



CITY OF ST. MARYS, GEORGIA

June 4, 2012

CITY COUNCIL MEETING

6:00 p.m.

AMENDED AGENDA

I. CALL TO ORDER

II. INVOCATION: *Councilmember Howell*

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

QUORUM: YES ___ NO ___

V. APPROVAL OF MINUTES: *May 21, 2012 Regular City Council Meeting Minutes
May 21, 2012 FY13 Budget Public Hearing Minutes*

VI. PRESENTATION:

AIRPORT AUTHORITY ANNUAL REPORT: *Jay Stanford, Chairman* **(REQUEST TO POSTPONE)**

BOARD APPOINTMENTS:

1. Orange Hall Foundation: *(Wilkerson, Weaver & Moerman)* 6/5/12
2. Development Authority *(Rowland)* Resignation
3. Oak Grove Cemetery Authority *(5 Board Members)*

VII. SET CONSENT AGENDA

VIII. APPROVAL OF THE AGENDA

IX. GRANTING AUDIENCE TO THE PUBLIC:

X. OLD BUSINESS:

A. CHARTER AMENDMENT: *Contracting Procedures* (Second Reading)

To amend the Charter "Home Rules" in conflict with the legal services contract as advertised in the Tribune & Georgian for three consecutive weeks

B. APPEALS POLICY:

To adopt the Employee Appeal Policy for employee suspensions, demotions and terminations and to adopt revision to Policy 3 (Definitions and Employment Categories), Policy 5 (Recruitment and Selection) and Policy 30 (Termination)

(POSTPONED 3/19/12)

- C. **GEORGIA DEPARTMENT OF LABOR CAREER CENTER**
Update the City Council on the status of the negotiations between the Georgia Department of Labor and the City of St. Marys in regards to the old city library located at 408 Osborne Road

XI. NEW BUSINESS:

- A. **SOUTHEASTERN BUILDING TRADES ASSOCIATES, INC.:** *Donation*.....TAB “D”
To accept the donation of one used Midwest Backflow test kit and two new backflow test procedures and theory test books valued at \$1260.00.
- B. **GEORGIA CRIME INFORMATION CENTER SERVICE AGREEMENT:**.....TAB “E”
To authorize the Mayor to execute the renewal agreement with Georgia Bureau of Investigation
- C. **LOCAL PREFERENCE ORDINANCE:**.....TAB “F”
Pass an ordinance for local preference to encourage the use of local suppliers of goods, services and construction products whenever possible
- D. **CLASSIFICATION & COMPENSATION STUDY:** *Agreement*.....TAB “G”
Enter into a Consulting Services Agreement with Evergreen Solutions, LLC
- E. **CHANGE FISCAL YEAR:** *Discussion*.....TAB “H”
Consideration to change the fiscal year

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

- A. **CITY CALENDAR:** *City Clerk*

XIII. REPORT OF MAYOR:

XIV. GRANTING AUDIENCE TO THE PUBLIC

MAYOR AND COUNCIL COMMENTS

CITY MANAGER’S COMMENTS

XV. EXECUTIVE SESSION: *Personnel*

XVI. ADJOURNMENT:

**CITY OF ST. MARYS, GEORGIA
PUBLIC HEARING**

“PROPOSED FY13 BUDGET”

May 21, 2012

5:30 p.m.

MINUTES

The Mayor Pro Tem and City Council of the City of St. Marys conducted a Public Hearing for the proposed FY13 Budget in the Council Chambers at City Hall on May 21, 2012 at 5:30.

PRESENT WERE:

Mayor Pro Tem John Morrissey
Councilmember Greg Bird
Councilmember Jim Gant
Councilmember Keith Post
Councilmember Sidney Howell
Councilmember Nancy Stasinis

ABSENT WERE:

Mayor William DeLoughy

CITY OFFICIALS PRESENT:

Steven S. Crowell, Jr., City Manager
Gary Moore, City Attorney (Skype)
Roger Weaver, Planning Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Artie Jones, III, Economic Dev. Director
Angela Wigger, Tourism Director
Marsha Hershberger, Asst. Finance Director
Judy Gorbutt, Library Manager
Gene Rudy, Network Administrator

Mayor Pro Tem Morrissey called the hearing to order at 5:30 p.m., and opened the floor to the public for questions and/or comments.

GRANTING AUDIENCE TO THE PUBLIC

There were no questions or comments from the Public.

Councilmember Bird and Gant discussed exploring funding options similar to the other entities, regarding compensation with the Board of Education for School Resource Officers and the value of those positions. The Police Chief discussed an officer's role and tasks not related to law enforcement with outside funding.

The City Manager asked whether Council or staff would be the contact person. Council decided staff would be the contact but, if Council participation is needed they could be contacted. Councilmember Bird offered his services to work with staff, unless Council objected. Council did not voice any objections.

The Mayor Pro Tem stated for the record, by not letting the school and county know that Council believes in fairness, and the City is entitled to it. By not speaking up, Council accepts their rationale.

Councilmember Post discussed partnering with the Drug Task Force for investigations. The Police Chief had preliminary discussion with the commander of the unit. A job description was being drafted before the position is announced, a surplus car is being refitted for that persons use and the sheriff's office provided interview material and qualification for the position. The City Manager stated that both the Sherriff and Chief are supportive in heading in that direction.

ADJOURNMENT

Mayor Pro Tem Morrissey declared the Public Hearing closed at 5:42 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk

CITY COUNCIL MEETING
6:00 p.m.

MINUTES

The Mayor Pro Tem and City Council for the City of St. Marys, Georgia met for its regular City Council session on Monday, May 21, 2012 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor Pro Tem John Morrissey
Councilmember Greg Bird
Councilmember Jim Gant
Councilmember Keith Post
Councilmember Sidney Howell
Councilmember Nancy Stasinis

ABSENT WERE:

Mayor William DeLoughy

CITY OFFICIALS PRESENT:

Steven S. Crowell, Jr., City Manager
Gary Moore, City Attorney (Skype)
Roger Weaver, Planning Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Artie Jones, III, Economic Dev. Director
Angela Wigger, Tourism Director
Marsha Hershberger, Asst. Finance Director
Judy Gorbitt, Library Manager
Gene Rudy, Network Administrator

CALL TO ORDER:

Mayor Pro Tem Morrissey called the City Council Meeting to order at 6:00 p.m. Councilmember Post gave the invocation. Mayor Pro Tem Morrissey led the audience in the pledge of allegiance. Council roll call indicated a quorum of council members present for the meeting.

APPROVAL OF MINUTES:

May 7, 2012 Regular City Council Meeting Minutes

Councilmember Gant made a motion to approve the May 7, 2012 regular City Council meeting minutes adding \$750 to the motion on page 8, item K- 2. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

May 7, 2012 FY13 Public Hearing Minutes

Councilmember Stasinis made a motion to approve the May 7, 2012 FY13 Budget Public hearing minutes. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

PRESENTATION:

STATE REPRESENTATIVE JASON SPENCER (ADDED)

Representative Spencer addressed Council and the public regarding the Department of Labor (DOL) Kings Bay Career Center's proposed closure. He spoke with Commissioner Martin Butler with the Labor Department to try to keep the career center in Camden. Geography was not taken into consideration when the closure was announced. There are many people who do not have the ability to be transported to Waycross or Brunswick for unemployment or other services provided by DOL. The City Council, City Manager, Economic Development Director and staff were very helpful in trying to keep this center in Camden County. Representative Spencer also acknowledged the County Commissioners, Chairman Rainer, Executive Director Steve Howard, Mayor Smith, City of Kingsland, Mayor Parrot and Ms. Rayson City of Woodbine who were instrumental with trying to keep a center in Camden. Due to budget cuts and changes in the department structure for the DOL, as a consequence the Commissioner had to change the budget and cut facilities to keep an operating budget. This was necessary because of a hefty payment due to the federal government for funds borrowed, to provide unemployment benefits to the citizens, for an estimated cost of \$5.7 million from the Department's budget. In the end, sites were identified in Camden County that would be optimal for the DOL. The Department wanted to reduce space and lease costs. A compelling case was made to Commissioner Butler to reconsider the closure. The City of St. Marys was able to identify the old city library, and to renovate it as a space for the Department to continue to provide services for citizens in Camden County. Representative Spencer thanked Camden County, City of St. Marys, City of Kingsland and City of Woodbine for coming together as a unified front to be able to make a compelling case and have the Commissioner look favorably on the site presented last week. Commissioner Butler contacted Representative Spencer last week to notify him that the preliminary proposal was accepted. Tonight, City Council will review the proposal, and authorize staff with the latitude to negotiate an agreement with the DOL. Representative Spencer thanked the City for servicing our citizens well by coming together.

GEORGIA CITIES WEEK ESSAY AND ART AWARDS: *Artie Jones, III, Economic Dev. Director* Mayor Pro Tem Morrissey, Economic Development Director and Intern Byron Dawson presented the Essay & Art Contest awards.

The Essay Contest winners were as follows:

- 1st place: Hailey Claude (\$75 savings bond)
- 2nd place: Jaylin Jaureaqui (\$50 savings bond)
- 3rd place: Nijaie Bridges (\$25 savings bond)

The Art Contest winners were as follows:

- 1st place: Sierra Kostenbader (\$75 savings bond)
- 2nd place: Alyssa Shirley (\$50 savings bond)
- 3rd place: Madeline Brown (\$25 savings bond)

AIRPORT AUTHORITY ANNUAL REPORT: *Jay Stanford, Chairman (POSTPONED)*

BOARD TERM EXPIRATION OR VACANCY ANNOUNCEMENT:

1. Orange Hall Foundation: (*Wilkerson, Weaver & Moerman*) 6/5/12
2. Development Authority (*Rowland*) Resignation
3. Oak Grove Cemetery Authority (*Five Board Members*)

Mayor Pro Tem announced the vacancies on the Orange Hall Foundation, Development Authority and Oak Grove Cemetery Authority.

SET CONSENT AGENDA (*):

Councilmember Bird moved to approve the consent agenda as Old Business A and New Business B, C, F, and H. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

APPROVAL OF THE AGENDA:

Councilmember Bird made a motion to approve the revised agenda as submitted. Councilmember Gant seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Jonathan Miller, 27 Tracy Lane, Brunswick: Introduced himself as a Candidate for District Attorney, and gave a brief history of his childhood, education and business career

Dave Schmitz, 112 New Hammock Circle: Opposition of tree removal, earth moving and the cease and desist order at Meeting, Ready and Norris Streets property

Angela Wigger, Director St. Marys Convention & Visitors Bureau: Support of twinning with sister city Fort Erie Council for the Bi-National Alliance promotion

Dave Schmitz, 112 New Hammock Circle: Tree removal system at Meeting, Ready and Norris Streets property

Planning Director stated there were repercussions associated with noncompliance with cease and desist orders and ordinances. Since the order was still in effect a letter will go out and penalties could be assessed.

OLD BUSINESS:

A. CHARTER AMENDMENT: *Contracting Procedures* (First Reading)

To amend the Charter "Home Rules" in conflict with the legal services contract as advertised in the Tribune & Georgian for three consecutive weeks

Councilmember Bird moved to approve the first reading of the Charter amendment for contracting procedures. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

B. GAINES DAVIS SUBDIVISION AREA SANITARY SEWER PROJECT:

1. Mobile Home Park (Hightower Street & Hollywood Lane)

The Public Works Director stated that the Mobile Home Park capital recovery fees were likened to an apartment complex. Revenue was based on current rates for a master meter option at Hightower Street estimated at \$4,000 per month. Hollywood Lane for a master meter is estimated at \$6,000 per month. Individual meters for the mobile home parks at Hightower Street Mobile is estimated at \$10,000 and Hollywood Lane \$15,600. He further stated that a new law takes effect on July 1st requiring individual meters. However, the individual meter could be the property owners. The City could still supply master meters to the property, then it would be up to the property owner to be individually metered.

