



CITY OF ST. MARYS, GEORGIA
May 10, 2010

CONSENT AGENDA MEETING
5:45 p.m.

CITY COUNCIL MEETING

6:00 p.m.

AMENDED
AGENDA

I. CALL TO ORDER

II. INVOCATION: *City Manager Bill Shanahan*

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

QUORUM: YES X NO

V. APPROVAL OF MINUTES: *April 26, 2010 Regular City Council Meeting Minutes*
April 26, 2010 Public Hearing "Matt's Italian Restaurant & Pizzeria Minutes"

PRESENTATION:

JOE ROWELL: *Request to address Council*

BUGSLAYER SYSTEM (REQUEST TO POSTPONE)

ANNOUNCEMENT OF BOARD TERM EXPIRATIONS OR VACANCIES:

- 1. HISTORIC PRESERVATION COMMISSION** (*Roth*)
- 2. HOSPITAL AUTHORITY** (*Roberts, Frasca, Stilson & Eaton*) *June 12th*
- 3. ORANGE HALL FOUNDATION** (*Post, Sterling, Lewis & Douylliez*) *June 5th*

FINANCE DIRECTOR'S REPORT

APPROVAL OF THE AGENDA

VI. GRANTING AUDIENCE TO THE PUBLIC:

CONSENT AGENDA

VII. OLD BUSINESS:

A. ALCOHOL ORDINANCE AMENDMENT: **(REQUEST TO POSTPONE)...** ADDED... TAB "A"
Council consideration to review and approval of the revised Alcohol Ordinance

B. VEGETATION (TREE) ORDINANCE AMENDMENT:..... TAB "B"
Council consideration to review and approval of the revised Tree Ordinance

- C. **ST. MARYS DDA DESIGN GUIDELINES:(REQUEST TO POSTPONE)**.....TAB “C”
Council consideration to adopt the guidelines to assist in maintaining the unique visual character of downtown

VIII. NEW BUSINESS:

- A. **CAMDEN HOUSE ANNUAL SUPPORT:**.....TAB “D”
Request for a yearly contribution for the Camden Crisis Center
- B. **JUNE 28TH CITY COUNCIL MEETING: Reschedule or Cancellation**
Discussions on whether to reschedule or cancel the meeting due to council attendance at the GMA Conference June 26th - 29th
- C. **DOC’S HOUSE OF CHICKEN AND WAFFLES NEW ALCOHOL LICENSE: Public Hearing Advertising**.....TAB “E”
Council consideration to approve the advertising of a public hearing for a beer, wine and spirituous liquor alcohol license
- D. **2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT MOU**.....TAB “F”
To seek Council approval to authorize the Mayor to sign an MOU between St. Marys, Kingsland and Camden County to participate in the 2010 Byrne JAG grant
- E. **WATER /SEWER RATE INCREASE**.....TAB “G”
To raise the water/sewer rate as directed by the current Bond
- F. **2010 GMA ANNUAL CONVENTION:**.....TAB “H”
Voting Delegate, Flag Bearer & Door Prize

IX. REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

- A. **PLANNING DIRECTOR’S REPORT**.....TAB “I”
 - 1. **Reverse Subdivision** – Ben Grooms requests approval for a two lot to one lot Minor Final plat for Lots 5 & 6 on Lewis Davis Estate located at Douglas Drive.
 - 2. **Minor Subdivision** – Ben Grooms requests approval for a two lot minor plat subdivision on a .91 acre parcel identified as S03-02-002B located at 2585 Douglas Street.
 - 3. **Reverse Subdivision** – Eddie Lavern Jones, 1603 N. Wheeler Street, requests reverse subdivision approval for a two lot to one lot minor final plat. The parcels are S20-04-005A and S20-04-006 on N. Wheeler Street.
- B. **WATER/SEWER COMMITTEE REPORT (REQUEST TO ADD)**
- C. **CITY CALENDAR:** *City Clerk*

X. REPORT OF MAYOR:

XI REPORT OF CITY MANAGER:

XII. GRANTING AUDIENCE TO THE PUBLIC

XIII. EXECUTIVE SESSION: Legal & Personnel

XIV. ADJOURNMENT:

CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
May 10, 2010
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, May 10, 2010 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor William DeLoughy
Councilmember Greg Bird
Councilmember Deborah Hase
Councilmember John Morrissey
Councilmember Keith Post
Councilmember Sidney Howell
Councilmember Chuck Trader

CITY OFFICIALS PRESENT:

William Shanahan, City Manager
J. Alexander Atwood, City Attorney
Roger Weaver, Planning Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Alyce Thornhill, Economic Dev. Director
Bilal Muhammad, City Marshal
Todd Isernhagen, Sergeant-At-Arms

CALL TO ORDER

Mayor DeLoughy called the City Council Meeting to order at 6:00 p.m. Councilmember Bird gave the invocation. Mayor DeLoughy 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 26, 2010 Regular City Council Meeting Minutes*

Councilmember Trader made a motion to approve the April 26, 2010 regular City Council meeting minutes. Councilmember Hase seconded the motion. Voting was recorded as follows:

FOR

Councilmember Morrissey
Councilmember Post
Councilmember Bird
Councilmember Trader
Councilmember Hase

ABSTAINED

Councilmember Howell

April 26, 2010 Public Hearing Minutes”Matt’s Italian Restaurant & Pizzeria”

Councilmember Trader made a motion to approve the April 26, 2010 public hearing minutes for “Matt’s Italian Restaurant & Pizzeria”. Councilmember Hase seconded the motion. Voting was recorded as follows:

FOR
Councilmember Bird
Councilmember Hase
Councilmember Morrissey
Councilmember Post
Councilmember Trader

ABSTAINED
Councilmember Howell

PRESENTATION:

JOE ROWELL: *Request to address Council*

Mr. Rowell thanked Mr. Roger Weaver for his assistance in getting the cars and standing water off the residential properties for C1 district. Mr. Rowell addressed raked leaves not being picked up at the church, continued trespassing on posted property at the south end of St. Charles Street, noise and racing at Sonic Restaurant and being harassed by neighbors across the street.

Mayor DeLoughy stated that the vehicles racing would be looked into, and asked the city manager to assist in resolving Mr. Rowell’s other issues.

Councilmember Morrissey responded that he did speak with Mr. Rowell regarding the leaves and was told that they were picked up.

Councilmember Bird responded that churches were not commercial or commerce, but non-profit.

BUGSLAYER SYSTEM (REQUEST TO POSTPONE)

ANNOUNCEMENT OF BOARD TERM EXPIRATIONS OR VACANCIES:

4. **HISTORIC PRESERVATION COMMISSION** (*Roth*)
5. **HOSPITAL AUTHORITY** (*Roberts, Frasca, Stilson & Eaton*) June 12th
6. **ORANGE HALL FOUNDATION** (*Post, Sterling, Lewis & Douylliez*) June 5th

Mayor DeLoughy announced the vacancy on the Historic Preservation Commission, Hospital Authority, and Orange Hall Foundation. He also encouraged citizens to provide a letter of intent if they were interested in serving on the boards.

FINANCE DIRECTOR’S REPORT

The Finance Director presented the 9-month report for the General; Tourism; Special Purpose Local Option Tax (SPLOST); Water/Sewer; Solid Waste and Aquatic Center Funds. A copy of the report is attached as part of the minutes.

APPROVAL OF THE AGENDA

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

GRANTING AUDIENCE TO THE PUBLIC:

Chris Daniel, President Camden County Chamber of Commerce invited the Mayor and Council to the May 20th Washington Fly-In briefing at the Camden County Annex on Gross Road at 8:00 am with a light breakfast and presentation at 8:30 pm.

Resident Barbara Ryan thanked the Mayor and Council for their participation in the Great American Clean Up last week. She also addressed the CVB receiving income from the individuals who own property but were not contributing to bed tax.

City Attorney Alex Atwood formally rendered his resignation effective on the hiring of a new city attorney. Mr. Atwood has qualified to run for the Georgia House of Representatives, Representative King's seat.

Resident Dave Schmitz addressed the water/sewer budget, a rate increase, building sites ready to tap into the city's infrastructure, and challenged the city to not grant any permits to people wanting to cut down trees for more water or sewer lines.

Resident Richard Logan spoke in opposition of paying twice for capital recovery of water/sewer services when he already did so during construction. Mr. Logan suggested looking into advance fee collections on empty lots before building begins.

Councilmember Trader concurred with Mr. Logan and stated that two years ago developers were having the land platted and lots purchased but fees did not need to be paid for the water/sewer expansion. At that time, the Department of Natural Resources (DNR) required the City to build up the capacity for those lots. If actions were taken four years earlier the City would probably be in a better situation but we are doing the right things now.

Councilmember Bird stated it was not fair to charge the existing residents these fees when they have already paid for infrastructure.

Mayor DeLoughy recognized that it is a problem and they will address that later. However, initially the construction fees were set up to be paid after the plat was listed with the property. This was so the construction fees were captured with the structure built on the plat.

Camden House representative Mark Kevan requested a waiver of the fees for rezoning from R1 to C2, because of their financial struggles.

Mayor DeLoughy requested the City Manager look into this issue.

CONSENT AGENDA (*)

Councilmember Bird made a motion to add old business item "A, B, and C" and new business item "C and D" to the consent agenda. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

OLD BUSINESS:

- A. **ALCOHOL ORDINANCE AMENDMENT: (REQUEST TO POSTPONE) (*)**
Council consideration to review and approval of the revised Alcohol Ordinance

Councilmember Bird made a motion to postpone. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

- B. **VEGETATION (TREE) ORDINANCE AMENDMENT: (*)**
Council consideration to review and approval of the revised Tree Ordinance

Councilmember Bird made a motion to approve the Vegetation (Tree) Ordinance Amendment. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

- C. **ST. MARYS DDA DESIGN GUIDELINES (REQUEST TO POSTPONE) (*)**
Council consideration to adopt the guidelines to assist in maintaining the unique visual character of downtown

Councilmember Bird made a motion to postpone. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

NEW BUSINESS:

- A. **CAMDEN HOUSE ANNUAL SUPPORT:**
Request for a yearly contribution of \$6,000 to the Camden Crisis Center

Councilmember Trader made a motion to not approve the Camden House annual support for discussion purposes. Councilmember Bird seconded the motion. Councilmember Trader stated the contribution was discussed in the budget and requested information on what they were doing and what were their goals. Voting was unanimous in favor of the motion.

The Mayor and Councilmember's discussed it being a good program for the community, non-profit organization favorable tax status for assistance and how the money would be used.

Mr. Kevan stated that Camden House is operating as an outreach program due to the state's reduction of status for overnight housing, which lead to reduced funding and a reduction in staff. A Memorandum of Understanding (MOU) is in place with Brunswick for overnight stays but they have no transportation. The programs include education, counseling, support groups and assistance to set up housing. Camden House has funding through grants from the state, and the city's contribution would assist all those programs. There were no other groups that offer these services. Mr. Kevan stated that the city contributed the last two years but is unaware of prior years. Councilmember Hase asked whether the other cities were contributing. Mr. Kevan responded that Kingsland could not contribute because it was not part of their budget and funds were not available from

contingency this year. The Finance Director stated that in the past 10 years the city has contributed to Camden House's annual support.

Councilmember Trader requested an opportunity to review Camden House's budget for projected income sources and projected expenses. He commended Camden House for their contributions to the community. A decision would be made at a later date once the information is provided by Camden House and reviewed.

Councilmember Trader made a motion to withdraw the original motion. Councilmember Bird seconded the motion to withdraw.

Councilmember Trader made a new motion to request additional information to come forth to City Council for a review of the Camden House request. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

B. JUNE 28TH CITY COUNCIL MEETING: Reschedule or Cancellation

Discussions on whether to reschedule or cancel the meeting due to council attendance at the GMA Conference June 26th - 29th

Councilmember Bird moved to cancel. Councilmember Morrissey seconded the motion. Councilmember Hase inquired of whom would be attending and if there will be a quorum in town. City Clerk stated that all of council is attending the conference but were returning on different days. Mayor DeLoughy reminded council that there is always an option of rescheduling a meeting, if there is a problem that needs to be addressed. Voting was unanimous in favor of the motion.

C. DOC'S HOUSE OF CHICKEN AND WAFFLES NEW ALCOHOL LICENSE: (*)Public Hearing Advertising

Council consideration to approve the advertising of a public hearing for a beer, wine and spirituous liquor alcohol license

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

D. 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT: (*) MOU (ADDED)

To seek Council approval to authorize the Mayor to sign an MOU between St. Marys, Kingsland and Camden County to participate in the 2010 Byrne JAG grant

Councilmember Bird made a motion to approve the grant. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

E. WATER /SEWER RATE INCREASE

To raise the water/sewer rate as directed by the current Bond

Councilmember Morrissey gave an overview of the bond documents and requirements, analysis and Bank of America meeting.

Councilmember Trader made a motion to increase the water sewer rates to the residential and commercial customers by 35%; make an adjustment for those who only have sewer without water as an increase from \$15.00 per month to \$37.50; a base rate, and an increase in apartments and condominiums that had a master meter paying one base rate, then the usage where there were base rates that were \$10.00 on water and \$10.00 on sewer, which is discounted from homes but is added to each unit which has not happened historically. Councilmember Morrissey seconded the motion. Councilmember Trader clarified the motion to accept the ordinance as written.

AN ORDINANCE AMENDING SECTION 98-53 AND SECTION 98-54 OF THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA

BE IT, AND IT IS HEREBY ORDAINED by the Mayor and Council of the City of St. Marys, Georgia, that Section 98-53 and Section 98-54 of the Code of Ordinances, City of St. Marys, Georgia is hereby amended to read as follows:

ARTICLE II. RATE SCHEDULES

Sec. 98-53. Existing and new users.

The following rate schedule for use of city water and sewer services shall apply to each existing user and all new users. This rate schedule is applicable to each user, whether actually connected to the system or the availability exists.

WATER AND SEWER RATE SCHEDULE

TABLE INSET:

Inside City Rates		Amount of Water Used	Rate Per Month
(1)	Residential	0--6,000 6,000 and over	\$ 40.90 (base fee) 5.72/tgal (variable fee) 6.56/tgal
(2)	Commercial I --includes buildings such as laundries, laundromats, dry cleaners, restaurants, bottling plants service stations, garages, car washes, manufacturing facilities, hospitals, clinics and schools	0--6,000 6,000 and over	\$ 40.90 (base fee) 5.72/tgal (variable fee) 6.56/tgal
Hotels with restaurants will receive two base rates plus variable fees			
(3)	Commercial II, III and Industrial: Commercial II includes buildings returning only domestic sewage, such as office buildings, churches, hotels, (without restaurants), warehouses (for storage only), retail sales, community centers and recreational buildings	0--6,000 6,000 and over	\$ 40.90 (base fee) 5.72/tgal (variable fee) 6.56/tgal
(4)	Commercial III includes users discharging less 70 percent of metered water into sewage system such as commercial docks, (except florists) as	0--6,000	\$ 40.90 (base fee)

	in nurseries and greenhouses	6,000 and over	5.72/tgal (variable fee) 6.56/tgal
(5)	This will apply to apartments, condominiums, trailer parks, duplexes, or any other multi family dwelling unit with one water meter. Their bills will be calculated by multiplying the number of units by the base fee \$20 plus the variable fee listed above.		
* Senior citizens will receive a 20 percent discount on the base fee and variable fee. ** Sewer only users inside city limits will be charged \$37.55 per month. (base charge + 6000 gal variable fee)			

Sec. 98-54. Water and sewer availability.

The minimum charge as provided in the rate schedule shall be made for such availability. The fixed base rate will be \$20.45 for water and \$20.45 for sewer. "No free service" or use of facilities will be permitted and all connections will be metered. Senior citizens will receive a 20 percent discount.

THEREFORE, BE IT RESOLVED, that the City of St. Marys does hereby ordain, resolve and enact the foregoing Ordinances for the City of St. Marys, Georgia which amends Section 98-53 and Section 98-54 of the Code of Ordinances, City of St. Marys, Georgia.

Adopted this 10th day of May, 2010.

This ordinance shall become effective June 1, 2010 upon its passage and approval.

City of St. Marys, Georgia

Attest:

 William T. DeLoughy, Mayor

 Darlene M. Roellig, City Clerk

A presentation was given by Councilmember Trader on St. Marys Water/Sewer Fund Cash Flow, Debt Analysis and an estimate of Revenue and Expenses. A copy of the presentation is available for review in the City Clerk's office. Councilmember's discussed the bond, the current economy and the general fund budget.

Voting was recorded as follows:

FOR

Councilmember Hase
 Councilmember Howell
 Councilmember Morrissey
 Councilmember Post
 Councilmember Trader

OPPOSED

Councilmember Bird

F. 2010 GMA ANNUAL CONVENTION:

Voting Delegate, Flag Bearer & Door Prize

Councilmember Hase made a motion to designate the Mayor as voting delegate and the city clerk to contact commercial businesses to donate a door prize; otherwise we do not

do it this year and appoint Mr. Post to carry the flag. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PLANNING DIRECTOR'S REPORT

1. **Reverse Subdivision** – Ben Grooms requests approval for a two lot to one lot Minor Final plat for Lots 5 & 6 on Lewis Davis Estate located at Douglas Drive. The Planning Director stated that the Planning Commission recommended approval.

Councilmember Hase moved to approve as recommended by the Planning Commission. Councilmember Trader seconded the motion. Councilmember Bird asked whether the original house was built in the wrong spot where it included both lot lines and does it meet the minimum requirements. The Planning Director responded that the original house was built, then the addition was built on the lot line and the Planning Commission approved a variance. Voting was unanimous in favor of the motion.

2. **Minor Subdivision** – Ben Grooms requests approval for a two lot minor plat subdivision on a .91 acre parcel identified as S03-02-002B located at 2585 Douglas Street. The Planning Director stated that the Planning Commission recommended approval.

Councilmember Hase move to approve as recommended by the Planning Commission. Councilmember Trader seconded the motion. Voting was unanimous in favor of the motion.

3. **Reverse Subdivision** – Eddie Lavern Jones, 1603 N. Wheeler Street, requests reverse subdivision approval for a two lot to one lot minor final plat. The parcels are S20-04-005A and S20-04-006 on N. Wheeler Street. The Planning Director stated that the Planning Commission recommended approval.

Councilmember Trader moved to approve the reverse subdivision. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

B. WATER/SEWER COMMITTEE REPORT

Councilmember Morrissey stated that he hoped everyone found the presentation helpful and thanked Mr. Trader for meeting with the financial people. The committee will continue to review the issue throughout the year.

C. CALENDAR: City Clerk

The City Clerk read the calendar of events, meetings and activities for the next two weeks in May.

REPORT OF MAYOR:

- Attended Water/Sewer public meetings and Water/Sewer Committee meeting
- Attended the Board of Health meeting regarding septic tank problems
- Attended the Great American Cleanup last week with many organizations participating
The Mayor commended the organization that helped make everything look so good.
- Country in the Park was a very successful event and will be held on the first Sunday of each month from 3:00 – 5:00 p.m.
- Attended the St.Marys Elementary School Dedication Ceremony

REPORT OF CITY MANAGER:

- First responder training for Fire Department personnel has been completed
- Road shoulder returns have been completed on Winding Road, Colerain Road and Lakeshore Point
- Litter collection is in progress on Colerain, Winding Road, SPUR 40, Martha Drive, Mary Powell, Long Street, Douglas Drive and Highway 40
- Human Resources is reviewing medical insurance to lower the costs for the City and employees
- Both Building Inspector's Dave Peterson and Jerry Sizemore received the Professional Building Official Statuses required by the ICC Building Code.
- The Planning and Building Departments have initiated the process to condemn three structures on Sloan Street
- The Police Department is preparing for the summer activities at the Waterfront Park

Councilmember Hase requested the status on the Martha Drive light. The Public Works Director responded that the transformer lines were discussed back and forth, since then the documents were sent to Atlanta for review.

Councilmember Hase also commented about complaints from citizens regarding the Julia Street light sensors not working. The Public Works Director stated that Department of Transportation (DOT) will not put any monies into the Julia Street light because it will be done away with when Martha drive is complete

Councilmember Morrissey asked whether the costs negotiated with Atlanta for the light from \$600,000 to \$300,000 was still the cost. The Public Works Director responded that it was dependent upon the design. The corner on the Flash Food side is cluttered with utilities so there is not much right-of-way left and conflicts with sewer lines.

GRANTING AUDIENCE TO THE PUBLIC:

Resident Ron Johnson spoke in support of council's course of action on the water/sewer; the decrease in home values, appraisals and actual sales of properties; suggested not moving the airport at this time; and watching where and on what monies were spent.

Resident Richard Logan commented that with his knowledge in utility rates, capacity and operating charges the people who were building should pay for water and sewer services in the future.

Resident Dave Schmitz spoke in support of the \$21 per month increase to all water/sewer customers.

Resident Jay Moreno thanked the Water/Sewer Committee especially Chuck Trader because they are on the right track. He commented that most people will be reducing usage to offset the increase in costs.

Resident Walt Natzic stated that he did not like the rate increase but it was the best option. Mr. Natzic requested that the committee continue to find other options with lending sources and maintain financial rating. Finally, he was not looking forward to any tax increases either.

Councilmember Morrissey responded that the \$43.0 million bond was closer to \$69-70 million at the end of 2032. Upfront costs and additional charges could be considered by extending out years by challenges and the labors of future generations, not just the present. Council is conscious of the economic impact to the entire city. Councilmember Bird stated his opposition of a real estate increase. Mayor commended everyone on the Water and Sewer Committee, especially Mr. Trader.

EXECUTIVE SESSION: *Personnel /Legal*

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

The Mayor and Council adjourned to executive session at 8:07 p.m., returning at 9:07 p.m. with Mayor DeLoughy calling the Council meeting back to order.

