CITY OF ST. MARYS, GEORGIA
418 Osborne Road
St. Marys, GA 31558

July 20, 2015

WORK SESSION – AUTHORITIES, BOARDS, COMMISSIONS, & COMMITTEES
4:30 P.M.

COUNCIL MEETING
6:00 P.M.

AGENDA

I. **CALL TO ORDER**

II. **INVOCATION:** *Councilmember Sam Colville*

III. **PLEDGE OF ALLEGIANCE**

IV. **ROLL CALL** **QUORUM: YES____ NO____**

V. **APPROVAL OF MINUTES**: *July 6, 2015 Regular City Council Meeting Minutes*

VI. **PRESENTATIONS:**

BOARD ANNOUNCEMENTS (TERM EXPIRATIONS):
1. *Coastal Historic Preservation Advisory Council (Kay Westberry)*
2. *Library Board (Jeff Henry & Arlene Norris)*

VII. **SET CONSENT AGENDA**

VIII. **APPROVAL OF THE AGENDA**

IX. **GRANTING AUDIENCE TO THE PUBLIC**

X. **OLD BUSINESS:**

A. **AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES PROJECT NEXT STEPS:** *Councilmember Elaine Powierski* ..... **TAB "A"**

B. **TROLLEY BUILDING CONSTRUCTION AND LOCATION:** *John J. Holman (City Manager)*..... **TAB "B"**

XI. **NEW BUSINESS:**

A. **ECONOMIC DEVELOPMENT PROPOSAL (TAX ALLOCATION DISTRICT):** *John J. Holman (City Manager)* ..... **TAB "C"**

B. **MEMORANDUM OF AGREEMENT (MOA) OAK GROVE CEMETERY:** ..... **TAB "D"**
John J. Holman (City Manager) Request approval of Memorandum of Agreement between the City and the Oak Grove Cemetery Authority

C. **EASEMENT AGREEMENT (STEPHEN CORBITT):** ..... **TAB "E"**
Jeff Adams (Community Development Director) Request approval of easement agreement with Stephen Corbitt of Lot#2, Dilworth Place (Tax Parcel 531-01-0108) zoned R-1 to increase 25 foot utility easement by 10 feet for future work on sewer line pending the Planning Commission's approval of variance

D. **ORDINANCE AMENDMENT (FORECLOSURE & VACANT PROPERTY REGISTRY):**
Jeff Adams (Community Development Director) Request amendment to Ordinance to provide administrative procedures and guidelines for Foreclosed and Vacant Properties ..... **TAB "F"**

E. **PAPA LUIGI'S INCORPORATED D/B/A PAPA LUIGIS RESTAURANT:** ..... **TAB "G"**
Request approval to advertise a public hearing for Beer & Wine License on premise consumption for Papa Luigis Restaurant

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

A. **MONTHLY SEA GRANT REPORT:** *Jeff Adams (Community Development Director)*

B. **CALENDAR:** *City Clerk*

XIII. REPORT OF MAYOR

XIV. GRANTING AUDIENCE TO THE PUBLIC

MAYOR AND COUNCIL COMMENTS

CITY MANAGER'S COMMENTS

XV. EXECUTIVE SESSION:

XVI. ADJOURNMENT

This is a tentative agenda and is subject to change. Please check with City Hall prior to the Meeting for any revisions.

CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
July 6, 2015
6:00 p.m.

MINUTES

The Mayor and City Council for the City of St. Marys, Georgia met for its regular City Council session on Monday, July 6, 2015 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor John F. Morrissey
Councilmember Robert L. Nutter
Councilmember Elaine Powierski
Councilmember Jim Gant
Councilmember Dave Reilly
Councilmember Sam L. Colville
Councilmember Linda P. Williams

CITY OFFICIALS PRESENT:

John J. Holman, City Manager
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Marsha Klecan, Assistant Finance Director
Jeff Adams, Community Development Dir.
Michele Wood, Assistant Planner
Donna Folsom, Human Resources Director

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CALL TO ORDER:

Mayor Morrissey called the City Council Meeting to order at 6:02 p.m. Councilmember Williams gave the invocation. Mayor 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:

June 10, 2015 Special-Called City Council Meeting Minutes

Councilmember Nutter made a motion to approve the June 10, 2015 Special-Called City Council meeting minutes. Councilmember Gant seconded the motion. Voting was as follows:

FOR	ABSTAIN
Councilmember Nutter	Councilmember Powierski
Councilmember Gant	
Councilmember Reilly	
Councilmember Colville	
Councilmember Williams	

June 15, 2015 Regular City Council Meeting Minutes

Councilmember Reilly made a motion to approve the June 15, 2015 Regular City Council meeting minutes. Councilmember Williams seconded the motion. Councilmember Powierski noted a correction on page 9, last sentence where the second "a" needed to be deleted. Voting was as follows:

FOR	ABSTAIN
Councilmember Powierski	Councilmember Nutter
Councilmember Gant	
Councilmember Reilly	
Councilmember Colville	
Councilmember Williams	

PRESENTATION:

GEORGIA DEPARTMENT OF FORESTRY (UGA EXTENSION): *Bobby Marr (Public Works Director)*

Bobby Marr, the Public Works Director, introduced Jessica Warren, the Camden County Agricultural National Resources Extension Agent with the UGA Extension Office in Woodbine, GA, to discuss the air potato vine. Ms. Warren discussed the aggressiveness of the species, as well as some history of it coming to the United States. She explained that it chokes out the tree canopy and can grow up to 8 inches a day.

Ms. Warren has been working with the Georgia Forestry Commission on the issue. They were originally planning on using herbicide, but decided against it because of the severity of issue and the location. She went on to explain that in Florida, the air potato beetle has been used successfully since 2011 and the extensive research done before its release. She mentioned the origins of the beetle, and that it only feeds on the air potato vine and will defoliate it which keeps the vine under control.

Ms. Warren went on to explain that they have received permission through the USDA Animal and Plant Health Inspection Service (APHIS) to bring the beetle across state lines from Florida. They have also acquired the appropriate permits to release the beetles. Councilmember Reilly asked if the beetle would move on to other plants once the air potato vine is depleted. Ms. Warren answered that according to the research the beetle will die when its food source is gone. Councilmember Colville then asked if this initiative has been done elsewhere in Georgia. The answer was no. Other places in Georgia have seen the vine, but because of the location of St. Marys, it is not as severe as here. Councilmember Gant asked if this had been presented to the County, and Ms. Warren stated that she has spoken to Steve Howard, the County Administrator, about it and that he was giving the information to the Commissioners.

Mayor Morrissey asked about the beetle program in Florida. It was then discussed about how the beetle defoliates the plant, as well as how the plant will spread if not controlled. The risks of a biological control were also discussed. Councilmember Williams asked about the introduction

of the air potato vine, and Mrs. Warren explained the mixed stories behind it - one being that it was introduced through the slave trade and another that it was sent as a sample to the USDA in 1905. Councilmember Nutter then asked for specific locations in St. Marys where the vine can be found. Mrs. Warren mentioned that any vacant lot in downtown most likely has it, but specifically mentioned the lot behind Emma's Bed & Breakfast.

Council then discussed getting information out to the community about the plant and the beetle, and Ms. Warren explained the ways information is being disseminated, including an article in the newspaper. Councilmember Powierski then asked if there was an issue with the vine on City property and about the issue Council would be voting on later in the meeting. Mr. Holman explained that Council will be voting to authorize the release of the beetles on City property if the potato vine is found there. Then, it was discussed about the beetle traveling to other properties, with Ms. Warren explaining that the beetle will travel to wherever its food source is.

Ms. Warren explained that they want the initiative to be transparent and for the community to be involved. Council asked about the beetles' predators, as well as the plan if the beetle population dies out. Ms. Warren replied that they reproduce quickly enough to sustain their population as long as there is a food source, and that she is not aware of any natural predators here. In closing, Ms. Warren added that if anyone in the county has any questions, she is available for site visits or consultations.

GOVERNMENTAL FINANCE OFFICERS ASSOCIATION AWARD: *John J. Holman (City Manager)*

John Holman, the City Manager, announced that the City received the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report. He added that it is the highest form of recognition in the area of government accounting and financial reporting. Jennifer Brown, the Finance Director, was recognized, as well as Marsha Klecan, the Assistant Finance Director. The Finance Department was congratulated for the achievement.

COMMUNITY DEVELOPMENT DIRECTOR: *John J. Holman (City Manager)*

Mr. Holman introduced the new Community Development Director, Mr. Jeffrey Adams. Mr. Adams briefly explained his history with the area and that he is happy to be here. He mentioned his past planning work experience. He continued by explaining that he enjoys the history and small town feel of St. Marys. The Mayor stated that the City is happy to have him, especially with the Visioning and Master Plan work happening in the next few years.

POLICE OFFICER INTRODUCTION: *Timothy Hatch (Police Chief)*

Police Chief Tim Hatch introduced a new police officer, Mr. Rob Duckworth. He is a recent graduate of the police academy, as well as a Marine Corp veteran. Chief Hatch discussed some of Officer Duckworth's military career, as well as what brought him to St. Marys.

Mayor Morrissey welcomed him and commended the City employees for getting the police force back up to full staff. He mentioned the great quality of the people that are being hired.

SET CONSENT AGENDA (*):

Councilmember Reilly made a motion to approve the proposed agenda as New Business: Items A, B, and D with Councilmember Colville's abstention from New Business: Item C. Councilmember Colville seconded the motion. Voting was unanimous in favor of the motion.

Councilmember Reilly made a motion to approve the proposed agenda as New Business: Item C. Councilmember Colville seconded the motion. Voting was as follows:

FOR	ABSTAIN
Councilmember Nutter	Councilmember Colville
Councilmember Powierski	
Councilmember Gant	
Councilmember Reilly	
Councilmember Williams	

APPROVAL OF THE AGENDA:

Councilmember Gant moved to approve the agenda as presented. Councilmember Colville seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Tom Canning, 410 Point Peter Place: Mr. Canning discussed the sign ordinance agenda item. He expressed his concern with not simplifying the process for the citizens and merchants, as well as giving specific groups ordinance responsibilities.

Tanya Glazebrook, 308 Osprey Circle: Ms. Glazebrook spoke briefly about the sign ordinance. She stated that there are areas of the City that are restrictive and questions the timing since the Visioning Committee is just beginning.

Kay Westberry, 203 East Dillingham Street: Ms. Westberry commented that the sign ordinance has been worked on for years, and she explained some of the history of that ordinance in regards to the Historic Preservation Commission (HPC). She went on to discuss an event taking place on September 12, 2015 at 10am in the Howard Gilman Waterfront Park. It is a ceremony to recognize the soldiers of the Revolutionary War that are buried in the Oak Grove Cemetery. She explained how the event came about with the Sons of the American Revolution and the Daughters of the American Revolution. She explained that 29 soldiers have been identified in the cemetery, and they were working on finding the decedents of those soldiers, having even found a decedent of Betsy Ross. She went on to discuss some of the specifics of the ceremony, as well as groups that will be participating.

Councilmember Gant asked if there was a marker in the history walk that refers back to the Revolutionary War. Ms. Westberry said she is not sure. Mr. Holman clarified that

there is not anything on the markers regarding the Revolutionary War, but it is something that can be added. Ms. Westberry then discussed some of the research that she has had to do for the ceremony.

Dave Schmitz, 112 New Hammock Circle: Mr. Schmitz asked Council to take note of the signage as they come into St. Marys, especially the ones that are crooked. He mentioned visiting another town recently and their signs were not crooked.

OLD BUSINESS:

A. AUTHORITY, BOARDS, COMMISSIONS & COMMITTEE PROJECT UPDATE & WORK SESSION REQUEST: *Councilmember Elaine Powierski To discuss the 2015 Board, Authority, Commission, and Committee Evaluation Update Report (June, 2015)*

Councilmember Powierski began by stating that if anyone is interested in the information that is in the Council packet regarding this item, which is the feedback from the Authority, Boards, Commissions, and Committee Work Session that was held, to email her and she will send a copy of it to them. She continued that the feedback was from 23 people, and on review, it became evident that the project needs to be done in three phases. She explained the phases and recommended a work session to discuss them, as well as how to go into phase 1. After reviewing the calendar, July 20, 2015 at 4:30pm in the City Hall Council Chambers was decided upon to schedule the work session.

Mayor Morrissey thanked Councilmember Powierski for all her hard work and the comprehensive analysis that she has done.

B. SIGN ORDINANCE AMENDMENT (SECTION-62-114) HISTORIC PRESERVATION ORDINANCE: *Michele Wood (Assistant Planner) Request to revise Section 62-114 (B) of the Historic Preservation Ordinance to allow additional temporary signage for the downtown businesses*

Councilmember Reilly made a motion to accept the amendment to the ordinance as written and provided to Council. Councilmember Colville seconded the motion.

Mr. Holman started by discussing the history of the ordinance, which started prior to his arrival to the City. He explained that it is only pertaining to the historic preservation district and not the rest of the City. Mr. Holman explained the businesses' issues with the ordinance and its restrictive nature. Businesses could not put up temporary signs or banners.

The City came up with a plan to give permission for temporary signage in a permanent location. He explained the new process that if a business's sign location, within the historic district, is approved by HPC, any future sign for that location from that business can be approved by the City staff. It does not have to go to the HPC again unless they change the location. If HPC disapproves the application, the business has the right to appeal to the City Council.

The attorney had to review the ordinance, because of constitutional issues that dealt with the language on signs, which had to be removed from the ordinance. Several changes recommended by the attorney were made. Mr. Holman went on to discuss the fees. He also noted that sign ordinances evolve, since comments were made about making a change to the ordinance when the Visioning Committee is just beginning. Councilmember Reilly added that a new ordinance was not being approved, but the existing ordinance was being changed to be less restrictive.

Councilmember Colville asked Mr. Adams if he has had a chance to review the ordinance and if he is comfortable with it. Mr. Adams stated that he was in agreement with the ordinance change. Council asked about the sidewalks and push-signs, with Mr. Holman clarifying that sidewalks can be permeable.

Councilmember Powierski asked Mr. Holman to make sure the Visioning team was not hindered by this change. He explained it would not be and mentioned the other ordinances Mr. Adams would be working on Councilmember Powierski went on to mention that clarification is needed in section 5(c), where HPC needs to be added so that it states that text and color are not within the authority of the Planning Staff nor HPC to review or approve. She also mentioned the subjective nature of a paragraph regarding the signs not detracting from the historic character.

Councilmember Gant asked about the zoning districts within the historic district with Mr. Holman stating that the historic district could have various zoning districts such as residential and commercial. Council asked about the change made regarding the definition of nudity, and Mr. Holman replied that it was a change the attorney made. Councilmember Williams stated that she would normally not want to make major decisions due to the Visioning Committee, but felt that this was not a major decision.

Councilmember Reilly amended his motion to include Councilmember Powierski's inclusion of HPC in section 5(C). Councilmember Colville seconded the amended motion. Voting was unanimous in favor of the motion.

NEW BUSINESS:

A. GEORGIA FORESTRY COMMISSION/UGA EXTENSION OFFICE (AIR POTATO BEETLES) (*):
Bobby Marr (Public Works Director) To authorize the Mayor to sign a letter of permission with the Georgia Forestry Commission and the UGA Extension Office to release a population of air potato beetles onto City property

Councilmember Reilly made a motion to authorize the Mayor to sign a letter of permission with the Georgia Forestry Commission and the UGA Extension Office to release a population of air potato beetles onto City property. Councilmember Colville seconded the motion. Voting was unanimous in favor of the motion.

B. SPECIAL USE PERMIT (PAUL SKVAREK-106 NANCY DRIVE) (*):

Michele Wood (Assistant Planner) Paul Skvarek, 106 Nancy Drive, St. Marys, GA 31558 is requesting a Special Use Permit for a Home Occupation at 106 Nancy Drive (Zoned R-1, Tax Parcel S27 02 005)

Councilmember Reilly made a motion to approve a Special Use Permit for a Home Occupation at 106 Nancy Drive (Zoned R-1, Tax Parcel S27 02 005). Councilmember Colville seconded the motion. Voting was unanimous in favor of the motion.

C. **REVERSE SUBDIVISION (M3 AMERICAN INVESTMENTS) (*):** *Michele Wood (Assistant Planner)* M3 American Investments *requests approval from two lots to one lot minor final plat located on Carousers Cove in Cumberland Harbour. The property is zoned PD R-1, Tax Parcels 160C 1057 & 160C 1058.*

Councilmember Reilly made a motion to approve the request of M3 American Investments for two lots to one lot minor final plat located on Carousers Cove in Cumberland Harbour. Councilmember Colville seconded the motion. Voting was as follows:

FOR	ABSTAIN
Councilmember Nutter	Councilmember Colville
Councilmember Powierski	
Councilmember Gant	
Councilmember Reilly	
Councilmember Williams	

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D. **MUTUAL AID AGREEMENT KINGS BAY (FIRE FIGHTER ASSISTANCE) (*):** *Robert Horton (Fire Chief) To update the Mutual Aid Agreement with Kings Bay Submarine Base for firefighting assistance*

Councilmember Reilly made a motion to approve the updated Mutual Aid Agreement with Kings Bay Submarine Base for firefighting assistance. Councilmember Colville seconded the motion. Voting was unanimous in favor of the motion.

E. **ST. MARYS LIBRARY COPIER LEASE:** *Jennifer Brown (Finance Director) To approve a multi-year lease agreement with Herrin Document Systems for the St. Marys Library copier*

Councilmember Powierski had a few questions since leasing the copier for 60 months was more expensive than buying the copier. Council discussed the cost of maintenance, depreciation, and materials. Councilmember Powierski asked about the cost of copies. Ms. Brown stated that the City is only charged per copy and, also, that the City charges citizens per copy so the City makes some of the money back. The copier maintenance was then discussed and who would have responsibility to maintain the copier. Ms. Brown stated that, if leased, Herrin have responsibility to maintain the equipment. The City only pays for paper and for the number of copies, while Herrin provides the toner and maintenance.

Mr. Holman explained his preference to lease copiers as opposed to buying them, including the cost of replacing them when it is needed. Mayor Morrissey mentioned the advantages of

leasing and asked if this is the same company that the City uses for the other copiers. Ms. Brown stated that it is and included that Finance did check state contract when looking for pricing.

Councilmember Colville moved to enter into the agreement to lease the copier machine as recommended by staff. Councilmember Williams seconded the motion. Voting was unanimous in favor of the motion.

Mayor Morrissey asked when the equipment would arrive, and Ms. Brown answered that within a week to two weeks once Herrin is called.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. FINANCE DIRECTOR'S REPORT: *Jennifer Brown (Finance Director)*

The Finance Director Presented the twelfth month financial report on revenues and expenditures for the General, Tourism, SPLOST, Water & Sewer, Solid Waste, and Aquatic Center Funds for FY 2015. The Mayor and Council were pleased with the report, especially Tourism and the Aquatic Center. A copy of the report is attached as part of the official minutes.

B. CITY CALENDAR: *Deputy City Clerk*

The Deputy City Clerk announced the upcoming events, activities, and meetings up to July 20, 2015.

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REPORT OF MAYOR:

Mayor Morrissey mentioned the tremendous 4th of July Festival despite the intermittent storm. He thanked Kiwanis for organizing the festival and asked those individuals in the audience to stand to be recognized. Councilmember Gant specifically recognized The Thurners for their work with the festival, as well as the City employees. He mentioned that Public Works had the area cleaned by Sunday morning and that Chief Hatch walked the festival streets constantly. Council also commended the Fire Department for their work. Councilmember Colville specifically mentioned Mr. Goodman and Ms. Bailey, who are citizens that helped clean up. Mayor Morrissey mentioned the positive impression the festival had on individuals he had spoken with who were moving to town. He stated that it is a compliment to the City.

Mayor Morrissey continued by mentioning the meetings that were being held later in the week – a Work Session regarding the Trolley Building and the Quarterly Town Hall Meeting.

GRANTING AUDIENCE TO THE PUBLIC:

Jane Canning, 410 Point Peter Place: Ms. Canning discussed her displeasure in the number of billboards and signs in St. Marys, especially the signs in the medians. She also mentioned the HPC.

Kay Westberry, 203 East Dillingham Street: Ms. Westberry stated that signs on the median were not the HPC, but it was Council that gave the business owners temporary permission to allow them. Ms. Westberry also mentioned the HPC color regulations. She then briefly mentioned the Oak Grove Cemetery Revolutionary War ceremony again.

MAYOR AND COUNCIL COMMENTS:

Councilmember Williams stated that she is proud of the beautiful celebration that the City had, adding that it is a pleasure to work in a community where so many people help. She also described how scary it was when the storm hit during the festival.

Councilmember Colville stated that there are not enough words to express how much he appreciated all of the participation throughout the City. He heard earlier that when the rain began, City firefighters were helping the vendors control their tents and getting things put away.

Councilmember Reilly reiterated the 4th of July sentiments. He also discussed the GMA Conference training he received and the networking opportunities at it. He stated that people he met knew of St. Marys and the positive work being done here. He went on to discuss the Complete Streets Meeting he attended. It mentioned places the City has traffic problems, such as at St. Marys Middle School and Spur 40. They explained ways studies can be done, and he is looking into that with the City Manager. The Complete Streets recognition could possibly help with grants.

Councilmember Gant mentioned the Kiwanians and the 4th of July, and that nothing more could be added to what has already been said.

Councilmember Powierski commented about perception at the GMA Meeting and how she met people from other small towns in Georgia. St. Marys is a small town, but is considered a big town compared to ones others she met were from.

Councilmember Nutter stated that he was not in town for the 4th of July. He mentioned a letter he received regarding the news that Southeast Georgia Health System is joining with Baptist Hospital and Flagler Hospital in Florida. He stated that it is an affiliation, and that the hospital has not been sold. Mayor Morrissey urged citizens to read the letter carefully.

Mayor Morrissey then presented Councilmember Colville with a plaque from the University of Georgia and the Georgia Municipal Association. It was his certification for completing training with the Harold F. Holtz Municipal Training Institute for Elected Officials as of June 2015. Mayor Morrissey added that Georgia does a great job of offering courses and training for municipal and county officials.

CITY MANAGER'S COMMENTS:

Mr. Holman began by stating that the Gaines Davis Project was back underway after a week-long vacation by the contractor and sub-contractors. The sewer project at Marsh View is moving forward and staying on schedule. Also, the City has found a sewer line that it outside of the right-

of-way on a Dilworth St. property. He is hoping to have the information and a recommendation for Council by the next Council Meeting. It was constructed in 1975 and discovered a few weeks ago after someone applied for a permit.

Mr. Holman went on to mention the work being done on the Office of Economic Adjustment grant. Additional information was needed by them, so it was being sent soon. Mr. Holman added that Mr. Adams has worked on OEA grants, which is helpful to the City.

He invited everyone to attend the Steering Committee Meeting at 6pm on Wednesday (July 8) in the Main Street office. The Airport Authority is meeting at the same date and time in the Council Chambers. He added that he will meet with the Airport Authority about the Capital Improvement Plan for the Airport. The FAA and the GA DOT needs it submitted at the beginning of November instead of the end of December.

Regarding the Fire Department, Mr. Holman stated that he was also at the GMA Conference and was able to visit EM1, which is the company the City is looking at to obtain fire trucks. He was able to speak with the vendor at the conference. He added that Chief Horton, Councilmember Colville, and he would be going to the EM1 Facility on Friday (July 10) in Ocala, FL to visit the manufacturing plant and speak with the contractor.

He later went on to mention that Mr. Adams would be reviewing the City's permitting process for submissions and completions. Also, Mayor Morrissey mentioned that they ran out of candy again at the 4th of July parade. He noted the size of the crowd at the festival being one of the biggest.

EXECUTIVE SESSION: There was no Executive Session.

ADJOURNMENT:
Councilmember Colville moved for adjournment. Councilmember Nutter seconded the motion. Mayor Morrissey declared the meeting adjourned at 7:39 p.m.

Respectfully submitted,

_____
Nicole Goebel, Deputy City Clerk

Board Announcements

1. *Coastal Historic Preservation Advisory Council (1 position)*
2. *Library Board (2 positions)*

Old Business

PROGRAM ENHANCEMENT WORKPLAN

Action Step	Responsibility	Completion Date	Comments
Establish process for communication with each entity	Council	July, 2015	
Establish meeting dates with each entity	Council & Entity	July, 2015	Focus will be on self-evaluation of current process, areas for potential improvement and impact of potential changes to process as proposed in findings.
Review check list items with each entity	Council & Entity	August, 2015	Documented results will be helpful in the decision process in Phase 2 of the project.
Develop annual goals for discussion & approval	Entity	September, 2015	The first set of Annual goals will be for a 15 month period beginning in the 4th quarter of 2015.
Develop a recommended core training program for entity members.	Linda Williams	September, 2015	Will need input/assistance from others

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Liaison Check List

Entity:
Council Member:

Task	Lead	Completion Date	Comments
Contact Chair, Schedule Meetings	liaison		
Share all pertinent written project information with members in advance of meeting	chair & liaison		
Assign documentation responsibility	chair & liaison		Key information from discussion items will need to be documented and shared with other council members.
Provide background as needed	liaison		
Discuss goals and process	liaison		
Review 17 generic opportunities and discuss how change could impact the functioning of the specific entity	liaison & members		Document results of discussion
Review and discuss documented entity purpose based on ordinances, by-laws, etc.	liaison & members		Document results of discussion
Share the council's initial view of primary purpose and identify any differences between council and entity views.	liaison		Document results of discussion
Discuss the orientation/training process and training conducted for members both when newly appointed and ongoing.	liaison		Document results of discussion
Identify any issues or questions for council consideration.	members		Document results of discussion
Discuss any entity specific issues identified during the initial data collection phase.	liaison & members		Document results of discussion

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Evaluate current procedures to ensure compliance with open records and open meetings.	members		Report results
Evaluate and discuss procedures to determine if there are potential areas for improvement. Include how meetings are conducted, if attendance is maintained, is audience granted to the public if yes when in the meeting process, etc.	members		Document findings
Discuss and draft annual goals; if already available, evaluate and adjust the goals as deemed appropriate.	members		The purpose is to ensure, when completed, the goals are measurable, attainable, meaningful and mutually agreed upon by members and council. Document results of discussion.

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CITY COUNCIL MEETING
July 20, 2015

TITLE: SITE LOCATION OF TROLLEY BUILDING .

PURPOSE: Discuss Future Location of Trolley Building.

RECOMMENDATION: No staff recommendation.

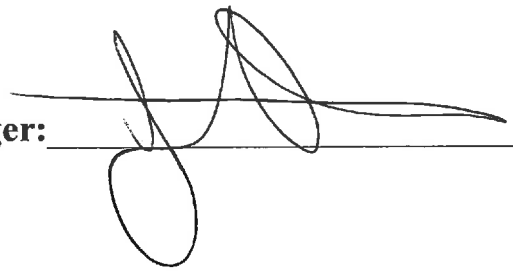
HISTORY/ANALYSIS: The relocation and construction of a new Trolley building has been under discussion since the previous structure was demolished. Alternative locations were reviewed at various public meetings and work sessions. This was done in cooperation with the Kiwanis Club who are the owners of the Trolley.

The City went out for bids for construction of the building at its current site and the bid costs were significantly over the budgeted funds (insurance fund reimbursement). A review was made of alternate sites and waterfront property located along the waterfront was deemed to be the best location.

The City went into partnership with Habitat for Humanity for project management services in order to help reduce the cost of the project. Based on some building redesign the City received quotes that were within the projects allocated funding.

Concerns were raised concerning the proposed location and Mayor and Council held a Work Session on June 15 to review the matter. Various alternative locations were discussed during the work session.

Once a final decision is reached on location the City Staff will prepare a MOU for housing the Trolley and any additional agreements as necessary. City Staff will meet with Habitat for Humanity to review the cost estimate and develop a new construction schedule.

City Manager: 

New Business

CITY COUNCIL MEETING
July 20, 2015

TITLE: TAX ALLOCATION DISTRICT BOUNDARY AND PLAN

PURPOSE: Recommendation to complete TAD Redevelopment Plan.

RECOMMENDATION: Approval.

HISTORY/ANALYSIS: The citizens of St. Marys passed a referendum to allow the formation of TADs in the City on May 20, 2014. This authorized the City of St. Marys to form one or more TAD districts consistent with the requirements of Georgia's Redevelopment Powers Law. The first step is to designate a TAD boundary (Redevelopment Area) and prepare a TAD Redevelopment Plan to act as the business plan for the operation of the district. The plan is discussed at two public hearings and then must be approved by a resolution of the local government. Once the resolution is passed, the taxable value in the TAD is certified as the base value of the district. Upon the approving the creation of a TAD, the local government will typically ask the county and school board to review the plan and determine if they want to consent to commit their portion of the future property tax increments to the TAD by formal approval of the Redevelopment Plan. The terms of consent are usually spelled out in an intergovernmental agreement between the taxing jurisdictions.

The St. Marys Downtown Development Authority has developed a proposed TAD boundary (Redevelopment Area) and is preparing to move forward with the TAD Redevelopment Plan.

City Manager: _____

CITY COUNCIL MEETING

July 20, 2015

NEW BUSINESS: Approve Memorandum of Agreement between the City and the Oak Grove Cemetery Authority.

PURPOSE: To approve MOA.

RECOMMENDATION: Approval

HISTORY/ANALYSIS: This is a request to approve a Memorandum of Agreement between the City of St. Marys and the Oak Grove Cemetery Authority which describes the responsibility of each entity. The Authority and the City have been working together for two years on this project. It is recommended to continue the partnership with the Authority until either party gives the other notice of non-extension at least sixty (60) days before the then-current expiration date.

Department Director: Jenny J. Brown

City Manager:

MEMORANDUM OF AGREEMENT

BETWEEN

THE OAK GROVE CEMETERY AUTHORITY AND THE CITY OF ST. MARYS

1. This is a memorandum of Agreement of agreement outlining responsibilities between the Authority and the City.

   In general:

   a. The Cemetery Authority will be responsible for contracting for and administering every aspect of the Oak Grove Cemetery, except for deed preparation and filing, setting up of payment plans, and depositing the funds into the appropriate accounts.
   b. The responsibilities of the Cemetery Authority shall include, but not be limited to, the following areas of work:
      i. Maintenance of the cemetery (raking, mowing, weed whacking, trash and debris removal, etc.);
      ii. Meeting with citizens desirous to purchase plots in the Cemetery;
      iii. Repair of damaged headstones, surrounds, enclosed vaults, paths, and access roads;
      iv. As funds are available, install fencing, repair maintenance shop, etc.;
      v. Administer any contract and direct the work in the field in accordance with State Law;
      vi. Consulting services as required (i.e. lawyer, engineer, accountant, etc.);
      vii. Locate vacant graves for sale;
      viii. Coordinate with the City on deed preparation;
      ix. Provide insurance coverage excluding coverage for outsourced contracts and/or excluding insurance already provided by the City for the Oak Grove Cemetery.
      x. Assist in the writing of Grants.
      xi. Accomplish all meetings and provide minutes to the City Manager, the Mayor, and City Council.
      xii. Caring for and removing trees/shrubs as necessary

   c. The responsibilities of the City shall include, but not be limited to, the following areas of work:
      i. Deed preparation and filing,
      ii. Setting up of payment plans; and
      iii. Depositing the funds into the appropriate accounts.
      iv. Maintain the Cemetery funds in a City Account, with funds disbursed by the City upon submission of a properly prepared, approved, and submitted invoice;
      v. Assist the Authority in recovery (physical and fiscal) of the Cemetery in the event of:
         1. Damage caused by a Category Two (Fujita scale) and up tornado;
         2. A Category Two and up hurricane;
         3. Flooding;
         4. Other items yet to be defined.
      vi. Bookkeeping and Accounting Services;
      vii. Process requests for payment for Authority approved contracts;
      viii. Maintain City provided funds in a separate City account, subject to audit and in accordance with City procedures;
      ix. Work closely with the Authority to ensure the smooth transition of data and knowledge to the appropriate person as determined by the Authority
      x. Locating graves and staking out graves for internment, and staking out monuments/headstones for placement.

2. Authority may outsource any of the items listed under paragraph 1 above, upon 30 days advance notice to the City.
3. This agreement shall be for a twelve month period commencing on July 1st.
4. Except to the extent (if any) otherwise provided in this Agreement, the term of this Agreement will be automatically extended for successive one-year periods (subject to the "Termination" sections below), on the same terms and conditions as in effect immediately prior to the then-current expiration date.
5. The agreement shall not be terminated unless either party gives the other notice of non-extension at least sixty (60) days before the then-current expiration date.

For the Cemetery Authority: _____
Kay Westberry, Chairperson
Date: _____

For the City of St. Marys: _____
John F. Morrissey, Mayor
Date: _____

CITY COUNCIL MEETING
July 20, 2015

NEW BUSINESS: EASEMENT AGREEMENT FOR CORBITT

PURPOSE: The City of St. Marys is requesting an approval of an Easement Agreement with Stephen Corbitt with regards to extending a utility easement along his property. The property is zoned R-1, and located at Lot 2, Dilworth Place, Tax Parcel Number 531-01-010B.

RECOMMENDATION: Planning Staff recommends approval of the Easement Agreement.

HISTORY/ANALYSIS: The property owner presented plans for a building permit for Dilworth Place, Lot 2, on June 1, 2015, with a survey indicating an existing sewer line intruding into the 25-foot utility easement identified on the 2006 Dilworth Place plat. As a result, the existing sewer line runs under the building envelope of the residence along the eastern portion of the property. The corner of the proposed garage lies directly above the line, triggering this Easement Agreement.

The City asks that the 25-foot utility easement be extended by 10 feet to a 35-foot utility easement so that any future work on the sewer line provides the City with adequate work area to ensure this public facility's future. The Easement Agreement requires that the City return all disturbed lawn, upon future need, to its existing state at the time of disturbance, in return for the extended easement granted to the City, pending the Planning Commission's decision to grant a variance of 10 feet for the front yard setback. By granting this variance, waiving the variance fee and signing the agreement, the City is provided access to the public resource while the property owner maintains full use of his residential property.

This Easement Agreement provides a timely resolution that benefits both the City and property owner.

ATTACHMENTS: *Staff Report, Variance Application and Map of Location.*

Department Director: _____
Jeffrey S. Adams, PhD, Community Development Director

City Manager: _____
John J. Holman, City Manager

2/2-00

BOOK PAGE

1759 00700

003769

CAMDEN CO. CLERK'S OFFICE

CAMDEN COUNTY REAL ESTATE TRANSFER TAX
PAID $ 27.50
This 11th June 2015

2015 JUN 11 AM 11:57

Clerk of Superior Court
Joy Lynn Turner

Prepared By/Return to:
Blair C. Strain, P.C
202 Arrow Drive
St. Marys, Georgia 31558
File No. 150470

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF CAMDEN

THIS INDENTURE, made the 2 day of June, two thousand fifteen, by and between

FIRST CITIZENS BANK, A BANKING CORPORATION, NOW KNOWN AS S BANK,

as party or parties of the first part, hereinafter called Grantor(s), and

STEPHEN A. CORBITT AND ABIGAIL L. CORBITT, AS JOINT TENANTS WITH RIGHTS OF SUVIVORSHIP,

as party or parties of the second part, hereinafter called Grantee(s) (words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H: That said Grantor(s), for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained and sold, conveyed and transferred and by these presents does hereby grant, bargain and sell, convey, transfer and set over unto said party of the second part, his/her heirs and assigns.

All that lot, tract or parcel of land lying and being in the City of St. Marys, 29th G.M. District, Camden County, Georgia, more particularly described as follows:

Lot 2 of Dilworth Place, as more fully and accurately shown and described on that certain plat of survey by Ernest R. Bennett, Jr., Georgia Registered Land Surveyor No. 2893, dated January 11, 2006, recorded in Plat Cabinet No. 4, File No. 62-A, of the public records of Camden County, Georgia.

SUBJECT TO: Conditions, restrictions limitations, easements, zoning ordinances of record, if any, and taxes for 2015 and subsequent years.

TO HAVE AND HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee(s) forever in FEE SIMPLE.

BOOK PAGE

1759 00701

AND THE SAID Grantor(s) will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through and under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, Grantor(s) has/ have signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of

1st Witness

2nd Witness

FIRST CITIZENS BANK, NOW KNOWN AS S BANK

BY: _____ (L.S.)

State of
County of

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared _____ by FIRST CITIZENS BANK, now known as S BANK, to me known to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that said person(s) executed the same.

WITNESS my hand and official seal this 2nd day of June 2015.

Courtney Renee Harding
NOTARY PUBLIC
Chatham County, GEORGIA
My Commission Expires January 28, 2019

Notary Public, State of
My Commission Expires 1/28/2019

Recorded JUN 11 2015

Clerk of Court

CITY COUNCIL MEETING
July 20, 2015

NEW BUSINESS: ST. MARYS FORECLOSURE AND VACANT REAL PROPERTY ORDINANCE

PURPOSE: To approve the St. Marys Foreclosure and Vacant Real Property Ordinance

RECOMMENDATION: Planning Staff and City Manager recommend approval.

HISTORY/ANALYSIS: The City of St. Marys has determined there is a need to establish a Foreclosure and Vacant Real Property Registry to protect neighborhoods from becoming blighted through the lack of adequate maintenance and security as a result of properties that are foreclosed or where ownership has been transferred after foreclosure. The state of Georgia requires creditors or mortgages to transfer deeds/instruments within 60 days of the transaction. However, in several cases, this registration does not happen within that time frame and original owner's deed is what is on file with the county which makes it very difficult to locate a responsible party to address property maintenance issues.

The foreclosure and vacant real property registry will require owners and agents to provide the City with official information for contacting a party responsible for bringing foreclosed and vacant real property into compliance with applicable provisions of the municipal code of St. Marys.

The Foreclosure Registry is authorized under the Official Code of Georgia Annotated, Section 44-14-14. However, it is up to the local government to adopt an ordinance complying with the statute to enforce a vacant property registration requirement.

Under this code, there is a one-time maximum administrative fee of $100. A state standard form will be available on the city website for registration. The Code Compliance officer will maintain all records in accordance with the Foreclosure and Vacant Property Registry. The Finance Department will process payments and maintain all records associated with fees collected under the Foreclosure and Vacant Property Registry.

Approval of the St. Marys Foreclosure and Vacant Real Property Ordinance is recommended.

ATTACHMENTS: *Ordinance to form, State code regarding establishment of foreclosure/vacant properties, Proposed Ordinance, Standard operating procedures*

Department Director: _____
Jeffrey S. Adams, PhD, Community Development Director

City Manager: _____
John J. Holman, City Manager

O.C.G.A 44-14-14

§ 44-14-14. Vacant and foreclosed real property registries; definitions; fees and penalties for registration

(a) For purposes of this Code section, the term:

(1) "Agent" means an individual with a place of business in this state at which he or she is authorized to accept inquiries, notices, and service of process on behalf of a vacant or foreclosed real property owner.

(2) "Department" means the Department of Community Affairs.

(3) "Foreclosed real property" means improved or unimproved real property held pursuant to a judicial or nonjudicial foreclosure of a mortgage, deed of trust, security deed, deed to secure debt, or other security instrument securing a debt or obligation owed to a creditor or a deed in lieu of foreclosure in full or partial satisfaction of a debt or obligation owed to a creditor.

(4) "Street address" means the street or route address. Such term shall not mean or include a post office box.

(5) "Vacant real property" means real property that:

(A) Is intended for habitation, has not been lawfully inhabited for at least 60 days, and has no evidence of utility usage within the past 60 days; or

(B) Is partially constructed or incomplete, without a valid building permit.

Such term shall not include a building or structure containing multiple units with common ownership that has at least one unit occupied with evidence of utility usage.

(b) Effective July 1, 2012:

(1) A county or municipal corporation may establish by ordinance or resolution for the requirement of registration of vacant or foreclosed real property as provided in this Code section;

(2) Notwithstanding county or municipal ordinances or resolutions that require registration for repeated ordinance violations that remain uncorrected for at least 90 days, no county or municipal corporation shall require registration of vacant property or real property that is unoccupied, uninhabited, abandoned, foreclosed, or advertised for foreclosure on any basis other than as set forth in this Code section or as may be otherwise authorized by general law; and

(3) No county or municipal corporation shall require for purposes of a vacant or foreclosed real property registry established pursuant to this Code section any information or documentation other than as set forth in this Code section.

Any requirements of a vacant or foreclosed real property registry established by a county or

municipal ordinance or resolution in effect as of July 1, 2012, that are in conflict with the requirements of this Code section shall be hereby preempted.

(c) Each registrant shall be required to file with a specifically identified office or officer a registration form, in paper or electronic format, as required by the county or municipal corporation, requiring submission of only the following information:

(1) The real property owner's name, street address, mailing address, phone number, facsimile number, and e-mail address;

(2) The agent's name, street address, mailing address, phone number, facsimile number, and e-mail address;

(3) The real property's street address and tax parcel number;

(4) The transfer date of the instrument conveying the real property to the owner; and

(5) At such time as it becomes available, recording information, including deed book and page numbers, of the instrument conveying the real property to the owner.

(d) The department may promulgate a standard vacant or foreclosed real property registry form that requires only the information set forth in subsection (c) of this Code section, in paper and electronic format. If such form is promulgated by the department, all counties and municipal corporations with a vacant or foreclosed real property registry shall use such form.

(e) (1) When any real property is acquired by foreclosure under power of sale pursuant to Code Section 44-14-160 or acquired pursuant to a deed in lieu of foreclosure and:

(A) The deed under power of sale or deed in lieu of foreclosure contains the information specified in paragraphs (1) through (5) of subsection (c) of this Code section;

(B) The deed is filed with the clerk of superior court within 60 days of the foreclosure sale or transfer of the deed in lieu of foreclosure; and

(C) Proof of the following is provided to the office or officer in charge of the county or municipal foreclosed real property registry:

(i) A filing date stamp or a receipt showing payment of the applicable filing fees; and

(ii) The entire deed under power of sale or entire deed in lieu of foreclosure,

a county or municipal corporation shall not require the transferee to register such foreclosed real property pursuant to this Code section or the payment of any administrative fees pursuant to subsection (h) of this Code section.

(2) No county or municipal corporation may require registration of vacant or foreclosed real property pursuant to this Code section within 90 days of such real property's transfer:

(A) Pursuant to a deed under power of sale or deed in lieu of foreclosure; or

(B) To the first subsequent transferee after the vacant real property has been acquired by foreclosure under power of sale pursuant to Code Section 44-14-160 or acquired

pursuant to a deed in lieu of foreclosure.

(f) An ordinance or resolution establishing a registry pursuant to this Code section may require a vacant or foreclosed real property owner to update the information specified in paragraphs (1) through (5) of subsection (c) of this Code section within 30 days after any change in such required information regardless of whether the information provided to the registry was in the deed under power of sale or deed in lieu of foreclosure.

(g) A vacant or foreclosed real property owner, or the agent of such owner, may apply to remove such vacant or foreclosed real property from the registry at such time as the real property no longer constitutes vacant or foreclosed real property. The county or municipal corporation shall grant or deny such application within 30 days, and if no such determination is made within 30 days, the application shall be deemed granted.

(h) An ordinance or resolution establishing a vacant or foreclosed real property registry may require the payment of administrative fees for registration which shall reasonably approximate the cost to the county or municipal corporation of the establishment, maintenance, operation, and administration of the registry. Such fees shall not exceed $100.00 per registration.

(i) An ordinance or resolution establishing a vacant or foreclosed real property registry may require penalties for failure to register or failure to update the information specified in paragraphs (1) through (5) of subsection (c) of this Code section, provided that such penalties shall not exceed $1,000.00.

(j) A county or municipal ordinance or resolution requiring the registration of vacant or foreclosed real property shall provide for administrative procedures. The administrative procedures shall include the right to appeal to the municipal or recorder's court in the city where the vacant or foreclosed real property is located or to the magistrate or recorder's court of the county in which the vacant or foreclosed real property is located, subject to applicable jurisdictional requirements. Any vacant or foreclosed real property owner affected by a county or municipal ordinance or resolution requiring vacant or foreclosed real property registration may challenge any determination made pursuant to such ordinance or resolution.

(k) An ordinance or resolution adopted by the governing authority of a county to establish a registry pursuant to this Code section may, subject to and in accordance with the requirements of this Code section, require registration of vacant or foreclosed real property within the entire territory of the county, except territory located within the boundaries of any municipal corporation, unless otherwise allowed by intergovernmental agreement between the county and municipal corporation.

(l) Nothing in this Code section shall be construed to prohibit a county or municipal ordinance or resolution requiring the registration of vacant or foreclosed real property from providing for exemptions from such registration.

(m) Nothing in this Code section shall be construed to impair, limit, or preempt in any way the power of a county or municipal corporation to enforce any applicable codes, as defined in Code Section 42-2-8, or to define or declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

(n) Notwithstanding Code Section 36-74-30, an ordinance or resolution establishing a vacant or foreclosed real property registry may require the registration of residential rental

property if such property is vacant or foreclosed real property.

HISTORY: Code 1981, § 44-14-14, enacted by Ga. L. 2012, p. 656, § 1/HB 110; Ga. L. 2013, p. 634, § 2/HB 160.

ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA

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

Present:

John F. Morrissey, Mayor
Robert L. Nutter, Councilman, Post 1
Elaine Powierski, Councilwoman, Post 2
Jim Gant, Councilman, Post 3
Sam L. Colville, Councilman, Post 4
David Reilly, Councilman, Post 5
Linda P. Williams, Councilman, Post 6

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

AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA, SECTION 46 ENVIRONMENT ORDINANCE TO ADD ARTICLE X CONSISTING OF SECTIONS 46-300 THROUGH 46-311 ENTITLED "FORECLOSED AND VACANT REAL PROPERTY REGISTRY ORDINANCE" TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR GUIDELINES FOR VACANT AND FORECLOSED PROPERTY REGISTRY; TO PROVIDE FOR EXEMPTIONS; TO PROVIDE FOR MAXIMUM FEES AND PENALITES FOR REGISTRATION AND FAILURE TO REGISTER; TO PROVIDE FOR APPELLATE RIGHTS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this _____ day of _____, 2015 that Chapter 46 ENVIRONMENT of the Code of Ordinances, City of St. Marys, Georgia is hereby amended to add the following Article X to read as follows:

CHAPTER 46 ENVIRONMENT

ARTICLE X. - Foreclosed and Vacant Real Property Registry Ordinance

Sec. 46-300. Title.

The ordinance codified in this Article is adopted by the City Council of St. Marys, Georgia, pursuant to the Official Code of Georgia Annotated, Section 44-14-14, and shall be referred to as the "St Marys Vacant and Foreclosed Property Ordinance."

Sec. 46-301. Findings and Intent.

This ordinance is adopted to address the interest of public health, safety and welfare.

(a) The governing authority finds that there is a need to establish a foreclosure and vacant real property as a mechanism to protect our citizens health, welfare and property values in neighborhoods for all property owners.

(b) Due to the lack of adequate maintenance and security of properties that are foreclosed or where ownership has been transferred after foreclosure, the health, welfare, property values and quality of life of neighboring properties and residents are negatively impacted.

(c) Improperly maintained and secured foreclosed properties can become a hazard to the health and safety of persons who may come on or near the property and can adversely affect the aesthetic and economic attributes of communities. Difficulties also often arise in locating the person responsible for the condition of foreclosed or vacant real property. The governing authority finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address these concerns through the adoption of the provisions in this article.

(d) This foreclosure and vacant real property registry will require owners and agents to provide the City with official information for contacting a party responsible for bringing foreclosed and vacant real property into compliance with applicable provisions of municipal code of St. Marys, Georgia.

Sec. 46-302. Definitions.

The terms 'Agent', 'Foreclosed real property', 'Street address', and 'Vacant Real Property' shall have the same meaning as set forth in the Official Code of Georgia Annotated, Section 44-14-14.

Sec. 46-303. Registration of Vacant or Foreclosed Property.

(a) Owner or agents of foreclosed real property or vacant real property, including foreclosed real property and vacant real property which is also residential rental property, are required to register such property with the St. Marys Code Compliance Office within thirty (30) days of such property becoming foreclosed or vacant real property by following the provisions of this section unless otherwise exempted by this Article or state law.

(b) Any such owner or agent of foreclosed real property or vacant real property located within the jurisdiction of the City is required to file with the St. Marys Code Compliance Office a registration form, provided by the City in paper or electronic format containing the following information:

(1) The real property owner's name, street address, mailing address, phone number, facsimile number, and e-mail address;

(2) The agent's name, street address, mailing address, phone number, facsimile number, and e-mail address;

(3) The real property's street address and tax parcel number;

(4) The transfer date of the instrument conveying the real property to the owner; and

(5) At such time as it becomes available, recording information, including deed book and page numbers, of the instrument conveying the real property to the owner.

(c) Registration is required for all vacant or foreclosed real property unless otherwise exempted, pursuant to this Article, but is not required for vacant or foreclosed real property within 90 days of such real property's transfer:

(1) Pursuant to a deed under power of sale or deed in lieu of foreclosure; or

(2) To the first subsequent transferee after the vacant real property has been acquired by foreclosure under power of sale, or acquired pursuant to a deed in lieu of foreclosure.

(d) Any owner or agent required to register any vacant or foreclosed real property pursuant to this Article or to Georgia law shall also be required to update the information specified in subsection (a) of this section within 30 days after any change in such required information regardless of whether the information provided to the registry was in the deed under power of sale or deed in lieu of foreclosure.

Sec. 46-304. Foreclosed and Vacant Real Property Exemptions.

(a) Registration or payment of any administrative fees of foreclosed real property pursuant to this Article and Georgia law is not required of transferees as described in subsection (b) of this section.

(b) Any transferee who acquires any real property by foreclosure under power of sale pursuant to the Official Code of Georgia Annotated, Section 44-14-160 or acquires any real property pursuant to a deed in lieu of foreclosure and:

(1) The deed under power of sale or deed in lieu of foreclosure contains the information specified in subsection (a) of this section;

(2) The deed is filed with the clerk of the superior court within 60 days of the transfer; and

(3) Proof of the following is provided to the office or the officer in charge of the city foreclosed real property registry:

(a) A filing date stamp or receipt showing payment of the applicable filing fees; and

(b) A copy of the entire deed under power of sale or entire deed in lieu of foreclosure.

(c) Any owner or agent required to register any vacant or foreclosed real property pursuant to this Article or to Georgia law shall also be required to update the information specified in subsection (a) of this section within 30 days after any change in such required information regardless of whether the information provided to the registry was in the deed under power of sale or deed in lieu of foreclosure.

Sec. 46-305. Removal from Registry.

(a) Any owner or agent of a vacant or foreclosed real property may apply to the city to remove a vacant or foreclosed real property from the city registry at such time as the real property no longer constitutes a vacant or foreclosed real property.

(b) Any application for removal allowed under subsection (a) of this section shall be granted or denied by the St. Marys Code Compliance Office within 30 days, and if no such determination is made within 30 days then the application for removal from the registry shall be deemed granted.

Sec. 46-306. Administrative Fees.

Any owner or agent of a vacant or foreclosed real property which is required to be registered with the City under this Article shall be required to make a payment of $100.00 for administrative fees to the City for the establishment, maintenance, operation, and administration of the registry.

Sec. 46-307. Appeal Procedures.

(a) Any owner or agent aggrieved of any determination or decision of the St. Marys Code Compliance Office or the City in the administration of this Article may appeal to the Municipal Court of the City of St. Marys. All appeals hereunder must be taken within thirty (30) days of the decision in question by filing with the St. Marys Code Compliance Office a notice of appeal specifying the grounds thereof.

(b) The St. Marys Code Compliance Office shall forthwith transmit the notice of appeal and all the papers constituting the record upon which the action appealed was taken to the municipal court clerk who shall schedule an appeal hearing within sixty (60) days following the date the appealing party submits its completed written appeal with subsection (a) above.

(c) The municipal court judge may call for further information to be provided within the next thirty-five (35) days following the hearing, and may continue the hearing for the purpose of receiving such information or for such other proceedings and reasons as the municipal court judge deems appropriate.

(d) An appeal shall stay all proceedings in furtherance of the action appealed from unless the St. Marys Code Compliance Office certifies to the Municipal Court of the City of St. Marys, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property. In such case, the proceedings shall not be stayed except by order of the municipal court judge on notice to the St. Marys Code Compliance Office, and on due cause shown.

(e) The municipal court judge may, in conformity with the provisions of this Article, reverse or affirm, in whole or in part, or modify the decision, requirement, or determination of the St. Marys Code Compliance Office appealed from by the owner or agent and may make such decision, requirement, or determination, as may be appropriate under the circumstances.

Sec. 46-308. Administration.

(a) The foreclosure and vacant real property registry is subject to the Open Records Act of the State of Georgia and the City may make such registry information available online.

(b) Registration information shall be deemed prima facie proof of the statements contained therein in any court proceeding or administrative enforcement proceeding in connection with the enforcement of this chapter.

Sec. 46-309. Nuisances.

Nothing in this Article shall be construed to impair, limit, or preempt in any way the power of the City to enforce any applicable codes, as defined in state law, or to define or declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

Sec. 46-310. Penalties.

Any owner or agent required to register a vacant or foreclosed real property under this Article who fails to register or fails to update the information specified in subsection (a), of Section 46-93, of this Article, Registration of Vacant or Foreclosed Property, may be fined up to $1,000.00 per occurrence.

Sec. 46-311. Conflicts and Severability.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

This Amendment shall become effective upon passage.

ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA

_____
JOHN F. MORRISSEY, MAYOR

ATTEST:

_____
DEBORAH WALKER-REED, CITY CLERK
CITY OF ST. MARYS, GEORGIA

EXPLANATION OF CHANGES

NOTE: Deletions are ~~stricken through~~, additions are <u>underlined</u>.