Council discussed the property rights and state law; individual and master meter options; water and sewer compensation; the expense of retrofit, and whether the City could provide individual meters on private property.

The City Attorney stated the City could provide a master meter and if the owner chooses not to provide their own individual meters, then the City would provide them. The owner has the option to determine whether he wants to have a master meter or individually meter those units. If the owner does not provide the individual meters then he would have to dedicate them to the City. Following much discussion on costs, Council suggested speaking with the owners before Council made a decision by the next two meetings.

2. Design Phases

The Public Works Director requested not to make a decision on design phases until the easements were acquired. Therefore, no official action was taken by Council at this time.

NEW BUSINESS:

A. FY 2013 Proposed BUDGET ORDINANCE:

To adopt the FY13 Budget

Councilmember Bird moved to postpone until the first or second meeting in June.
Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

B. BUDGET ORDINANCES: Coastal Incentive Grant

To record grant funds for dock repairs at the St. Marys Intracoastal Gateway property

Councilmember Bird moved to approve the Budget Ordinances to record the Coastal Incentive Grant funds. Councilmember Gant seconded the motion. Voting was unanimous in favor of the motion.

C. BUDGET ORDINANCES: GEFA Grant

To record funds received from Georgia Environmental Facilities Authority grant award

Councilmember Bird moved to approve the Budget Ordinances to record the GEFA Grant funds. Councilmember Gant seconded the motion. Voting was unanimous in favor of the motion.

D. FIREFIGHTER VACANCY:

To request permission to hire a full-time Firefighter to fill a SAFER grant position

Councilmember Post made a motion to approve for discussion. Councilmember Stasinis seconded the motion. Council discussed the expiration of the grant; lack of sustainment; impact of the tax digest; employees understanding the grant terms and tabling the item.

The City Manager stated if Council is ok with the service level impact that comes with fewer employees, should we not go with fewer employees. Council agreed that this was an opportunity to work with fewer employees. Chief Horton commented that fewer employees will affect service delivery

Councilmember Post withdrew the motion and Councilmember Stasinis seconded the motion to withdraw.

Councilmember Gant made a motion to not hire a full-time firefighter at this time to fill any position. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

E. GEORGIA DEPARTMENT OF LABOR CAREER CENTER:

Discuss the potential use of the old city library owned by the City of St. Marys as an alternative site for the GDOL Career Center and allow staff to negotiate reasonable terms of the facility with the GDOL

The Economic Development Director stated that the GDOL facilities manager has inspected the site and has found it suitable given that various repairs and/or improvements were completed by July 1st. Some of those repairs include but are not limited to: floor repair, installation of an additional restroom, cosmetic repair of interior and exterior and possible HVAC replacement or repair. Cost estimates range from \$12,682 to \$30,000 depending on who does the repairs.

Councilmember Bird moved to approve this project to have the Georgia Department of Labor in one of the City facilities, try to expedite the process and to take those funds up to a number out of SPLOST VI. Councilmember Post seconded the motion. Council discussed using SPLOST VI funds for repairs; current DOL rental costs; revenue generation; cost mitigation and short or long term commitment. Voting was unanimous in favor of the motion.

F. SUPERIOR VISION CONTRACT:

To authorize the City Manager to enter into an agreement with Superior Vision for a voluntary Vision Plan for City employees

Councilmember Bird moved to approve the Superior Vision Contract. Councilmember Gant seconded the motion. Voting was unanimous in favor of the motion.

G. BENSINGER DUPONT ASSOCIATES AGREEMENT: *Employees Assistance Program*

To authorize the City Manager to enter into an agreement with Bensinger, DuPont & Associates for an Employee Assistance Program

The City Attorney expressed concerns with indemnifying the City to the vendor and not having the vendor indemnify the City, which has been changed by the vendor. Council discussed service costs.

The City Manager commented that the program assists employees and their families who might need psychological counseling or resources for counseling such as debt management, anger management, alcohol abuse, and referral services. Employee costs are estimated at \$1.32 per employee budgeted in with general health.

Councilmember Stasinis made a motion to approve the new contract. Councilmember Post seconded the motion. Council discussed the onsite services and whether it includes Council. Voting was unanimous in favor of the motion.

H. DEPARTMENT OF HOMELAND SECURITY, US CITIZENSHIP & IMMIGRATION SERVICES MOA:

To renew a federal mandated agreement with DHS-USCIS for the verification of illegal aliens

Councilmember Bird moved to approve the renewal of the Department of Homeland Security, US Citizenship & Immigration Services Memorandum of Agreement. Councilmember Gant seconded the motion. Voting was unanimous in favor of the motion.

I. LAZY RIVER CHANGE ORDER: *Aquatic Center*

Consideration of a change order request by contractor

Councilmember Bird moved to deny the request on behalf of Aquatic Renovations Systems, Inc. in the amount of \$15,175.65. Councilmember Howell seconded the motion. Council discussed the company's due diligence, 15 year warranty, and final payment.

The Mayor Pro Tem stated for the record, we as the City issued a proposal that the vendor had received, properly reviewed and inspected the job they were going to deliver. The Public Works Director confirmed that the vendor received the contract spec documents included with bids. There were many references in the specs where the vendor had to come out to verify those items. Council continued to discuss whether the vendor came out after submission, timely notification of the change order and negotiations with the vendor. The Public Works Director does not know whether they came back or not, once the bid was submitted. Council requested something from the vendor if they do not honor the warranty. The City Manager stated that the City Attorney would send a letter to the vendor to address the issues. Following much discussion, voting was unanimous in favor of the motion.

**J. FORT ERIE, ONTARIO, AS ST. MARYS BI-NATIONAL PEACE GARDEN SISTER CITY
(ADDED)**

Councilmember Stasinis clarified for the record that there was no expectation from our sister city of anything from St. Marys. No gift or monetary funds. Alex Kearns stated there were absolutely no expectations. If they hold an activity, they might ask a Councilmember or the Tourism Director to fly to Ontario to participate but the Alliance will fund it.

Councilmember Bird moved to approve the St Marys Bi-National Peace Garden Sister City to Fort Erie, Ontario. Councilmember Gant seconded the motion. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. PLANNING DIRECTOR'S REPORT:

- 1. DE-ANNEXATION:** Gregory & Starr Whitaker, 1709 Highway 40 E., has requested De-annexation of parcel 122-007A from the City of St. Marys. The property is zoned. The Planning Director stated the Whitaker's were under the belief that City services were not available. He and the Public Works Director researched the issue and found both water and sewer was available. A letter was sent to the owners advising them of the availability, and willingness to guide them through the connection process.

Councilmember Post made a motion to deny the request. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

- 2. HPC RESOLUTION UPDATE:** Donna Asbell, The Blue Goose's issue referred back to the Historic Preservation Commission

The Planning Director reported that the meeting was accomplished and a resolution of the issue was agreed to by the Historic Preservation Commission and Ms. Asbell resulting in the following unanimous motion:

- Cut off 1" of the top sloped board, leaving a 1" gap so the board is not attached to the exterior siding

- Increase the gap between the vertical boards to 1” minimum or larger to comply with calculated and verified FEMA and IBC flood requirements as well as match the similar detail at the Spencer House
- Provide a minimum of 2” between finish grade and the lowest vertical board
- Have all work accomplished on or before July 1, 2012, with all flood related calculations submitted to the building department for approval as soon as possible

By this motion, submission, and approval of a new signed Certificate of Appropriateness by the HPC, the appeal has been withdrawn by Ms. Asbell. Therefore, no further action is required by City Council.

B. FINANCE DIRECTOR’S REPORT:

The Assistant Finance Director presented the 9-month financial report on revenues and expenditures for the General, Tourism, SPLOST, Water & Sewer, Solid Waste, and Aquatic Center Funds. A copy of the report is attached as part of the official minutes.

C. CITY CALENDAR: *City Clerk*

The City Clerk announced the upcoming events, activities and meetings for the last week in May and the first week of June.

REPORT OF MAYOR:

There was no “Report of the Mayor” at this time.

GRANTING AUDIENCE TO THE PUBLIC:

Charlotte Bartzack, 571 Cardinal Circle, East: Commended Council for their civility in the cooperation they have shown between the entities working on the Department of Labor facility.

MAYOR AND COUNCIL COMMENTS:

Councilmember Post thanked the Public Works Director and crew for their hard work during the flooding and downed trees in downtown. He also thanked the Fire Chief and team for putting on the Employee Appreciation Picnic.

Councilmember Howell commented on the success of the Real Senior Prom at the Senior Center. There were 150-200 people in attendance.

CITY MANAGER’S COMMENTS:

The antiquated telephone system at City Hall had hardware failure last week. It is beyond repair, but we were fortunate enough to borrow the old telephone system from the Sherriff’s office to get us up and running. The existing system could be expanded or upgraded to a voice over internet. It is essentially an upgraded method with many benefits for the same cost as the antiquated system that is not working. The contract price for Cisco and the bid proposal is less than the state contract cost for a similar telephone system. Approval is needed to move over to the managed IP telephone system because the current telephone system is not supported. The

only ways to purchase hardware is through E-bay or purchase the Sherriff's office hardware. It only addresses City Hall in the proposal, which will break even for the monthly costs. Eventually, Police and Public Works would be put on a similar system but those costs are not available at this time.

Councilmember Post questioned whether it would be worthwhile to include the other Departments in the proposal to reduce the costs, and use SPLOST for funding. The City Manager responded yes, but it would take more time to get the proposal. There might not be an advantage to do them all together, from a timing point of view. SPLOST might be used for some of it. The City Manager is authorized to do the City Hall portion based on City operations but come back for Public Works and Police.

The Mayor Pro Tem announced the 2012 City vs. City Charity Softball Game try outs for team St. Marys is on Thursday, May 24, 2012 at 6:30 p.m. at the St. Marys Recreation Park. City of St. Marys residents and/or employees will play in the charity softball game against Camden County and the Cities of Woodbine and Kingsland. Please come out to support St. Marys.

EXECUTIVE SESSION: *Real Estate* ~~(ADDED)~~ Councilmember Morrissey ~~(REMOVED)~~

There was no "Executive Session" at this time.

ADJOURNMENT:

Councilmember Bird made a motion for adjournment. Councilmember Stasinis seconded the motion. Mayor Pro Tem Morrissey declared the meeting adjourned at 7:48 p.m.

Respectfully submitted,

Darlene M. Roellig, City Clerk

*Orange Hall Foundation
Appointment*

Darlene Roellig

From: royalweaver tds.net <royalweaver@tds.net>
Sent: Wednesday, May 02, 2012 10:36 AM
To: Darlene Roellig
Subject: Orange Hall Foundation Appointment.

Mayor and Council

This is my notice that I would like to be re-appointed to the Orange Hall Foundation. I have served for 6 years and would like to continue serving.

Thank you

Royal Weaver

*Development Authority
Appointment*

Robert S. (Bob) Divine

708 Grace Street

St Marys, Georgia 31558

912-673-8427-home

949-500-5203-mobile

Bob@Divinerearch.com

Bob Divine has owned and operated a very successful retained executive search practice since 1984. The firm's website is at www.Divinerearch.com.

The firm serves a diverse clientele: manufacturing and distribution companies (high and low technology, industrial and consumer products), financial and professional services firms, hospitality, entertainment, beverage, transportation and medical product industries, as well a large number of not-for-profit organizations.

Prior to entering the executive search field, Bob Divine managed operating companies, including serving as President, Division Manager and/or Group Executive for such companies as Beatrice Foods (CEO of Airstream Division), City Investing (VP and Group Executive of Recreational Vehicle Group), Fuqua Industries (VP and Group Executive over six divisions), ITT (Systems Manager), and Southwire Company (General Manager of a start-up wire and cable manufacturing operation in Brazil). In addition, Divine served in general management roles in smaller, entrepreneurial companies in the housing and transportation industries.

Over the years, Divine has been involved in a number of charitable, industry, community and other not-for-profit organizations, and has been an active Board member in many of these.

Bob Divine earned Bachelor and Master of Science degrees in Industrial Management from the Georgia Institute of Technology. After graduation from Georgia Tech, Divine went on active duty in the US Navy Supply Corps for three years, serving on a destroyer and an aircraft carrier.

Now living in St Marys, Divine and his wife, Paula, have grown children (and many grandchildren) in Atlanta, Omaha, Denver, and Ft. Collins, Colorado, and Columbia California.

*Oak Grove Cemetery
Authority Appointment*

In accordance with House Bill 1188 the initial appointments to the Oak Grove Cemetery Authority shall be made as following:

OAK GROVE CEMETERY AUTHORITY

Members	Term Served	Appointment	Appointment
One	December 31, 2015	Kay Westberry	XXXXXXXX
Two	December 31, 2014	Charles A. Smith	Christopher D. Thurner
One	December 31, 2013	Rick Douylliez	XXXXXXXXXX
One	December 31, 2012		XXXXXXXXXX



First Presbyterian Church

Reverend Rick L. Douylliez, Pastor

May 8, 2012

To: The Mayor and Council of the City of Saint Marys

Please accept this letter as notification of my willingness to serve on the Oak Grove Cemetery Authority. I look forward to serving my community in this capacity.

Sincerely,

Rick Douylliez

City of St. Marys
418 Osborne Street
St. Marys, Georgia 31558

Attention: Darlene Roellig
City Clerk

Re: Oak Grove Cemetery Authority

Dear Ms. Roellig:

I would like to take this opportunity to volunteer to serve on the Oak Grove Cemetery Authority. I reside at 310 W. St. Marys Street, St. Marys, Georgia 31558. I entered the financial services industry in 1969 and am currently the CEO of the Cumberland Financial Group LLC located at 6250 Highway 40 East, St. Marys, Georgia 31558.

I hold 3 academic degrees and 3 registered designations in the field of financial planning, money management and retirement planning. My credentials and licenses certify me to work as a Chartered Financial Consultant and an Investment Advisor Representative. 2012 marks my 43rd year in the financial services industry.

Over the years I built and managed one of the largest financial service firms in America for Prudential headquartered in south Florida. In 1998 I became CEO of the financial industry's international management association located in Washington, D.C., i.e., GAMA International.

Thank you for considering my request. I would be pleased to provide any additional information you might need.

Sincerely,



Charles A. Smith, CLU, ChFC, AEP
Chartered Financial Consultant

202 W. Bryant St.
Saint Marys GA 31558
May 11, 2012

Mayor and City Council
City of Saint Marys
c/o Mr. Steve Crowell
City Hall, 418 Osborne Street
Saint Marys GA 31558

VIA HAND DELIVERY

RE: Request for Appointment to Oak Grove Cemetery Authority

Dear Mr. Crowell:

I seek consideration for an appointment to new Oak Grove Cemetery Authority.

I understand the enabling legislation requires the Mayor and City Council to give preference to individuals from the professional disciplines financial investment, mortuary science, historic preservation, accounting, and the ministry. If the city is able to find five persons from those disciplines willing to serve, then I would gladly withdraw my request. However, I fear that the city will be unable to find enough acceptable candidates with the statutory qualifications to fill the five-member authority.

While I lack expertise in any of those five disciplines, I do have some experience that will make me of value to the Cemetery Authority. I currently serve as a member of the city's Historic Preservation Commission and have done so for the last couple of years. I also served as a member of the *ad hoc* Oak Grove Cemetery Study Committee. That body, of course, was instrumental in deliberations and action resulting in the Authority in question here. To use colloquial words, I was present during the birth of the Cemetery Authority.

In addition, I am a retired lawyer. I no longer maintain my license to practice law, but I still retain the ability to research, analyze, and write on legal issues.

I do of course live in Saint Marys. I have a personal interest in maintenance of the cemetery because I live two blocks from it. My parents are buried there. I expect to be buried there in one of the plots owned by my father-in-law, Rev. Dave Lundin.

I appreciate your consideration.

Sincerely,



Christopher D. Thurner

May 14, 2012

Mayor and Council
City of St. Marys, Georgia
c/o Darlene Roellig

Dear Mayor and Council Members:

Please accept this letter as an expression of my interest in being appointed to the position of a member of the board of trustees of the Oak Grove Cemetery Authority. I feel that my past experience and interest in the history, preservation and perpetuation of Oak Grove Cemetery will be of benefit to the board's operations, and I will do my best to see that those areas are never neglected.

Sincerely,

A handwritten signature in cursive script that reads "Kay Westberry". The signature is written in black ink and is positioned above the printed name.

Kay Westberry

House Bill 1188 (AS PASSED HOUSE AND SENATE)

By: Representative Spencer of the 180th

A BILL TO BE ENTITLED
AN ACT

1 To create the Oak Grove Cemetery Authority; to provide for its purposes, funding,
2 responsibilities, jurisdiction, membership, meetings, records, filling of vacancies, powers and
3 duties, and application of conflicts of interest and ethics provisions; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Creation of authority.

8 There is created the Oak Grove Cemetery Authority which is referred to in this Act as the
9 "authority." The authority shall be an instrumentality and political subdivision of the State
10 of Georgia and a public corporation. The authority shall have perpetual existence.

11 SECTION 2.

12 Purpose of authority.

13 The purpose of the authority shall be to oversee the care and preservation of the cemetery for
14 the City of St. Marys by creating a trust fund for the purpose of providing for the cemetery's
15 maintenance, repair, and preservation in perpetuity; to raise funds and accept donations for
16 such care and other special projects to enhance the cemetery; and to monitor conditions at
17 the cemetery to ensure that it is kept in good condition.

18 SECTION 3.

19 Definitions.

20 As used in this Act, the term:

21 (1) 'Authority' means the Oak Grove Cemetery Authority created by this Act.

12

22 (2) 'Cemetery' means the Oak Grove Cemetery in St. Marys, Georgia, and any additional
23 property purchased by the City of St. Marys adjacent to such cemetery for the purpose
24 of burials.

25 (3) 'Mayor and council' means the mayor and council of the City of St. Marys.

SECTION 4.

Jurisdiction.

26

27

28 The authority shall have jurisdiction over the Oak Grove Cemetery and any additional
29 property purchased by the City of St. Marys adjacent to the Oak Grove Cemetery for the
30 purpose of burials.

SECTION 5.

Authority membership.

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33 The authority shall be composed of five members appointed by the mayor and council of the
34 City of St. Marys. The initial appointments shall be made no later than June 30, 2012. The
35 initial appointees shall take office on July 1, 2012. In making the initial appointments, the
36 mayor and council of the City of St. Marys shall appoint one member to a term of office
37 ending on December 31, 2013, and until his or her successor is selected and qualified; two
38 members to terms of office ending on December 31, 2014, and until their respective
39 successors are selected and qualified; and two members to terms of office ending
40 December 31, 2015, and until their respective successors are selected and qualified.
41 Thereafter, a successor to each member shall be appointed not later than December 31 of the
42 year immediately preceding the end of such member's term of office, shall take office on
43 January 1 following such appointment, and shall serve terms of three years and until his or
44 her successor is selected and qualified. A member shall not be eligible to succeed himself
45 or herself after serving two full three-year terms of office. In making such appointments, the
46 mayor and council shall, to the extent available and consistent with their discretion, give
47 preference in their appointments to persons from the professional disciplines of financial
48 investment, historic preservation, mortuary science, accounting, and the ministry. All
49 persons appointed shall be residents of the City of St. Marys and shall remain residents
50 throughout their terms of office.

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SECTION 6.

Vacancies.

- 53 (a) A member's position on the authority shall be vacated by failure to attend three
54 consecutive meetings of the authority unless such member is excused in writing by the
55 chairperson for good cause shown.
56 (b) Vacancies shall be filled by appointment by the mayor and council for the unexpired
57 term of the member whose position on the authority has been vacated.

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SECTION 7.

Chairperson, vice chairperson, and secretary-treasurer.

- 60 At its initial meeting and at the first meeting of each calendar year, the authority shall elect
61 from among its members a chairperson, vice chairperson, and secretary-treasurer.

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SECTION 8.

Meetings.

- 64 The authority shall meet not less than quarterly in regular meetings or in special meetings
65 upon call of the chairperson or two members of the authority to monitor the financial
66 investments of the authority and to discuss conditions in the cemetery which need to be
67 addressed. Three members of the authority shall constitute a quorum. All meetings shall be
68 conducted in accordance with Chapter 14 of Title 50 of the O.C.G.A. Minutes of all
69 meetings of the authority shall be kept and filed with the city clerk of the City of St. Marys.

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SECTION 9.

Financial report.

- 72 A financial report shall be made annually by the authority to the mayor and council of the
73 City of St. Marys at a time designated by the mayor and council.

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SECTION 10.

Conflicts of interest and ethics.

- 76 The members of the authority shall be subject to the St. Marys ethics ordinance in the same
77 manner as the mayor and members of the mayor and council.

SECTION 11.

78

Powers.

79

80 The authority shall have the power:

- 81 (1) To contract with other entities, including the City of St. Marys, and be contracted
82 with to provide regular maintenance and repairs of the cemetery; to lay out, sell, and
83 record lots; to supervise burials; and to generally provide all operations necessary to keep
84 the cemetery in good order;
- 85 (2) To hire professionals when needed for matters requiring outside expertise on
86 technical subjects regarding the cemetery's care;
- 87 (3) To monitor conditions at the cemetery and notify the mayor and council when the
88 cemetery is not in good condition;
- 89 (4) To receive donations, grants, and funds from various sources and to ensure that those
90 funds are used prudently to improve or maintain the cemetery in the manner specified by
91 the donors or grantors;
- 92 (5) To seek state and federal funds for cemetery preservation for conducting educational
93 programs and the enhancement of the grounds, for signage to encourage tourism, and for
94 any other benefit to the cemetery as deemed necessary by the authority;
- 95 (6) To raise funds for special needs and projects for the cemetery;
- 96 (7) To establish, with the approval of the mayor and council, other burial alternatives
97 such as mausoleums, scattering fields for ashes, and columbaria, in order to increase
98 income to care for the cemetery or for other projects to enhance the cemetery for the
99 visiting public;
- 100 (8) To participate in private, city, state, and federal historic preservation programs in the
101 City of St. Marys;
- 102 (9) To work with the St. Marys Historic Preservation Commission to preserve the
103 historic and aesthetic values of the cemetery;
- 104 (10) To adopt rules of operation for the authority;
- 105 (11) To create and adopt an investment policy to provide for the safety of the funds held
106 by the authority; and
- 107 (12) To decide upon and adopt a method of assessing the performance of the investments
108 chosen to increase the funds held by the authority.

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SECTION 12.

109

Funding.

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111 A portion of the proceeds from the sale of each burial lot in the cemetery for the City of St.
 112 Marys, to be not less than one-half of the proceeds from each such lot, shall be deposited in
 113 trust with the authority in an account held by the authority and designated solely for the care
 114 of the cemetery in accordance with the purposes of the authority as specified in Section 2 of
 115 this Act. The authority shall have the power to invest such funds subject only to a general
 116 duty of fiduciary responsibility. The authority shall be authorized to make prudent
 117 investments without being limited to those investments allowed to municipalities under
 118 Georgia law.

SECTION 13.

119

Distribution of investment income.

120

121 As the City of St. Marys' income from lot sales diminishes, an increasing portion of the
 122 authority's annual investment income shall be used to replace it until such time as the entire
 123 expense of the cemetery's maintenance and care is paid from authority funds. No uses for
 124 authority funds, including investment income, shall be made other than those set forth in this
 125 Act. The principal amount held in the authority's care shall remain intact and at no time shall
 126 any part of it be used for any purpose, except in the case of emergency damage occurring to
 127 the cemetery property itself, such as extreme storm damage or vandalism.

SECTION 14.

128

Responsibilities of the City of St. Marys.

129

130 The authority shall contract with the City of St. Marys to provide the maintenance and
 131 operations services of the cemetery in exchange for all or part of the annual investment
 132 income generated by the principal of the funds held by the authority. Annually, the amount
 133 of payment from the authority to the city shall be determined by comparing the investment
 134 income of the funds held by the authority and the records of expenses incurred by the city
 135 to operate the cemetery.

SECTION 15.

136

All laws and parts of laws in conflict with this Act are repealed.

137

1 **ST. MARYS CITY COUNCIL**
2 **ST. MARYS, GEORGIA**

3
4 Resolution Number: 2012-R002
5 Reading and Adoption: 2/6/12
6

7 At the regular meeting of the St. Marys City Council, held in the St. Marys
8 City Hall, St. Marys, Georgia:

9
10 Present:

11
12 John Morrissey, Mayor Pro Tem
13 Greg Bird, Councilman, Post 1
14 Nancy Stasinis, Councilwoman, Post 2
15 Jim Gant, Councilman, Post 3
16 Keith Post, Councilman, Post 4
17 Sidney Howell, Councilman, Post 6
18

19
20 On the motion of Stasinis, which carried unanimously the following
21 Resolution was adopted:

22
23 Be it hereby resolved by the St. Marys City Council that:

24
25 **WHEREAS**, the City of St. Marys is fortunate to own an historic cemetery
26 located within its city limits, to wit: Oak Grove Cemetery, and
27

28 **WHEREAS**, the primary means of raising funds for the maintenance and
29 upkeep of said cemetery has historically been lot sales and general fund taxes,
30 and
31

32 **WHEREAS**, the said Oak Grove Cemetery has only a limited number of
33 grave sites available for sale, and
34

35 **WHEREAS**, it is desirable to raise funds from other means for
36 maintenance and upkeep of the cemetery and to further historical preservation in
37 St. Marys, Georgia and to be able to invest funds derived from cemetery
38 operations and sales in prudent investments earning higher rates than those
39 allowed to municipalities in Georgia, and
40

41 **WHEREAS**, a citizen study group appointed by the City of St. Marys has
42 submitted the attached Exhibit "A" setting forth the desirable characteristics of
43 such an authority to the City Council which has reviewed and approved those
44 characteristics, and
45

Exhibit "A"

Oak Grove Cemetery Authority Proposal

Establishment: The City shall seek approval of the Georgia General Assembly to establish the Oak Grove Cemetery Authority.

Purpose of the Authority: To oversee the care and preservation of the Cemetery for the City of St. Marys by creating and maintaining a trust fund created for the purpose of providing for the cemetery's maintenance, repair and preservation in perpetuity, to raise funds and accept donations for such care and other special projects to enhance the cemetery, and to monitor conditions at the cemetery to ensure that it is kept in good condition.

Funding: A portion of the proceeds from the sale of each burial lot in the Cemetery amounting to not less than half of those proceeds shall be deposited in trust with the Cemetery Authority in an account held by the Authority and designated solely for the care of the cemetery in accordance with the Authority's purpose stated above. The Cemetery Authority shall have the power to invest the funds subject only to a general duty of fiduciary responsibility. The Authority shall be enabled to make prudent investments without being limited to those investments allowed to municipalities under Georgia Law.

City responsibilities: The Oak Grove Cemetery Authority will contract with the City of St. Marys to provide the maintenance and operations services of the Cemetery in exchange for all or part of the annual investment income generated by the fund's principal. Annually, the amount of payment from the Authority to the city shall be determined by comparing the investment income of the fund held by the Authority and the records of expenses incurred by the city to operate the cemetery.

Distribution of investment income: As the city's income from lot sales diminishes, an increasing portion of the Authority's annual investment income will be used to replace it until such time as the entire expense of the cemetery's maintenance and care is paid from Authority funds. No uses for Authority funds, including investment income, may be made other than those set out herein. The principal amount held in the Authority's care will remain intact, and at no time will any part of it be used for any purpose except in the case of emergency damage occurring to the cemetery property itself, such as extreme storm damage or vandalism.

Jurisdiction: The legal boundaries of Oak Grove Cemetery and any additional property purchased by the city adjacent to Oak Grove for the purpose of burials.

Membership: Five members, three-year terms, staggered, renewable once, appointed by the mayor and council, and may be removed only for just cause, subject to ethics codes adopted by the city. To the extent available to the council and consistent with council's discretion, preference is to be given to appointments from the professional disciplines of financial investment, historic preservation, mortuary science, accounting or the ministry, and be residents of St. Marys. At its first meeting of each calendar year, the Authority shall select one of its members as Chair and another as Vice-Chair or secretary/treasurer.

Meetings: The Cemetery Authority will meet periodically and not less than quarterly to monitor the financial investments of the fund, to discuss conditions in the cemetery which need to be addressed , and a financial report will be made annually (at the council's preferred time) to the council. Three members will constitute a quorum. All meetings of the Cemetery Authority shall be conducted as open meetings under the Georgia Open Meetings Law.

Records: Minutes of all meetings of the Authority will be kept and filed with the city clerk.

Vacancies: Missing three consecutive meetings without written consent from the Authority Chair for good cause shown will result in replacement.

Powers:

1. To contract with the others, including the city, to provide regular maintenance and repairs of the cemetery, to sell, record and layout lots, supervise burials and generally provide all operations necessary to keep the cemetery in good order.
2. To hire professionals when needed for matters requiring outside expertise on technical subjects regarding the cemetery's care.
3. To monitor conditions at the cemetery and notify council when the cemetery is not in good condition.
4. To receive donations, grants, funds from various sources and to ensure

those funds are used prudently to improve or maintain the cemetery in the manner specified by the grantors and donors.

5. To seek state and federal funds for cemetery preservation for conducting educational programs and the enhancement of the grounds, for signage to encourage tourism, and for any other benefit to the cemetery as deemed necessary by the Authority.

6. To raise funds for special needs and projects for the cemetery.

7. To establish, with city council approval, other burial alternatives such as mausoleums, scattering fields for ashes, and columbaria, in order to increase income to care for the cemetery or for other projects to enhance the cemetery to the visiting public.

8. To participate in city, private, state and federal historic preservation programs in St. Marys.

9. To work with the St. Marys Historic Preservation Commission to preserve the historic and aesthetic values of the Cemetery.

10. To adopt rules of operation for the authority.

11. To create and adopt an investment policy to provide for the safety of the funds held by the authority.

12. To decide on and adopt a method of assessing the performance of the investments chosen to grow the funds held by the authority.

Conflicts of interest and ethics complaints: Members of the Cemetery Authority shall be subject to the St. Marys Ethics Ordinance in the same manner as members of the Governing Authority of St. Marys.

CITY COUNCIL MEETING
June 4, 2012

TITLE: CHARTER AMENDMENT: *Contracting Procedures*

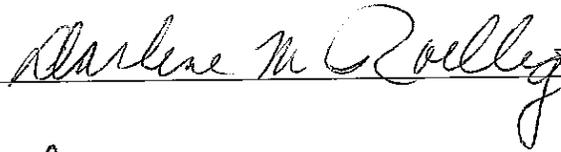
PURPOSE: To advertise the Charter "Home Rules" amendment in conflict with the legal services contract.

RECOMMENDATION: Approval.

HISTORY/ANALYSIS: The recommended changes to the Charter pursuant to "Home Rules" has been advertised thus far for one week with two more scheduled. Advertising was for the first reading of the amendment on May 21st and the second reading on June 4th. Final approval is scheduled for June 4th to amend the Charter to reflect the City Attorney's legal services contracting procedures.

Department

Director:



City

Manager:



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ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA

First Adoption May 21, 2012

Second Adoption June 4, 2012

At regular meetings of the St. Marys City Council, held in the St. Marys City Hall, St. Marys, Georgia:

Present:

William DeLoughy, Mayor
Greg Bird, Councilman, Post 1
Nancy Stasinis, Councilwoman, Post 2
Jim Gant, Councilman, Post 3
Keith Post, Councilman, Post 4
John Morrissey, Councilman, Post 5
Sidney Howell, Councilman, Post 6

On motion of _____, which carried _____, the following Charter amendment was adopted:

A HOME RULE AMENDMENT TO THE ST. MARYS CITY CHARTER, GA. LAWS 1981, PAGE 4763, AS AMENDED, PURSUANT TO AUTHORITY CONFERRED BY THE STATE OF GEORGIA IN O.C.G.A. § 36-35-3 IN ACCORDANCE WITH ARTICLE 9, SECTION 2, PARAGRAPH II OF THE GEORGIA CONSTITUTION, TO AMEND SECTION 5-401 OF THE ST. MARYS CITY CHARTER, GA. LAWS 1981, PAGE 4763, AS AMENDED, TO REPEAL CONTRACTING PROCEDURES AND FOR OTHER PURPOSES.

BE IT ORDAINED, by the St. Marys City Council, this 4th day of June, 2012 that the St. Marys City Charter, Ga. Laws 1981, page 4763, as amended, be and it is hereby amended to change Section 5-401. The amended section will read as follows:

Section 5-401. - Contracting procedures.

The mayor and council shall prescribe by ordinance the procedures to be followed in the making of contracts which shall bind the city. All contracts and all ordinances which shall make or authorize contracts shall be approved as to form by the city attorney. Standardized contracts prepared by city attorney do not require individual review. Standard form contracts previously prepared or approved by city attorney as such need not be reviewed. The mayor, with council approval, shall sign and authorize all contracts, except as provided in subsection (h) of Section 4-204 of this Charter. The city clerk shall attest all contracts. The original of all contracts shall be maintained on file in the office of the city clerk.

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This Amendment shall become effective upon its second passage.

**ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA**

WILLIAM T. DELOUGHY, MAYOR

ATTEST:

DARLENE M. ROELLIG, CITY CLERK

TO FORM

CITY ATTORNEY

CITY COUNCIL MEETING

June 4, 2012

TITLE: Appeals Policy & Revisions to Recruitment and Selection, Definitions and Employment Categories and Termination Policy

PURPOSE: To adopt an Employee Appeal Policy for employee suspensions, demotions and terminations and to adopt revisions to Policy 3 (Definitions and Employment Categories), Policy 5 (Recruitment and Selection) and Policy 30 (Termination).

RECOMMENDATION: Staff recommends approval

HISTORY:

On February 6, 2012, City Council made a motion directing staff to develop an employee appeal process to be included in the St. Marys Personnel Policy. Additionally, several changes were needed to Policy 3, Policy 5 and Policy 30 to prevent conflicts with the proposed appeal policy. Pursuant to the St. Marys Personnel Policy, these draft policies were posted for 14 days to allow for employee comments. All comments received are attached. While the City of St. Marys is an "at-will" employer, an appeal policy will allow employees the opportunity for an impartial review of the decision made by the department director, in the event an employee feels that they have been treated unfairly. This appeal policy will not alter the "at-will" status of any employee.

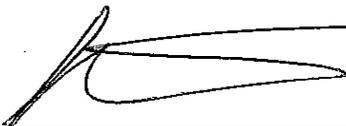
Department

Director:



City

Manager:





MEMORANDUM

To: All Employees
From: Donna M. Folsom, Human Resources
Date: May 18, 2012
CC: File

Subject: City of St. Marys Personnel Policy Changes

On February 6, 2012, City Council made a motion directing staff to develop an employee appeal process to be included in the St. Marys Personnel Policy. Attached is the proposed appeal policy, which will be placed on the June 4, 2012 agenda for final adoption. Additionally, you will find proposed changes to Policy 3 (Definitions and Employment Categories), Policy 5 (Recruitment and Selection) and Policy 30 (Termination). The City of St. Marys Personnel Policy requires that prior to amending our policies; the changes must be posted in a conspicuous place in City Hall for a period of at least fourteen (14) days.

Any questions or comments you may have concerning the proposed changes may be addressed directly to your department head in writing, prior to 12:00 pm on June 1, 2012.

CITY OF ST. MARYS	Number: Policy 3
REVISED:	Page 1 of 3
SECTION: Employment Practices	Original Date: January 12, 2004
TITLE: Definitions and Employment Categories	Approved By: St. Marys City Council

Purpose: The purpose of this policy is to define the categories of employment at the City of St. Marys and describe employment related actions.

Application: All employees of the City of St. Marys.

Classifications/Grades of Employment: Employees are placed into their jobs based on classifications or grades derived from job evaluation points or relative worth of position evaluations for the positions they hold within the City government. An employee's grade or classification may change because of promotion or demotion. The grade may change if the position or the internal worth of the position changes. Changes in the classification of positions are determined through the City's classification system.

Definitions:

A. EMPLOYMENT CATEGORIES

(1) Full Time Employees:

- [a] Must have successfully completed the **appropriate probationary period** of satisfactory service.
- [b] Are not considered temporary employees.
- [c] Are expected to work their department's regularly scheduled work hours as set from time to time.
- [d] May be either salaried or hourly (exempt or non-exempt).
- [e] Are eligible for all city benefits

(2) Part-time Employees:

- [a] Are scheduled to work fewer hours per week than the department's regularly scheduled work hours.
- [b] May apply for up to 12 weeks of unpaid leave as defined in the Family Leave section.
- [c] Are not eligible for any benefits offered to full-time employees.

CITY OF ST. MARYS	Number: Policy 3
REVISED:	Page 2 of 3
SECTION: Employment Practices	Original Date: January 12, 2004
TITLE: Definitions and Employment Categories	Approved By: St. Marys City Council

(3) Probationary Employee - An employee who has completed less than one year of satisfactory full-time service. This evaluation period may be extended by the immediate supervisor for up to an additional 60 days with recommendation of the Human Resources Director and approval of the City Manager.

(4) Exempt Employees - Employees as defined by the Fair Labor Standards Act as salaried workers who are not eligible for overtime pay.

(5) Non-exempt Employees - Employees defined by the Fair Labor Standards Act who are paid on an hourly basis and are eligible for overtime.

(6) Temporary Employee:

[a] Is employed on a temporary basis.

[b] Is required on a seasonal or intermittent basis

[c] Employment situation is not expected to continue for more than six months.

[d] Is not eligible for city benefits.

(7) Supervisor:

[a] Any employee formally assigned supervisory responsibilities for personnel and operations of a work unit within a larger department of city government.

[b] Department Heads and the City Manager should be understood to be "supervisors" of individuals who report directly to them.

(8) Department Head - An employee assigned by the City Manager with formal management responsibility for an established department of city government.

(9) Lead Worker - An employee who is not a supervisor, but who is designated for a specified period to lead or guide the work of other employees in the absence of a supervisor.

B. CHANGE OF EMPLOYMENT STATUS

(1) Promotion - The movement of an employee to a different position having a greater degree of responsibility and a higher job classification.

CITY OF ST. MARYS	Number: Policy 3
REVISED:	Page 3 of 3
SECTION: Employment Practices	Original Date: January 12, 2004
TITLE: Definitions and Employment Categories	Approved By: St. Marys City Council

(2) Demotion - The movement of an employee to a different position having a lesser degree of responsibility and a lower job classification.

(3) Transfer - The movement of an employee from one position to another position having the same job classification and similar levels of responsibility.

(4) Suspension - An action taken to relieve an employee of his/her prescribed duties for a specified period of time.

(5) Dismissal/Discharge/Termination - An action taken that involuntarily removes an employee from the job position and separates him/her from City service.

(6) Resignation - The separation of employment from the City at the election of the employee.

(7) Layoff - An action taken that removes employees from employment at the City due to a "lack of work" or an involuntary separation of the employee for economic reasons. Laid-off employees may be requested to return to their positions when the need for the work and staff returns.

CITY OF ST. MARYS	Number: Policy 5
REVISED:	Page 1 of 2
SECTION: Employment Practices	Original Date: January 12, 2004
TITLE: Recruitment and Selection	Approved By: St. Marys City Council

Purpose: To establish methods that ensure the recruitment, selection and retention of the most qualified persons for the City's work force. All actions relating to the filling of vacancies shall be conducted in accordance with the City's Equal Employment Opportunity Policy.

Application: All future and current employees of the City of St. Marys.

Provisions: (1) ~~The City Manager must authorize all selections, placements, promotions, demotions, transfers, layoffs, dismissals, salary changes, counseling, disciplinary actions or any other actions related to employment.~~ The City Manager must authorize all new hires, transfers, layoffs and salary changes. Disciplinary actions may be initiated by Department Heads or the City Manager.

(2) The City Manager may delegate the administration of these actions and their related policies to his/her designee. ~~the Human Resources Director.~~

(3) The St. Marys Mayor and City Council shall have no role in the administration of these actions and their related policies.

(4) The City Manager must approve and budget the position before any hiring action is taken.

(5) The Department Head shall notify the Human Resources Director immediately upon learning that a vacancy is to occur so that the Human Resources Director can initiate appropriate steps to attract qualified applicants.

(6) The Human Resources Director and the City Manager are the only persons authorized to expend funds for advertisement of vacancies or any other purpose related to recruitment of applicants. As a general rule, job openings will be posted "in house" at least one week prior to advertising for outside applicants. This will be done to allow present, qualified employees first opportunity to apply for positions in the City.

(7) In order to be considered for employment, an applicant must complete and submit the City provided application form to the Human Resources Director.

(8) The Human Resources Director will maintain all applications for a period of one year after submission.

(9) An applicant is required to reapply for an employment position after one year in order to renew job candidacy.

CITY OF ST. MARYS	Number: Policy 5
REVISED:	Page 2 of 2
SECTION: Employment Practices	Original Date: January 12, 2004
TITLE: Recruitment and Selection	Approved By: St. Marys City Council

(10) The Human Resources Director will forward all qualified applications received for a position to the appropriate Department Head for consideration.

(11) The Department Head will make recommendations on the selection of the most qualified applicants for final selection by the Human Resources Director and approval by the City Manager.

(12) Depending on specific requirements of the job, one or more of the following selection criteria may be required of the applicant: performance tests; written examinations; oral interviews; reference checks; driving tests; and, criminal history checks. Physical examination shall be required prior to actual employment. Drug tests shall also be required.

(13) Moving/relocation expenses will only be paid by the City in exceptional situations where it is deemed in the best interest of the City. In such cases, the move and related expenses must have prior approval of the City Manager. The amount of expenses to be paid will be determined on an individual basis based on the merit and circumstance of each case.

(14) All new employees must complete orientation procedures and submit necessary personal information required by the City.

CITY OF ST. MARYS	Number: Policy 30
REVISED:	Page 1 of 3
SECTION: Employee Relations	Original Date: January 12, 2004
TITLE: Termination	Approved By: St. Marys City Council

Purpose: To delineate the types of separations from employment at the City of St. Marys and describe the procedures and entitlements related to those separations.

Application: All employees of the City of St. Marys.

Definitions:

- (1) Voluntary Separations - A separation is voluntary when employees choose to resign on their own volition.
- (2) Involuntary Separations/Released Employees: - These separations occur due to the lack of work or due to significant financial constraints, requiring the City to reduce salaries, wages or personnel.
- (3) Discharge - Employees who are discharged for committing any act contrary to City policies or who have demonstrated failure to competently and consistently perform their duties.
- (4) Exit Interview - A discussion that takes place with the separating employee and the Human Resources Director or his/her designee before the employee leaves the City.

Responsibilities:

- (1) The Department Head may place employees on administrative leave with pay, with approval of the City Manager, ~~pending approval of the Human Resources Director and City Manager.~~ Upon recommendation of the Department Head and with the approval of the Human Resource Director and City Manager, the ~~employee may be terminated.~~
- (2) The Department Head must notify the Human Resources Director and City Manager of any resignation in his/her area within twenty-four (24) hours.
- (3) The Human Resources Director shall, with assistance from the Department Head as required:
 - [a] ensure that all procedures are followed relating to cancellation or continuation of City benefits;
 - [b] determine appropriate processing of the employee's final paycheck. The final paycheck will be issued on the next regular pay period after the termination is effective unless an exception is approved by the City Manager;
 - ~~[c] recommend all non-voluntary separations to the City Manager for approval;~~

CITY OF ST. MARYS	Number: Policy 30
REVISED:	Page 2 of 3
SECTION: Employee Relations	Original Date: January 12, 2004
TITLE: Termination	Approved By: St. Marys City Council

[cd] maintain files on the separated employees in accordance with state and federal regulations: and,
[de] conduct an exit interview

(4) Department Heads shall properly document all separations.

Provisions:

(1) In all cases of separation, the employee is entitled to any:

- [a] salary/wages earned but not received;
- [b] paid leave earned, but not taken;

(2) Full-time, part-time and temporary (leaving before their release date) employees who resign of their own volition are expected to provide written notice to their immediate supervisors as follows:

- [a] Two (2) weeks notice in advance of the anticipated last day of work for all levels except Department Heads.
- [b] Department Heads must provide notice four (4) weeks in advance of the anticipated last day of work.
- [c] Where it is determined to be in the best interest of the City or the employee, an employee may be paid all benefits and salary due, and asked to leave immediately.

(3) Probationary Period employees are not required to give the two weeks notice but should work out a reasonable notice with their supervisor.

(4) Employees, ~~in most cases, who resign with prejudice while a disciplinary action for termination is pending against them or who do not give proper notice of resignation will not be eligible for rehire.~~

(5) The Department Head may approve the rehire of an employee who has resigned with ~~prejudice who did not give proper notice of resignation,~~ if the employee was prevented from giving proper notice due to extenuating or other circumstances beyond the employees' control.

(6) Employees who are terminated for cause are not eligible for rehire.

CITY OF ST. MARYS	Number: Policy 30
REVISED:	Page 3 of 3
SECTION: Employee Relations	Original Date: January 12, 2004
TITLE: Termination	Approved By: St. Marys City Council

(7) ~~Confidential notes~~ Notes of an exit interview will be taken and kept separate from ~~in~~ the personnel file; however, contents of an interview creating concern regarding practices of a particular work area should be reported in writing, taking care to ensure accuracy of the employee's statement, to the City Manager.

