'S REPORT

1. **Jerome Lee's Variance Appeal:** Consideration to appeal the Planning Commission's variance denial of the reduction of the front yard setback from 25' to 17' and reduce the rear yard setback from 15' to 5' at 211 Dillingham Street.

Councilmember DeLoughy made a motion to approve. Motion died due to lack of second.

Councilmember Bird made a motion to send it back for revision and not utilize the back of the property. Motion died due to lack of second. Councilmember Weaver stated to Councilmember Bird that you cannot because the Planning Commission has stated they can not approve anything because it is outside of the footprint that is existing now.

Councilmember Trader made a motion to approve the front setback from 25' to 17'. Councilmember Hase seconded the motion for discussion. Councilmember Hase questioned Mr. Lee as to whether he could make that work. Mr. Lee stated yes. Voting was unanimous in favor of the motion.

B. PUBLIC-SAFETY POLICE COMMITTEE REPORT

Councilmember DeLoughy stated the committee reviewed Section 10-40 which refers to hours of sale. No recommendation was made due to more information being needed. We reviewed changing the hour of sale for packaged goods for outside consumption. We

would like for the city attorney to properly define the term application for us. We would also like to change the word churches to religious establishments.

We also reviewed penalties in section 10-3. We are reviewing increasing the second violation to \$1,000.00 but keeping the rest of the violations intact. Distance requirements for package stores and restaurants were also reviewed. We reviewed package store requirements at line of sight at the 600 feet requirement and restaurant's at 150 feet line of sight requirement.

Councilmember Bird stated they might want to send a summary of the changes to the Chamber of Commerce to review. Councilmember Weaver seconded that comment.

C. PROPERTY COMMITTEE REPORT

Councilmember Weaver stated they would travel to property next to the cemetery. They are working on a property maintenance ordinance.

WASHINGTON FLY-IN

Councilmember DeLoughy stated the group who attended the Washington Fly-In met with Representative Kingston, Senators Chambliss and Isaacson, a representative from the Federal Aviation Administration and Navy Plans and Programs director. Discussions were on the following issues:

- The possibility of getting a Marine Riveren Team at Kings Bay Naval Base.
- Two new 240 foot off-shore vessels at Kings Bay
- 108 Master at Arms positions coming to Kings Bay
- More Lockheed personnel coming to Kings Bay
- Money is budgeted for infrastructure
- Airport Authority issue needed to be resolved and get letters of support from the county and cities
- Seek grant funding for an emergency radio system
- Promises to look into Stimulus monies

REPORT OF MAYOR:

April 8, 2009 – Attended the Coastal Regional Development Center (CRDC) meeting in Richmond Hill

April 9, 2009 – Met with Woltz & Associates Rayonier

April 15, 2009 – Met with the City Attorney

April 17, 2009 – Attended a ribbon cutting for Farragut

April 18, 2009 – Attended the new welcome center ribbon cutting at Okefenokee

April 26, 2009 – Attended the ground breaking ceremony at Our Lady Star of the Sea for the new church building

April 29, 2009 – Attended Georgia Municipal Association (GMA) District 12 meeting in

Kingsland

REPORT OF CITY MANAGER:

The City Manger gave a Goals and Objectives presentation on the City's demographics, challenges, accomplishments, statistics, population comparisons in relation to positions and millage rates for Fiscal Year 2010.

GRANTING AUDIENCE TO THE PUBLIC:

Ron Johnson, resident commented that he did not have a problem with the water/sewer increase, but expressed concerns about driving 20 miles to and from the landfill. He requested opening up the recycling center on Pt Peter Road.

EXECUTIVE SESSION: *Legal* (Possible discussion of airport lease)

There was no "Executive Session" at this time.

ADJOURNMENT:

Councilmember DeLoughy made a motion for adjournment. Councilmember Bird seconded the motion. Mayor Eskridge declared the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk