



**CITY OF ST. MARYS, GEORGIA**  
**March 21, 2011**

**WATER/SEWER WORK SESSION**  
**5:00 p.m.**

**CITY COUNCIL MEETING**

**6:00 p.m.**

**AMENDED**  
**AGENDA**

- I. **CALL TO ORDER**
- II. **INVOCATION:** *Councilmember Post*
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL** **QUORUM: YES X NO**
- V. **APPROVAL OF MINUTES:** *March 7, 2011 Regular City Council Meeting Minutes*  
*March 7, 2011 Town Hall Meeting Minutes*
- VI. **PRESENTATION:**  
**PROCLAMATION:** *National Crime Victims' Rights Week*  
**ANNOUNCEMENT OF BOARD VACANCIES OR EXPIRATION OF TERMS**
  1. Citizens "City-Wide Beautification" Advisory Board (*Three (3) Vacancies*)
  2. Tree Board (*Westcot*)**BOARD APPOINTMENTS**
  1. Downtown Development Authority (*Natzic & Ryan*)
  2. Oak Grove Cemetery Study Committee (*Six (6) Appointments*)
- VII. **SET CONSENT AGENDA**
- VIII. **APPROVAL OF THE AGENDA**
- IX. **GRANTING AUDIENCE TO THE PUBLIC:**
- X. **OLD BUSINESS:**

- A. **TRANSPORTATION INVESTMENT ACT: House Bill 277**.....TAB “A”  
To approve the DOT project list
  - B. **CITY PURCHASING POLICY**.....TAB “B”  
To review the proposed policy revision
  - C. **CITY ATTORNEY TASKING: (ADDED)**.....TAB “C”  
To review tasking of the City Attorney
- XI. NEW BUSINESS:**
- A. **BUDGET ORDINANCE: Travel Expenses**.....TAB “D”  
To cover travel expenses in the Legislative Department
  - B. **BUDGET ORDINANCE: Legal Expenses**.....TAB “E”  
To transfer funds to cover legal expenses
  - C. **BUDGET ORDINANCE: Property Purchase**.....TAB “F”  
To transfer funds to cover property tax expenses paid on the Gilman Boathouse property
  - D. **WATER AND SEWER TEMPORARY SERVICE:** .....TAB “G”  
Section 98-2 Utility Ordinance Amendment.
  - E. **PAVILION DOCKING CONTRACT: Charter Tours**.....TAB “H”  
Request permission for a for-profit charter tour service to load and unload passengers
  - F. **ALARM ORDINANCE:** .....TAB “I”  
To review the alarm ordinance amendment
  - G. **JOINT RESOLUTION:** .....TAB “J”  
In support of the County submitting the Kingsland Bypass project to the Coastal Georgia Roundtable for consideration to include on constrained list of projects as it relates to TSPLOST
  - H. **CVB BUDGET: 2011 Revision**.....TAB “K”
  - I. **CITY ATTORNEY CONTRACT AMENDMENT: (ADDED)**.....TAB “L”
  - J. **REQUEST TO COUNCIL TO HAVE THE CITY ATTORNEY REVIEW THE INTRACOASTAL GATEWAY RFP FOR COMPLIANCE WITH ALL STATE AND MUNICIPAL REGULATIONS AND LAWS: Councilmember Morrissey**
- XII. REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**
- A. **CITY CALENDAR: City Clerk**

**XIII. REPORT OF MAYOR:**

**XIV. REPORT OF CITY MANAGER:*None***

**XV. GRANTING AUDIENCE TO THE PUBLIC**

**XVI. EXECUTIVE SESSION:**

**XVII. ADJOURNMENT:**

**CITY OF ST. MARYS, GEORGIA  
CITY COUNCIL MEETING  
March 21, 2011  
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, March 21, 2011 in the Council Chamber at City Hall.

**PRESENT WERE:**

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

**ABSENT WERE:**

Councilmember Deborah Hase

**CITY OFFICIALS PRESENT:**

Gary Moore, City Attorney  
Roger Weaver, Planning Director  
Tim Hatch, Police Chief  
Bobby Marr, Public Works Director  
Robby Horton, Fire Chief  
Donna Folsom, HR Director  
Jennifer Brown, Finance Director  
Marsha Hershberger, Asst. Finance Director  
Jeff Juliano, Sergeant-At-Arms  
Matt Dawkins, Sergeant-At-Arms

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:** *March 7, 2011 Regular City Council & Town Hall Meeting Minutes*  
Councilmember Trader made a motion to approve the March 7, 2011 regular City Council and Town Hall meeting minutes. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

**PRESENTATION:**

Mayor DeLoughy proclaimed the week of April 10 - 16, 2011, as National Crime Victims' Rights Week. He also reaffirmed the city's commitment to respect and enforce victims' rights and address their needs during *Crime Victims' Rights Week* and throughout the year. Mayor DeLoughy expressed the city's appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

## **ANNOUNCEMENT OF BOARD VACANCIES OR EXPIRATION OF TERMS**

1. Citizens "City-Wide Beautification" Advisory Board (*Three (3) Vacancies*)
2. Tree Board (*Westcot*)

Mayor DeLoughy announced the three vacancies on the St. Marys Citizens City-Wide Beautification Advisory Board and one on the Tree Board.