(8) All requests, written or oral for verification of employment or salary of a former employee must be referred to the Human Resources Director for reply.

DRAFT

1 **ST. MARYS CITY COUNCIL**
2 **ST. MARYS, GEORGIA**
3

4 At the regular meeting of the St. Marys City Council, held in the St. Marys City
5 Hall, St. Marys, Georgia:
6

7 Present:

8
9 William DeLoughy, Mayor
10 Greg Bird, Councilman, Post 1
11 Nancy Stasinis, Councilwoman, Post 2
12 Jim Gant, Councilman, Post 3
13 Keith Post, Councilman, Post 4
14 John Morrissey, Councilman, Post 5
15 Sidney Howell, Councilman, Post 6
16
17

18 On motion of _____, which carried
19 _____, the following amendment to the City of St. Marys Personnel Policy
20 Manual was adopted:
21

22 AN AMENDMENT TO THE CITY OF ST. MARYS PERSONNEL POLICY
23 MANUAL, BE AMENDED BY ADDING A NEW SUBSECTION 26B TO
24 PROVIDE FOR AN APPEAL FROM DESIGNATED ADVERSE ACTIONS
25 FOR CERTAIN EMPLOYEES EXCEPTING DEPARTMENT HEADS AND
26 THOSE WORKING DIRECTLY UNDER THE SUPERVISION OF THE
27 CITY MANAGER, TO PROVIDE PROCEDURES FOR THE APPEAL,
28 AND CONDITIONS FOR AND CONSEQUENCES OF WITHDRAWAL OF
29 SUCH APPEALS AND FOR OTHER PURPOSES AS SET FORTH
30 THEREIN.
31

32 Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this
33 ___ day of _____, 2012 that the City of St. Marys Personnel Policy
34 Manual is hereby amended by adding a subsection to be known as Policy 26B, to read
35 as follows:
36

37 **Policy 26 B**

38 **Purpose:** To Provide a process for employees to appeal disciplinary actions.
39

40 **Policy Statement:** It is the intent of the City to treat all employees fairly and
41 consistently in matters related to their employment and to provide employees who are
42 not department heads or working directly under the supervision of the City Manager the
43 opportunity to have their complaints fairly heard and answered.
44

1 **Application:** All full-time or part-time City employees who have completed at least one
2 year of satisfactory service excepting department heads and others who work directly
3 under the supervision of the City Manager.
4

5 **A. POLICY**

6 Any full-time or part-time employee, that is not probationary, who has been suspended,
7 demoted, or terminated from employment excepting department heads and others who
8 work directly under the supervision of the City Manager may request a review of the
9 action against them by the City Manager or his/her designee pursuant to this policy.
10 The employee shall inform the City Manager or his/her designee why they believe the
11 adverse action against them is contrary to this Personnel Policy, departmental
12 standards, performance improvement plans, City Ordinances or other law. This process
13 is the exclusive procedure offered by the City to the affected employee to obtain review
14 of the adverse action.
15

16 **B. PROCEDURE**

17 1. The employee shall, within five (5) working days of receipt of notice of the discipline,
18 file a written request for a hearing with the City Manager.
19

20 2. Within a reasonable time frame (generally five (5) working days) after receipt of the
21 written request for a hearing, the City Manager will schedule a hearing date. The
22 purpose of such hearing shall be to provide the employee an opportunity to demonstrate
23 that the adverse action to which he/she was subjected was not in compliance with the
24 City of St. Marys Personnel policy, departmental standards, performance improvement
25 plans, City Ordinances or other law. The City Manager or his/her designee will hear
26 from the Department Head and the employee and any witnesses to determine the facts
27 and circumstances surrounding the disciplinary action. The City Manager or his/her
28 designee shall render a written decision within a reasonable time (generally, five (5)
29 working days). The period allowed for making a decision may be extended by the City
30 Manager or his/her designee for cause. The City Manager or his/her designee may
31 affirm, modify or reverse the recommendation of the Department Head.
32

33 3. No later than three (3) working days prior to such hearing, the employee shall provide
34 the City Manager or his/her designee a list of the witnesses and evidence they
35 anticipate they will present at the hearing as well as a written statement specifying why
36 the suspension, demotion or termination was not in compliance with the termination
37 policy or is in error. Failure to provide the witness, evidence list and written statement
38 will be considered to be a withdrawal of the appeal. The City is not responsible for
39 securing the attendance of witnesses or providing copies of documents at the hearing
40 for the employee.
41

42 4. At the hearing, the employee will have the right to present evidence (either
43 documentary or witnesses), confront and cross-examine any witnesses against him/her,
44 and make any statement his/her own behalf. The employee is entitled to have an
45 attorney represent him/her at his/her own expense at the appeals hearing if he or she

1 wishes. Only documentary evidence, witness testimony, and statements relevant to the
2 issues raised in the written statement will be permitted during the hearing.

3
4 5. The City Manager or his/her designee shall provide a copy of the written decision to
5 the affected employee, Human Resources Director and Department Head.

6
7 6. The decision of the City Manager or his/her designee shall be the final.

8
9 **C. WITHDRAWAL OF APPEAL**

10 An employee may withdraw an appeal at any time. Any withdrawal should be put in
11 writing and submitted to the Human Resources Director. Once withdrawn, however, the
12 appeal may not be reinstated. If the employee does not meet the time constraints
13 outlined in this policy, the appeal will be considered withdrawn.

14
15
16 **This Amendment shall become effective upon passage.**

17
18 **ST. MARYS CITY COUNCIL**
19 **ST. MARYS, GEORGIA**

20
21
22
23 **BILL DELOUGHY, MAYOR**

24 ATTEST:

25
26
27
28 **DARLENE ROELLIG, CITY CLERK**
29 **CITY OF ST. MARYS, GEORGIA**



CITY COUNCIL MEETING

June 4, 2012

PURPOSE:

Update the City Council on the status of the negotiations between the Georgia Department of Labor and the City of St. Marys in regards to the lease of the old city library located at 408 Osborne Road in St. Marys Georgia.

RECOMMENDATION:

During the May 21, 2012 City Council meeting the City Council voted unanimously to allow the Department of Labor to use the old city library as a GDOL career center and authorize the Economic Development Director to negotiate reasonable terms with the GDOL and surrounding governments of Kingsland, Woodbine, and the Camden County Board of Commissioners.

HISTORY:

It was announced that the Georgia Department of Labor (GDOL) Career Center located at 1712 Osborne Street would be closing by the end of June 2012 due to budgetary shortfalls by Mark Butler, Commissioner of the Georgia Department of Labor. The GDOL provides an invaluable service to the citizens of St. Marys and surrounding communities to include Northeast, FL. Job searches, resume preparation, web browsing, interviewing, and workforce development training are just a few of the many services that citizens of our community take advantage of at the GDOL. The closure of GDOL in St. Marys would create an even larger hardship for those under employed and unemployed within our region.

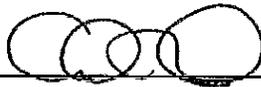
On May 24, 2012 the Economic Development Director met with the GDOL Chief of Staff and Deputy GDOL Commissioner in respect to discussing a lease agreement for the use of the old city library as a GDOL career center site. The information was well received by the GDOL staff

in attendance and thus will be shared with Commissioner Mark Butler on Wednesday, May 30 to make a final decision on the terms of the lease agreement.

The status of the renovation work taking place at the old city library is as follows:

- The selective demolition process on the interior of the building has begun. A prison detail crew from the Georgia Department of Corrections, secured through the Camden County Board of Commissioners is being used to complete a majority of the renovation work. The prison detail crew will repair the floors of the building, window replacement, install an additional restroom, paint the interior and exterior of the building, and complete necessary work on the grounds to mitigate the flooding issue between city hall and the old city library. No labor cost is being incurred as a result of the prison detail completing the work. The prison crews work Monday through Thursday from 8:30am – 2:00pm.
- After having the air conditioning unit inspected by a local air conditioning company it was determined that it was more cost effective to have the AC unit replaced instead of being repaired. The age of the AC unit along with the age of the air handler attributed to the replacement instead of mere repair. Replacement of ducting throughout the facility is also necessary. The City of St. Marys will be utilizing a GEFA grant in the amount of \$8,983.76 to replace the AC unit. The City of Kingsland will be coordinating the use of the grant funds. The price of the replacement AC unit will not exceed the grant amount available through the GEFA. Prior to the old city library renovation the GEFA grant was going to be used for light replacement for the public works department.
- The City of St. Marys Tree Board during their June 2012 tree board meeting will be considering the removal of a tree directly in front of the old city library (right side of entrance door). The tree appears sickly and clogs the gutter system with moss, sticks, and branches. If the tree board agrees that the tree should be removed, the removal of the tree will be arranged with the public works and be removed towards the middle to end of June.

Department Director: _____



City Manager: _____



Southeastern Building Trades
Associates, Inc.

PO Box 468/
907 Dilworth St.
St. Marys, GA 31558
912-882-3424
Toll-Free 888-882-7282
Fax 912-882-1399
sbtaonline.com
TheReallySmartPeople.com

May 16, 2012

Southeastern Building Trades Associates, Inc is pleased to donate to the City of Saint Marys:

1. One used Midwest Backflow test kit (valued new at \$1200.00)
2. Two new backflow test procedures and theory test books (valued at \$60.00)

Sincerely,

George Beaver

President, SBTA. Inc.

912.882.3424

CITY COUNCIL MEETING

June 4, 2012

TITLE: GEORGIA CRIME INFORMATION CENTER SERVICE AGREEMENT

PURPOSE: To authorize Mayor DeLoughy to execute the renewal agreement with Georgia Bureau of Investigation.

RECOMMENDATION: Approval.

HISTORY/ANALYSIS: The City has entered into an agreement with GCIC in September 2009 to retrieve criminal history record checks. Fingerprints are required as part of alcohol license applications and employment in public safety and judicial departments. In order for the City Clerk's office to continue to access the Georgia Applicant Processing Services within the Cogent System, GBI mandates annual renewal of service agreements from employers or licensing authorities. Funding for fingerprinting services is paid by license applicants. However, the City pays \$12.00 for employment applicants, which is budgeted within the hiring department.

Department

Director:

Darlene M. Roellig

City

Manager:

[Signature]

Georgia Crime Information Center (GCIC)
Service Agreement
Criminal History Record Checks by Employers and Licensing Authorities

Agency Name City of St Marys
Agency Address 418 Osborne Street
City/State/Zip Code St Marys, Georgia 31558
Agency Mailing Address 418 Osborne Street
City/State/Zip Code St Marys, Georgia 31558
Agency Phone Number 912-510-4039
Agency Email Address darlene.roellig@stmarysga.gov
Agency ORI or OAC# GA922964Z
(As assigned by FBI or GCIC)

NOTE: If your agency/business does not have an ORI or OAC number, leave the ORI or OAC field blank. An ORI or OAC will be assigned to your agency and mailed to the above address.

IMPORTANT: The agency head, or designee, of a non-criminal justice agency, i.e. State, County or City Government, public or private school requesting an ORI number must submit a letter, on agency letterhead, with a brief description of services provided. Additionally, the request must state whether the agency is requesting an ORI to conduct FBI fingerprint-based record checks under the authority of 1) a specific state law (O.C.G.A.) that is a FBI approved Public Law (Pub. L.) 92-544 statute or, 2) federal authority (such as the Adam Walsh Child Protection and Safety Act). In addition, further information may be necessary for ORI requests submitted for FBI record checks under federal authority.