PERSONNEL

No official action was taken at this time.

LEGAL

No official action was taken at this time.

Councilmember Morrissey asked the city attorney, before moving forward with a new attorney, for resolution on plurality and majority voting. The City Attorney responded that he will contact the Justice Department, and have a transfer packet ready to review with the city's new attorney designee.

Councilmember Morrissey also asked the City Manager to draft a memo to Mr. Rowell on what has been done and what is ongoing as an update on the issues presented.

ADJOURNMENT:

Councilmember Trader made a motion for adjournment. Councilmember Bird seconded the motion. Mayor DeLoughy declared the meeting adjourned at 9:14 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk

ADJOURNMENT:

Councilmember Trader made a motion for adjournment. Councilmember Bird seconded the motion. Mayor DeLoughy declared the meeting adjourned at 9:14 p.m.

Respectfully submitted,


Darlene M. Roellig, City Clerk

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

Date: May 10, 2010

MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL

Council Member Post makes the following motion:

That this Mayor and Council now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

- In order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved. [O.C.G.A. § 50-14-2(1)]
- Those tax matters which are otherwise made confidential by State Law. [O.C.G.A. 50-14-2(2)]
- Staff meeting held for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A. 50-14-3(1)]
- In order to discuss the future acquisition of real estate. [O.C.G.A. 50-14-3(4)]
- Meetings when discussing or deliberating (but not voting) upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee. [O.C.G.A. 50-14-3(6)]
- Meetings when discussing any records that are exempt from public inspection or disclosure pursuant to paragraph (15) of subsection (a) of Code Section 50-18-72 or when discussing any information a record of which would be exempt from public inspection or disclosure under said paragraph. [O.C.G.A. § 50-18-72 (a) (15) as set forth in this code section]
- Other. (Explanation and citation of statutory authority required):

Motion Seconded by: Council Member Trader

Vote on Motion:

	<u>Yay</u>	<u>Nay</u>
Mayor William DeLoughy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Greg Bird	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Deborah Hase	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sidney Howell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman John Morrissey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Keith Post	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilwoman Chuck Trader	<input checked="" type="checkbox"/>	<input type="checkbox"/>

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

AFFIDAVIT
CLOSURE OF OPEN MEETINGS

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, William DeLoughy, who in his/her capacity as Mayor or Mayor Pro Tem presiding over a City Council Meeting of the City of St. Marys, and after being first duly sworn, certifies under oath and states to the best of his/her knowledge and belief the following:

At its meeting held on May 10, 2010, the City of St. Marys City Council voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows:

Check or initial as appropriate:

- (x) In order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved. [O.C.G.A. § 50-14-2(1)]
() Those tax matters which are otherwise made confidential by State Law. [O.C.G.A. 50-14-2(2)]
() Staff meeting held for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A. 50-14-3(1)]
() In order to discuss the future acquisition of real estate, except that such meetings shall be subject to the requirements of this chapter for the giving of the notice of such a meeting to the public and preparing the minutes of such a meeting for future disclosure. [O.C.G.A. 50-14-3(4)]
(x) Meetings when discussing or deliberating (but not voting) upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee (but not when receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee. The vote on any matter covered by this paragraph shall be taken in public and minutes of the meeting as provided in this chapter shall be made available. Meetings by an agency to discuss or take action on the filling of a vacancy in the membership of the agency itself shall at all times be open to the public as provided in this chapter). [O.C.G.A. 50-14-3(6)]
() Meetings when discussing any records that are exempt from public inspection or disclosure pursuant to paragraph (15) of subsection (a) of Code Section 50-18-72 or when discussing any information a record of which would be exempt from public inspection or disclosure under said paragraph (Specifically any records that, if revealed, would compromise security against sabotage or criminal terrorist acts, the nondisclosure of which is necessary for the protection of life, safety, or public property.). [O.C.G.A. § 50-18-72 (a) (15) as set forth in this code section]
() Other. (Explanation and citation of statutory authority required):

I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to matters of official business or policy within the exceptions provided by law as set forth above.

Sworn to and subscribed before me this 10th day of May, 2010.

Notary Public, County of Camden State of Georgia My Commission Expires November 24, 2013

Notary (Signature)

(Signatures of Mayor William DeLoughy and Councilmembers Greg Bird, Deborah Hase, Sidney Howell, John Morrissey, Keith Post, and Chuck Trader)