## **BOARD APPOINTMENTS**

1. Downtown Development Authority (*Natzic & Ryan*)

Councilmember Trader moved to appoint Walt Natzic to the Downtown Development Authority. Councilmember Morrissey seconded the motion. Voting was unanimous in favor of the motion.

2. Oak Grove Cemetery Study Committee (*Six (6) Appointments*)

Mayor DeLoughy announced that the following candidates were interested in the appointments: Caroline Frasca, Financial Advisor; Christopher Thurner, Attorney; Tim Ward, At-Large; Mary T. Smith, At-Large; Al Chapman, Funeral Director and Julie Banks, At-Large.

Councilmember Bird moved to approve the slate as presented. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

## **SET CONSENT AGENDA (\*)**

There were no items identified on the consent agenda.

## **APPROVAL OF THE AGENDA:**

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

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

Alex Kearns, 902 Ann Street: Reported on the annual St. Marys River Celebration, the "One Day of Giving" clean-up being held on Saturday, March 26, 2011 from 8 a.m. - 12 p.m. and Earth Hour from 8:30 - 9:30 p.m.

Barbara Ryan, 711 Mildred Street: Pavilion Docking Contract not to preclude a major attraction for other tours

Bill Creed, 613 Kings Way: Attorney's contract amendment and services provided out of the county.

Darren Harper, Economic Development Director of Kingsland: Presented an overview of the Energy Efficiency and Conservation Revolving Loan Fund. A copy of the report is attached as part of the minutes.

Bob Nutter, 521 Moeckel Place: Timeline of events for payment of the lobbyist trip to Washington, DC, and questioning of the Mayor's authorization for cutting the check.

Phil Jones, 201 Catherine Street: No exclusive use at the pavilion and enforcement of long term stay rules at waterfront dock

Jim Dickey, 111 East St. Marys Street: Opposed to the pavilion docking contract and non-residence of boat owners

Phil Jones, 201 Catherine Street: The boat being registered in Georgia, and property owner in the county and St. Marys.

Dave Schmitz, 112 New Hammock Circle: Large boats tying up at the waterfront and the large sailboat that has been moored before Thanksgiving of 2009

**OLD BUSINESS:**

**A. TRANSPORTATION INVESTMENT ACT: *House Bill 277***

Request council approval of the Department of Transportation (DOT) project list required by the state for HB 277. The house bill will be put to a referendum for a 1% sales tax to be used on transportation projects, which will be passed on to local governments.

Councilmember Bird moved to approve the Coastal Georgia Greenway Plan to include the Camden County bike and pedestrian trails, I-95 exit 1 modification, and St. Marys Road bridge repairs. Councilmember Morrissey seconded the motion. Council discussed compliance requirements and penalties. Voting was unanimous in favor of the motion.

**B. CITY PURCHASING POLICY:**

To review the proposed policy revision

Councilmember Bird moved to task the new city manager with the review of the purchasing policy. Councilmember Howell seconded the motion. Council discussed a purchasing card to be built into the policy and the quantity of field purchase orders. Voting was unanimous in favor of the motion.

**C. CITY ATTORNEY TASKING: (ADDED)**

To review the time limitation on tasking of the city attorney by the mayor and/or council

Councilmember Bird moved to approve as written with the exception of limiting the mayor up to ten hours work on any single issue on any one occasion. Councilmember Morrissey seconded the motion. Council discussed linking the purchasing policy to the mayor and non-budgeted purchased services. Voting was unanimous in favor of the motion.

**NEW BUSINESS:**

**A. BUDGET ORDINANCE: *Travel Expenses***

To transfer funds to cover travel expenses in the Legislative Department from salaries due to a vacancy. The expenses were for the mayor to attend the Washington Fly-In.

Councilmember Trader moved to approve the budget ordinance. Councilmember Post seconded the motion. Council discussed cutbacks on Georgia Municipal Association meetings; councilmember's paying their own expenses; opposition of expending funds for questionable impacts to the community and support of the return on the investment. Voting was recorded as follows:

<u>FOR</u>	<u>OPPOSED</u>
Councilmember Morrissey	Councilmember Bird
Councilmember Post	Councilmember Howell
Councilmember Trader	

**B. BUDGET ORDINANCE: Legal Expenses**

To transfer funds to cover legal expenses for lawsuits, personnel issues and solicitor, etc.

Councilmember Trader moved to approve the budget ordinance. Councilmember Post seconded the motion. Council discussed expenses in the capital projects; Gaines Davis; the bond; expense differences for an in-house attorney and utilization of Georgia Municipal Association (GMA) attorney's and their deference to the city attorney for opinions. Voting was recorded as follows:

<u>FOR</u>	<u>OPPOSED</u>
Councilmember Morrissey	Councilmember Bird
Councilmember Post	Councilmember Howell
Councilmember Trader	

**C. BUDGET ORDINANCE: Property Purchase**

To transfer funds to cover the remainder of the appealed property tax expenses paid on the Gilman Boathouse property after the adjustments at closing.

Councilmember Trader moved to approve the budget ordinance. Councilmember Morrissey seconded the motion. Council discussed prior year tax expenses not being recoverable funds from the seller. Voting was unanimous in favor of the motion.

**D. WATER AND SEWER TEMPORARY SERVICE:**

Section 98-2 Utility Ordinance Amendment to extend the number of month's utilized by rental management companies, real estate companies and inspection companies, etc.

Councilmember Trader moved to approve the ordinance amendment. Councilmember Post seconded the motion. Council discussed the security deposit of \$100.00 and monthly base rate of \$35.00 plus the usage charges for a 12-month period on commercial businesses. Voting was unanimous in favor of the motion.

**E. PAVILION DOCKING CONTRACT: Charter Tours**

Request permission for a for-profit charter tour service to load and unload passengers at the waterfront pavilion to increase tourism activities. The sail boat holds a maximum of six people as approved by the U.S. Coast Guard. It is not an exclusive agreement.

Councilmember Trader made a motion to approve the contract as written. Councilmember Post seconded the motion. Council discussed the requirements of a business license, insurance, termination clause and payment of taxes. Voting was unanimous in favor of the motion.

**F. ALARM ORDINANCE:**

To review the alarm ordinance amendment to bring it into compliance and current business practices for council approval.

Councilmember Bird made a motion to approve the alarm ordinance. Councilmember Morrissey seconded the motion. Council discussed the registration and disconnect fee changes. Voting was unanimous in favor of the motion.

**G. JOINT RESOLUTION:**

In support of the County submitting the Kingsland Bypass project to the Coastal Georgia Roundtable for consideration to include a constrained list of projects as it relates to TSPLOST (HB 277).

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

**H. CVB BUDGET: 2011 Revision**

Excess funds from the director's salary were moved to marketing and extended hours of operation.

Councilmember Trader moved to approve the budget. Councilmember Howell seconded the motion. Council discussed their pleasure with the new facility, staff and volunteers. Voting was unanimous in favor of the motion.

**I. CITY ATTORNEY CONTRACT AMENDMENT:(ADDED)**

The amendment addressed the utilization of paralegals by taking advantage of their training and experience at a cost efficient basis, and adding the time limitation for the mayor to 10-hours.

Councilmember Trader moved to approve the contract amendment. Councilmember Post seconded the motion. Council discussed the paralegal tasks that could be performed at a more cost effective approach and restricting previous work on litigations. Voting was unanimous in favor of the motion.

**J. REQUEST TO COUNCIL TO HAVE THE CITY ATTORNEY REVIEW THE INTRACOASTAL GATEWAY RFP FOR COMPLIANCE WITH ALL STATE AND MUNICIPAL REGULATIONS AND LAWS: *Councilmember Morrissey***

Consideration to approve the tasking of the city attorney to review the RFP that could possibly take four hours

Councilmember Morrissey made a motion to task the city attorney to review the RFP for a maximum of four hours. Councilmember Trader seconded the motion. Council discussed steps for the RFP, consistent with state laws and providing the document to the city clerk to forward to the attorney for legal review. Voting was unanimous in favor of the motion.

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

Water and Sewer work session was held tonight and another meeting is scheduled to review the other items. The work session was scheduled on April 4, 2011 at 4:30 p.m. in the City Hall Council Chamber.

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

The City Clerk read the calendar of meetings, events and activities for the last week in March.

**REPORT OF MAYOR:**

- Attended a two-day charrette for the Intracoastal Gateway Project presented by Coastal Regional Commission
- City Manager search closed on March 15th, with 80 resumes received. The human resource director will provide a worksheet with a comprehensive report for distribution to council on the top 24 candidates for comments, and council is to choose 10 strong applicants to interview. The importance of being sensitive to the applicant's wishes that their names withheld until the top three candidates were chosen.
- Reported on an accident at the airport where a skydiver was hurt when he landed in power lines, which caused a power outage in St Marys

**REPORT OF CITY MANAGER:**

There was no "City Manager Report" at this time.

**GRANTING AUDIENCE TO THE PUBLIC:**

Bob Nutter, 521 Moeckel Place: Difference between the Atlanta Fly-In, Washington Fly-In and the expenditure; city attorney invoices and GMA attorney billing statements, grand jury expenses versus legal services expended.

Bill Creed, 613 Kings Way: Maintenance of McDowell Park pathways and debris

Dave Schmitz, 112 New Hammock Circle: Requested the report on the assessment of the airport relocation project and additional land

**EXECUTIVE SESSION:**

There was no "Executive Session" at this time.

**ADJOURNMENT:**

Councilmember Bird made a motion for adjournment. Councilmember Post seconded the motion. Mayor DeLoughy declared the meeting adjourned at 7:36 p.m.

Respectfully submitted,

  
Darlene M. Roellig, City Clerk