Will the ORI or OAC # be used for enrollment in Georgia Applicant Processing Services (GAPS)?

Agency Head

Agency Contact

Signature

Signature

William T. DeLoughy, Mayor
Print Name/Title

Darlene M. Roellig, City Clerk
Print Name/Title

Date

Date

Mail Signed Applicant Service Agreement to:

**Georgia Bureau of Investigation (GBI)
Georgia Crime Information Center (GCIC)
CCH/Identification Services Unit
P.O. Box 370748
Decatur, Georgia 30037-0748
FAX: 404-270-8417
EMAIL: GAApplicant@gbi.ga.gov**

**Georgia Crime Information Center
Service Agreement
Criminal History Record Checks by Employers and Licensing Authorities**

Georgia law authorizes the Georgia Crime Information Center (GCIC), a division of the Georgia Bureau of Investigation (GBI), to disseminate criminal history record information to private persons and businesses, public agencies and political subdivisions as provided in the Official Code of Georgia (O.C.G.A) §§ 35-3-34 and 35-3-35.

Certain agencies are authorized by Georgia and federal law to obtain a national criminal history record check. Federal law, commonly referred to as Public Law (Pub. L.) 92-544, requires that a state enact a statute authorizing the check of national criminal history records. The state statute must be specific in nature, identify the category of applicants, require fingerprinting of the applicants and authorize submission of the fingerprints to the FBI for a national criminal history record check. Public agencies with this authority must have a Federal Bureau of Investigation (FBI) assigned Originating Agency Identifier (ORI). Agencies authorized to obtain only a Georgia criminal history record check must have a GCIC assigned Originating Agency Code (OAC). The agency head for each authorized agency or licensing authority must also designate an agency contact. The agency head and contact will sign a GCIC Service Agreement and will receive criminal history record information from GCIC (and the FBI when authorized) on behalf of any private person, business, commercial establishment or authorized governmental agency eligible to request such information. GCIC must be notified in writing whenever there is a change in the agency head or contact and the new agency head or contact must sign a new Service Agreement. Service Agreements must be re-signed every two (2) years, even if the agency head or contact remains the same.

Requesting agencies shall provide the fingerprints of individuals whose records are being requested in a manner prescribed by the GCIC and with the appropriate fee. Agencies should inform each individual that his or her fingerprints will be used to perform Georgia and FBI (when authorized) criminal history record checks for the purpose of determining suitability for licensing or employment.

When the results of a criminal history record check cause an adverse employment or licensing decision, Georgia law requires that the applicant must be informed by the individual, business or agency making the adverse decision of all information pertinent to that decision. This disclosure must include information that a criminal history record check was conducted, the specific contents of the record, and the affect the record had upon the employment/licensing decision. O.C.G.A. §§ 35-3-34(b) and 35-3-35(b) classifies failure to provide all such information to the person subject to the adverse decision as a misdemeanor offense.

Use of Georgia and FBI criminal history records obtained under this Service Agreement are solely for the purpose requested and cannot be disseminated outside the receiving agency. O.C.G.A. § 35-3-38 establishes criminal penalties for requesting, obtaining, communicating or attempting to communicate criminal history record information under false pretenses or in a negligent manner. All criminal history record information received from GCIC and/or the FBI for background check purposes shall be stored in a secure location. Areas in which the information is processed and handled shall be restricted to authorized personnel in the performance of their duties. When such information is no longer needed, it shall be destroyed by burning, shredding or other method rendering the information unreadable.

Agencies utilizing this service agree to keep all records necessary to facilitate a security audit by the GCIC and to cooperate in such audits as GCIC or other authorities may deem necessary. Examples of records that may be subject to audit are: criminal history records, notification that an individual has no criminal history, agency policies and procedures articulating the provisions for physical security, records of all disseminations of criminal history record information, and a current executed Service Agreement with GCIC.

Employers or licensing authorities assume liability for fees incurred with all fingerprint submissions, including fingerprints submitted as undocumented duplicate submissions, fingerprints submitted in error, unannounced test records, etc. Agencies mailing applicant fingerprint cards directly to GCIC may arrange with the GBI Finance Office to be billed for these services. However, agencies submitting applicant fingerprint cards electronically to GCIC must establish billing arrangements prior to beginning submissions. Agencies submitting fingerprint submissions to GCIC via the Georgia Applicant Print Service (GAPS) must register and make payment arrangements with Cogent Systems, Inc. prior to beginning submissions.

All agencies that are billed for services must maintain fiscal responsibility. Failure to comply with the terms of the GBI Finance Billing Agreement will result in termination of the billing arrangement and can result in termination of this Service Agreement. Agencies submitting requests via the GAPS must comply with fee schedules and payment requirements as outlined in that program.

GCIC will provide this service as long as a valid Service Agreement exists.

CITY COUNCIL MEETING

June 4, 2012

TITLE: LOCAL PREFERENCE

PURPOSE: Pass an ordinance for local preference

RECOMMENDATION: Approval.

HISTORY/ANALYSIS: Attached is a proposed local preference ordinance. The local preference ordinance encourages the use of local suppliers of goods, services and construction products whenever possible.

Local Vendor means a bidder or offeror which operates and maintains a brick and mortar business, i.e. a physical business address, within the city limits of the City of St. Marys, has a current business license, has paid in full all real and personal taxes owed the City, is considered a vendor in good standing with the City and can obtain an active vendor status.

A local vendor may receive an opportunity to match for purchases, bids, proposal or contracts over \$10,000 and less than \$100,000. The local vendor may be given an opportunity to match the lowest price proposal, if the quotation or bid of the local vendor is within 3% of the lowest price proposal by a non-local vendor. In the event a local vendor matches the lowest price proposal, including all other terms, quality, services and conditions, then the local vendor shall be awarded the contract.

PROS	CONS
local vendors pay taxes	out of town vendors may quit bidding - driving prices up
quicker response time	
lower shipping costs	reduces or limits competition
The proposed policy allows the local vendor the opportunity to match the low bid of the non-local bidder if within 3%. If the local business does not want to match, the non-local business is awarded	political issue - vendors & contractors are constituents who play major roles in the election of public officials

Department

Director: _____

Jenny Swann

City

Manager: _____

[Signature]

1 **ST. MARYS CITY COUNCIL**
2 **ST. MARYS, GEORGIA**

3
4 At the regular meeting of the St. Marys City Council, held in the St. Marys
5 City Hall, St. Marys, Georgia:

6
7
8
9 Present:

10
11 William DeLoughy, Mayor
12 Greg Bird, Councilman, Post 1
13 Nancy Stasinis, Councilwoman, Post 2
14 Jim Gant, Councilman, Post 3
15 Keith Post, Councilman, Post 4
16 John Morrissey, Councilman, Post 5
17 Sidney Howell, Councilman, Post 6
18

19
20 **AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF**
21 **ST. MARYS, GEORGIA, SECTION 5-402 PURCHASING**
22 **PROCEDURES.**

23
24 Be it, and it is, hereby ordained by the Mayor and Council of the City of St.
25 Marys, this 4th day of June, 2012 that section 5-402 of the Code of Ordinances,
26 City of St. Marys, Georgia is hereby amended to read as follows:

27
28 **Sec. 5-402. – Purchasing procedures.**
29

30 The mayor and council shall prescribe by ordinance the procedures for all
31 purchases of real and personal property by the city. Competitive bidding shall be
32 required for purchases and contracts and awards shall be made to the lowest or
33 best bidder, except as where otherwise provided for by ordinance. Prior to the
34 making of purchases and contracts, the availability of adequate funds shall be
35 certified as provided by ordinance.

36
37
38 **This Amendment** shall become effective upon passage.

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40 **ST. MARYS CITY COUNCIL**
41 **ST. MARYS, GEORGIA**
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By: _____
WILLIAM T. DELOUGHY, MAYOR

Attest: _____
DARLENE M. ROELLIG, CITY CLERK
CITY OF ST. MARYS, GEORGIA

To Form

CITY ATTORNEY

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EXPLANATION OF CHANGES

NOTE: Deletions are ~~stricken through~~, additions are underlined.

Sec. 5-402. – Purchasing procedures.

The mayor and council shall prescribe by ordinance the procedures for all purchases of real and personal property by the city. Competitive bidding shall be required for purchases and contracts and awards shall be made to the lowest or best bidder, except as where otherwise provided for by ordinance. Prior to the making of purchases and contracts, the availability of adequate funds shall be certified as provided by ordinance.

The City of St. Marys encourages the use of local suppliers of goods, services and construction products whenever possible. The City of St. Marys also vigorously supports the advantages of an open competitive market place. Nothing in this Section shall be interpreted to mean that the City Manager or Purchasing Agent are restricted in any way from seeking informal or formal bids or proposals from outside the City of St. Marys market area.

Local Vendor means a bidder or offeror which operates and maintains a brick and mortar business, i.e. a physical business address, within the city limits of the City of St. Marys, has a current business license, has paid in full all real and personal taxes owed the City, is considered a vendor in good standing with the City and can obtain an active vendor status.

A local vendor may receive an opportunity to match for purchases, bids, proposal or contracts over \$10,000 and less than \$100,000. The local vendor may be given an opportunity to match the lowest price proposal, if the quotation or bid of the local vendor is within 3% of the lowest price proposal by a non-local vendor. In the event a local vendor matches the lowest price proposal, including all other terms, quality, services and conditions, then the local vendor shall be awarded the contract.

In the event the price proposal of more than one local vendor is within 3% of the lowest overall price proposal of a non-local vendor, the local vendor with the lowest proposal will be given the first opportunity to match the lowest overall price proposal. If this local vendor declines to match the price proposal, then the local vendor with the next lowest bid within 3% will be given the opportunity to match the lowest proposal. This process will continue with all local vendors having proposal within 3% of the lowest overall bid by a non-local vendor. Policy to be stated. This policy shall be so stated in all applicable solicitations.

135 Exemptions. This provision does not apply to public works construction projects
136 or road projects pursuant to the laws of the State of Georgia (O.C.G.A §36-91 or
137 §32-4).

CITY COUNCIL MEETING

June 4, 2012

TITLE: COMPENSATION STUDY

PURPOSE: Enter into a Consulting Services Agreement with Evergreen Solutions, LLC

RECOMMENDATION: Approval.

HISTORY/ANALYSIS: With Councils and staff review, the City issued a Request for Proposal for a Classification and Compensation Study. There was 5 Companies that responded. A committee was formed and each company was review and rated. Evergreen Solutions, LLC ranked the highest of all the companies and they were the lowest in cost of \$24,300. The approved amount for the study was \$30,000 in the current budget. It is the recommendation of the committee to enter into an agreement with Evergreen Solutions, LLC to perform the classification and compensation study.

Company	Location	Score	Proposal Cost & Notes
The Mercer Group, Inc	Atlanta, Georgia	364	\$24,950 + travel, Any additional work \$95.00 per hour
The Waters Consulting Group	Dallas, Texas	375	NTE \$34,500, Any additional work \$175.00 per hour Additional onsite meetings \$1500 per day
Condrey & Associates	Athens, Georgia	358	\$29,500 + actual travel, Any additional work \$125.00 per hour (deduct \$3,000 if data from DCA is used)
Municipal Solutions	Goodyear, Arizona	363	NTE \$28,853 includes travel and expenses, Additional work \$100 per hour
Evergreen Solutions	Tallahassee, Florida	381	NTE \$24,300 includes travel and expenses, Additional work \$150 per hour

Department

Director: _____

Jenny Brown

City

Manager: _____



CITY OF ST. MARYS REQUEST FOR PROPOSAL CLASSIFICATION AND COMPENSATION STUDY

SITUATION

The City's classification plan requires an update, with class specifications that are in line with current changes and requirements in the law. Class specifications need to be updated to reflect current job duties and requirements of the position, including physical requirements and essential functions to comply with the ADA. The last compensation study was completed in May, 2000.