Article X of Chapter 46 is entirely new.

CITY COUNCIL MEETING
July 20, 2015

TITLE: PAPA LUIGI'S INCORPORATED D/B/A PAPA LUIGIS RESTAURANT (NEW ALCOHOL LICENSE) *Public Hearing Advertising*

PURPOSE: The City Clerk requests approval to advertise a public hearing for a Beer and Wine License on premise consumption with food for Papa Luigi's Restaurant.

RECOMMENDATION: The City Clerk recommends approval to advertise for a public hearing at 5:45 p.m. on Monday, August 3, 2015 in Council Chambers at City Hall.

HISTORY: Mr. Alirio A. Fuentes of Papa Luigi's, Incorporated (new owner of Papa Luigis Restaurant) made an application for an alcohol license for the sale of beer and wine on premise consumption with food. The business is located at 143 City Smitty Drive, St. Marys, Georgia 31558.

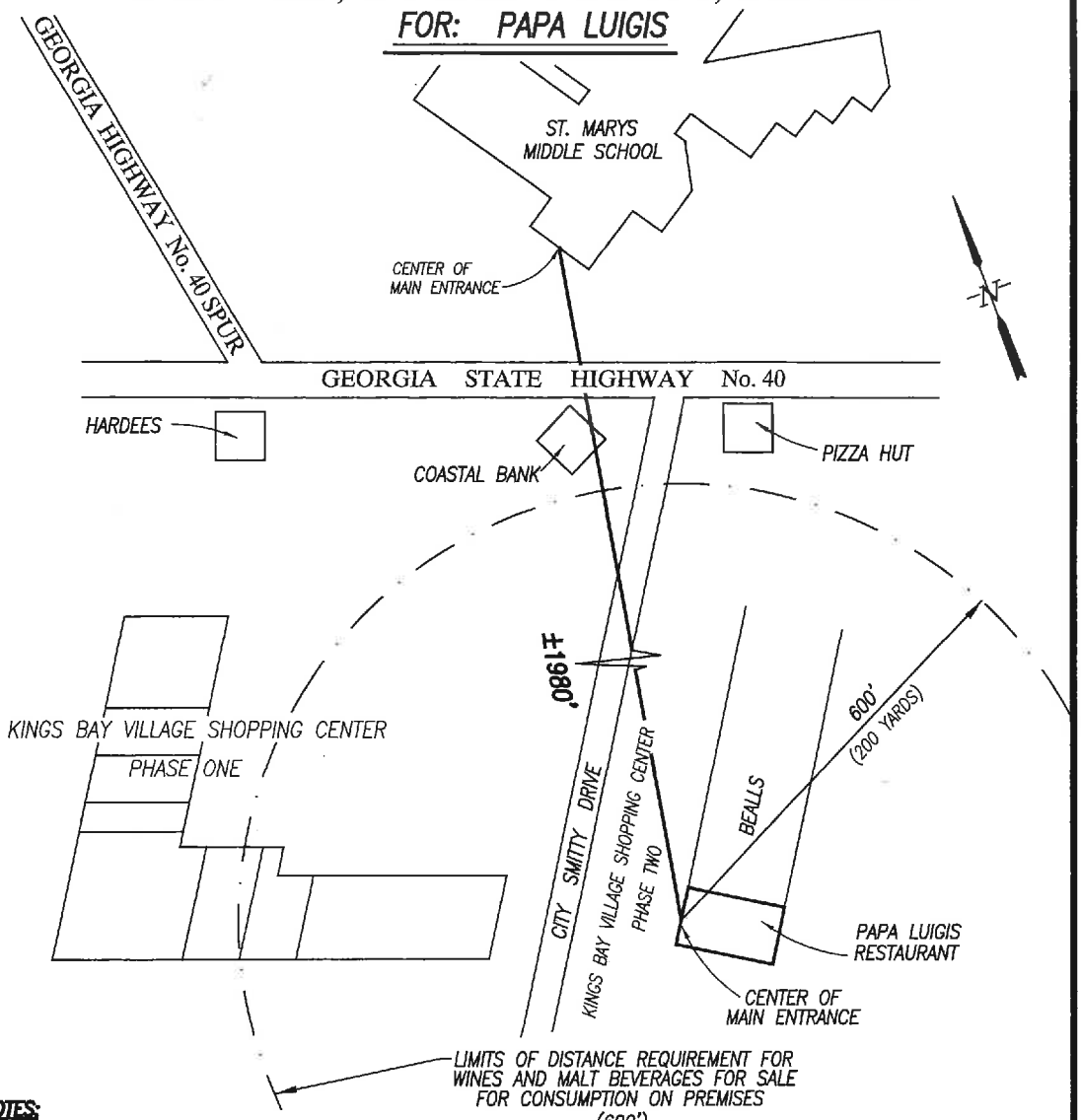
Department Director: _____

City Manager: _____

MAP TO SHOW

ALCOHOL BEVERAGE LICENSE SURVEY FOR PAPA LUIGIS RESTAURANT, CITY OF ST. MARYS, 29th G.M.D., CAMDEN COUNTY, GEORGIA

FOR: PAPA LUIGIS



NOTES:

1.) DUE TO EXCESSIVE DISTANCES BEYOND THE CITY OF ST. MARYS DISTANCE REQUIREMENT, ALL DISTANCES SHOWN HEREON WERE SCALED FROM AERIAL PHOTOGRAPHS AND VERIFIED USING SATELLITE MAPPING SOFTWARE.

2.) THERE ARE NO RESIDENTIAL DWELLINGS LYING WITHIN THE 100 FOOT DISTANCE REQUIREMENT, AS INDICATED BY MEANS OF A VISUAL INSPECTION.

3.) THERE ARE NO IN-HOME DAY CARES, ALCOHOLIC TREATMENT CENTERS, HOUSING AUTHORITY PROPERTY OR EDUCATIONAL BUILDING WITHIN THE CITY OF ST. MARYS DISTANCE REQUIREMENTS AT THIS TIME, AS INDICATED BY MEANS OF VISUAL INSPECTION.

SCALE: 1" = 200'

DWN. BY: G.D.

CKD. BY: R.B.

I HEREBY CERTIFY THAT THE ABOVE MEASUREMENTS WERE TAKEN UNDER MY DIRECT SUPERVISION AND THAT SAID MEASUREMENTS ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GEORGIA REGISTERED No. 2893 ERNEST R. BENNETT, JR. SURVEYOR

BY: _____ DATE: 06-23-2015

ERNEST R. BENNETT, JR.
GA. REGISTERED SURVEYOR No. 2893

PREPARED BY:

BENNETT SURVEYING, INC.
Surveyors and Land Planners

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F.B.: —, PG.: — DATE: 06-23-2015

CAD FILE: CAD\BSI\CAMDEN\ST MARYS\PAPA LUIGIS.DWG

CITY OF ST. MARYS
418 OSBORNE STREET
ST. MARYS, GEORGIA 31558
TELEPHONE: 912-510-4039
FAX: 912-510-4013

NOTICE OF PUBLIC HEARING
ALCOHOL BEVERAGE LICENSE

The City of St. Marys, Georgia has received an application for an alcohol beverage license from Mr. Alirio A. Fuentes of Papa Luigi's Incorporated D/B/A Papa Luigis at 143 City Smitty Drive, St. Marys, Georgia, for the sale of beer and wine on premise consumption with food. Notice is hereby given that a Public Hearing on this application is scheduled for Monday, August 3, 2015 at 5:45 p.m. in Council Chambers at St. Marys City Hall. Anyone desiring to address Council regarding the issuance of a license to this establishment may do so at the Public Hearing.

Deborah Walker-Reed
Deborah Walker-Reed, City Clerk

PLEASE RUN: July 23rd & July 30th