SCOPE OF SERVICES

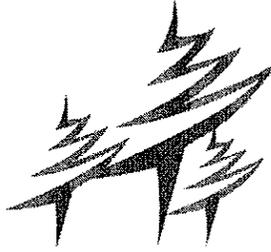
The City believes that performance of the tasks listed below are minimum for producing a new classification and compensation structure. The study should be completed within six months of the award of the contract. Proposals should detail any assistance the consultant will require of City staff.

1. Prior to initiation of the study, meet with City elected officials (seven) individually, either in person or by electronic communication to ascertain their individual concerns which should be address by the study.
2. Conduct employee meetings at the beginning of the study to familiarize employees with the study and give them an opportunity to ask questions about the study. A minimum of three employee meetings is required.
3. Prior to completing the data gathering phase of the study, conduct a public meeting to provide an opportunity for public input about the objectives of the study.
4. Conduct a classification study of all positions within the City government including:
 - collect detailed data on each job on a comprehensive questionnaire developed and provided by the consultant;
 - verify data collected through interviews with employees and their supervisors (At least one employee in every job must be interviewed.);
 - analyze data and develop a classification scheme with classes divided into job categories (e.g., labor and trades, clerical, management, etc.);
 - revise class specifications as necessary and insure they meet the requirements of the American's with Disabilities Act (ADA) and any other laws or regulations;
 - establish the Fair Labor Standards Act (FLSA) status of all classes (e.g., exempt or non-exempt);
 - provide an old title/new title list of all employees in the study.



**CITY OF ST. MARYS REQUEST FOR PROPOSAL
CLASSIFICATION AND COMPENSATION STUDY**

5. Develop a job evaluation system for the City which addresses the factors the City values in terms of establishing pay for positions. The system should be developed with input from the City and submitted for final approval by the City prior to the evaluation of jobs.
6. Evaluate jobs using the approved job evaluation system and develop a class allocation chart indicating which jobs or classes have been allocated to each pay grade/band.
7. Provide training to City staff in the evaluation of jobs and maintenance of the classification plan.
8. Conduct a salary study to determine the appropriate levels of pay for all jobs within the City among both public and private sector organizations. Based on the analysis of salary study data, establish appropriate pay levels for all jobs. Provide a cost analysis for implementing the recommended salaries.
9. Link the compensation plan to the City's performance appraisal system.
10. Conduct a comparative analysis of fringe benefits and perquisites given by organizations surveyed in the salary study. Identify areas where the City's benefits exceed or fail to meet those of the surveyed organizations.
11. Meet with City Manager and Management Team on a regular basis throughout the study to give project status reports and to discuss implementation strategies and cost estimates.
12. Prepare a written report that documents each step of the study and its results, including the consultant's recommendations. Present this report to both the Management Team and to the Mayor and City Council at a public meeting.



Consulting Services Agreement

By and Between

City of St. Marys, GA

and

Evergreen Solutions, LLC

This Agreement (the "Agreement"), dated as of _____, is made by and between Evergreen Solutions, LLC, a Florida corporation ("Evergreen"), and the City of St. Marys. (the "Client").

WHEREAS, Evergreen Solutions and the Client desire to enter into an agreement whereby Evergreen will provide certain management consulting services for the Client on the terms and conditions hereinafter set forth; and

WHEREAS, Evergreen Solutions is willing to provide such management consulting services for the Client.

NOW, THEREFORE, the parties hereto agree as follows:

1. Engagement. Evergreen Solutions hereby agrees to provide such management consulting services for the Client as may be reasonably requested by the Client in connection with the Request for Proposal and the Proposal submitted by Evergreen Solutions on March 27, 2012.

2. Extent of Services. Evergreen Solutions agrees to perform such services to the best of its ability and in a diligent and conscientious manner and to devote appropriate time, energies and skill to those duties called for hereunder during the term of this Agreement and in connection with the performance of such duties to act in a manner consistent with the primary objective of completing the engagement. Evergreen Solutions agrees to devote such time as is reasonably required to fulfill its duties hereunder.

Throughout the duration of this agreement, Evergreen Solutions will serve as an independent contractor of the Client, As such; Evergreen Solutions will obey all laws relating to federal and state income taxes, associated payroll and business taxes, licenses and fees, workers compensation insurance, and all other applicable state and federal laws and regulations.



In the successful completion of this engagement, Evergreen Solutions may utilize subcontractors, but Evergreen Solutions shall remain completely responsible to the Client for performance under this Agreement.

3. Term. The engagement of the Consultant hereunder by Client shall commence as of the date hereof and shall continue through _____, unless earlier terminated pursuant to Section 6 hereof.

4. Compensation.

(a) As compensation for the services contemplated herein and for performance rendered by Evergreen Solutions of its duties and obligations hereunder, the Client shall pay to Evergreen Solutions an aggregate fee equal to \$24,300 (the "Consulting Fee"), earned and payable according to the following invoice/payment schedule:

- 1/4 at project initiation (Task 1)
- 1/4 following outreach (Task 2)
- 1/4 following market salary survey (Task 9)
- 1/4 following delivery of the final report and recommendations (Tasks 10 – 13)

(b) The Client's sole obligation shall be to pay Evergreen Solutions the amounts described in Section 4(a) of this Agreement, and the Consultant is not and shall not be deemed an employee of the Client for any purpose.

5. Reimbursement for Expenses.

The contract price indicated in section 4 of this agreement is inclusive of all expenses borne by Evergreen Solutions and therefore no expenses shall be reimbursed to Evergreen Solutions by the Client for the duration of this agreement.

6. Termination. This Agreement shall be terminated as follows:

(a) 30 days after written notice of termination is given by either party at any time after _____, provided however, that if the Client shall terminate this Agreement pursuant to this Section 6(a) for any reason other than Consultant's material breach of this Agreement (having given prior notice of, and reasonable opportunity for Consultant to cure, any such breach), Client shall pay to consultant in one lump sum an amount equal to that portion of the aggregate Consulting Fee which has not been paid to Consultant as of the effective date of such termination.

(b) On such date as is mutually agreed by the parties in writing.

(c) Upon expiration of the Term as set forth in Section 3.

If Client elects to terminate for material breach then Client shall pay to consultant in one lump sum an amount equal only to that for which services have been rendered.

Upon termination of this Agreement pursuant to this Section 6, except as contemplated by Section 6(a) in the event Client terminates this Agreement in the absence of continuing material breach hereof by Consultant, Consultant shall be entitled to payment of only that portion of the Consulting Fee earned through the effective date of such termination and any portion of the Lump Sum Payment which has not been paid to Consultant as of the effective date of such termination.



7. Confidential Information. Evergreen Solutions shall not, at any time during or following expiration or termination of its engagement hereunder (regardless of the manner, reason, time or cause thereof) directly or indirectly disclose or furnish to any person not entitled to receive the same for the immediate benefit of the Client any trade secrets or confidential information as determined by the Client in writing.

8. Covenants. Evergreen Solutions agrees to (a) faithfully and diligently do and perform the acts and duties required in connection with its engagement hereunder, and (b) not engage in any activity which is or likely is contrary to the welfare, interest or benefit of the business now or hereafter conducted by the Client.

9. Binding Effect. This Agreement will inure to the benefit of and shall be binding upon the parties hereto and their respective successors or assigns (whether resulting from any re organization, consolidation or merger of either of the parties or any assignment to a business to which all or substantially all of the assets of either party are sold).

10. Entire Agreement. This Agreement, including the aforementioned RFP and proposal, contains the entire agreement and understanding of the parties with respect to the subject matter hereof, supersedes all prior agreements and understandings with respect thereto and cannot be modified, amended, waived or terminated, in whole or in part, except in writing signed by the party to be charged.

11. Construction. While the parties hereto believe that the terms hereof are fair, reasonable and enforceable in all respects, it is agreed that any provision of this Agreement which is held to be prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof, and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render unenforceable such provision in any other jurisdiction. In addition to any other remedy which Client may have at law or in equity, Client shall be entitled to injunctive relief for a breach of Sections 7 and 8 (b) of this Agreement by the Consultant.

12. Notices. All notices required to be given under the terms of this Agreement or which any of the parties desires to give hereunder shall be in writing and personally delivered or sent by registered or certified mail, return receipt requested, or sent by facsimile transmission, addressed as follows:

(a.) If to Evergreen Solutions addressed to:

Evergreen Solutions, LLC
Attention: Dr. Jeff Ling, Executive Vice President
2852 Remington Green Circle, Suite 101
Tallahassee, Florida 32308

(b.) If to the Client addressed to:

City of St. Marys
Attention: Donna Folsom, Human Resource Director
418 Osborne Street
St. Marys, Georgia 31558



Any party may designate a change of address at any time by giving written notice thereof to the other parties.

13. Miscellaneous. This Agreement:

(a) shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns;

(b) may not (except as provided in Section 9 hereof) be assigned by either party hereto without the prior written consent of the other party (any purported assignment hereof in violation of this provision being null and void);

(c) may be executed in any number of counterparts, and by any party on separate counterparts, each of which as so executed and delivered shall be deemed an original but all of which together shall constitute one and the same instrument, and it shall not be necessary in making proof of this Agreement as to any party hereto to produce or account for more than one such counterpart executed and delivered by such party;

(d) may be amended, modified or supplemented only by a written instrument executed by all of the parties hereto; and

(e) embodies the entire agreement and understanding of the parties hereto in respect of the transactions contemplated hereby and supersedes all prior agreements and understandings among the parties with respect thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Evergreen Solutions, LLC

Jeff Ling, Executive Vice President

City of St. Marys

William DeLoughy, Mayor



CITY COUNCIL MEETING

June 4, 2012

TITLE: FISCAL YEAR CHANGE DISCUSSION

PURPOSE: Consideration to Change Fiscal Year

RECOMMENDATION: Discussion.

HISTORY/ANALYSIS: As to changing the fiscal year, there would be no problem from the Auditor's stand point to change the fiscal year. We would not be required to notify the Department of Audits; Council's approval is all that is necessary. The fiscal year-end is whatever the City prefers. If Council does decide to change to a September or December year-end; we would go through year-end procedures and audit on June 30th; then have another audit for the period of July through September or December. Below are some of the advantages and disadvantages that were identified. For informational purposes, the year-end dates have been listed for the other municipalities in the county as well as the dates for the State and Federal governments.

Advantages to a September Year-end:

- Budget process would begin in May/June. Workshops would be held in August making it possible to make more accurate tax revenue forecast.
- Same year end as sister city – Kingsland. Make better comparisons.

Disadvantages of either year end:

- Extra work for staff in preparing 2 year ends in one year (one time).
- Additional audit costs – Current cost is \$28,000 per year.
- Additional accounting software cost to change fiscal year (one time).
- Comparison reporting will be difficult for several years because of the short year.

Disadvantages of a December year end:

- Passing a budget during Thanksgiving and Christmas Holidays.
- It would be more difficult during budget process to forecast the tax digest a year out.

City of St. Marys Year Begins:	July 1st
Camden County Year Begins:	July 1st
Kingsland Year Begins:	October 1st
Woodbine Year Begins:	January 1st
State of Georgia Year Begins:	July 1st
Federal Government Year Begins:	October 1st

Department

Director: _____ *Terri Brown* _____

City

Manager: ~~_____~~ _____