



CITY OF ST. MARYS, GEORGIA
April 18, 2011

CITY COUNCIL MEETING

6:00 p.m.

AGENDA

- I. CALL TO ORDER**
- II. INVOCATION:** *Pastor Randy Dockery*
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL** **QUORUM: YES NO**
- V. APPROVAL OF MINUTES:** *April 4, 2011 Regular City Council Meeting & Executive Session Minutes*
- VI. PRESENTATION:**
- TOTALLY FREE, INC. PRESENTATION**
- ANNOUNCEMENT OF BOARD VACANCIES**
- 1. Tree Board:** *One Vacancy*
 - 2. Hospital Authority (Hall & Lewis) Term Expirations 4/23/11**
 - 3. Oak Grove Cemetery Study Committee (Mary T. Smith's Resignation)**
- BOARD DISCONTINUATION:**
- 1. Citizens "City-Wide Beautification" Advisory Board**
- BOARD APPOINTMENT**
- 1. Downtown Development Authority:** *One Vacancy*
- VII. SET CONSENT AGENDA:** *Proposed Consent Agenda – Old Business "B" and New Business "A & B"*
- VIII. APPROVAL OF THE AGENDA**
- IX. GRANTING AUDIENCE TO THE PUBLIC:**
- X. OLD BUSINESS:**
- A. ECONOMIC DEVELOPMENT DIRECTOR POSITION:**TAB "A"

To appoint one of the top three candidates to the vacant position of Economic Development Director

- B. ARTS & MUSIC STROLL: Special Event.....TAB “B”
To extend the special event zone to Conyers Street and add an additional police officer
- C. GRAND JURY COMMENTS: Mayor and Councilmembers
- D. JUMPING PLACE INSURANCE: Meeting Update.....TAB “C”
To request the city attorney to update the council

XI. NEW BUSINESS

- A. RESOLUTION: Support of Senior Housing Project.....TAB “D”
Rea Ventures has requested a resolution supporting up to 50 units of affordable senior citizen housing project to be located on tax parcels 121-077 located adjacent to Winding Road.
- B. GREEN CEDAR, LLC NEW ALCOHOL LICENSE: Public Hearing Advertising .TAB “E”
Consideration to approve the advertising for a public hearing for a beer, wine and spirituous liquor license for St. Marys Seafood & More
- C. CITY CHARTER AMENDMENT: First Reading.....TAB “F”
To amend Section 4-204: City manager; appointment; qualifications; duties; compensation
- D. SCHEDULE A TOWN HALL MEETING
- E. BUDGET GUIDANCE TO DEPARTMENT HEADS FOR 2012: Councilmember Post

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

MAYOR & COUNCIL COMMENTS

XVI. EXECUTIVE SESSION: Personnel

XVII. ADJOURNMENT:

CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
April 18, 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, April 18, 2011 in the Council Chamber at City Hall.

PRESENT WERE:

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

CITY OFFICIALS PRESENT:

Gary Moore, City Attorney
Roger Weaver, Planning Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Director
Donna Folsom, HR 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. Pastor Randy Dockery, Church of God of Prophecy gave the invocation. Mayor DeLoughy led the audience in the pledge of allegiance. Council roll call indicated a quorum of council members present for the meeting.

APPROVAL OF MINUTES: *April 4, 2011 Regular City Council Meeting & Executive Session Minutes*

Councilmember Bird made a motion to approve the April 4, 2011 regular City Council meeting and executive session minutes. Councilmember Post seconded the motion. Councilmember Hase corrected the spelling of Councilmember Howell's name on page 7 and on page 6 changing the sentence *The Jumping Place did not have the million dollar insurance policy per occasion, rather a fifty thousand dollar per occasion policy, as required by the city and the airport authority;* to ***The Jumping Place did not have the million dollar insurance policy per occasion as required by the city and the airport authority. The business does have a fifty thousand dollar per occasion policy.*** Voting on the change was unanimous in favor of the motion.

PRESENTATION:

TOTALLY FREE, INC. PRESENTATION

Millicent Harwell, president and founder of Totally Free, Inc. described the nonprofit housing counseling organization that helps people who have low to moderate income become placed in homes affordably. Ms. Harwell gave a briefing on the Affordable House fund that was adopted by the city through the Housing and Urban Development program to finance loans for affordable homeownership.

ANNOUNCEMENT OF BOARD VACANCIES

- 1. Tree Board:** *One Vacancy*
- 2. Hospital Authority** (*Hall & Lewis*) *Term Expirations 4/23/11*
- 3. Oak Grove Cemetery Study Committee** (Mary T. Smith's Resignation)

Mayor DeLoughy announced the vacancies on the Tree Board, Hospital Authority and Oak Grove Cemetery Study Committee.

BOARD DISCONTINUATION:

- 1. Citizens "City-Wide Beautification" Advisory Board**

Councilmember Bird moved to place the board into dormant status. Councilmember Trader seconded the motion. Council discussed the difficulty in obtaining members and the board's contributions to the city. Voting was unanimous in favor of the motion.

BOARD APPOINTMENT

- 2. Downtown Development Authority:** *One Vacancy*

Councilmember Trader moved to appoint Cheri Richter to the Downtown Development Authority. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

SET CONSENT AGENDA (*): *Proposed Consent Agenda – Old Business "B" (Removed) and New Business "A & B"*

Councilmember Bird moved to add New Business "A & B" to the consent agenda. Councilmember Hase seconded the motion. Voting was unanimous in favor of the motion.

APPROVAL OF THE AGENDA

Councilmember Trader made a motion to approve the agenda and remove Item "C" Grand Jury Comments, and made the following statement:

"Coming together is a beginning. Keeping together is a progress. Working together is success!

Each of us here today, elected, appointed, and members of the public and media alike, play a crucial role for St. Marys. Let us embrace our different opinions on issues while we work together towards making St. Marys a better place.

We are all part of the solution. We each make individual decisions on what we think is right but as citizens we must concentrate all of our collective efforts to secure a better future, not just for us, but for our children and for future generations.

We do this by showing respect for one another, treating each other fairly, disagreeing earnestly, and working together towards common goals.

Coming together is a beginning. Keeping together is progress. Working together is success!

Let us continue to move forward”.

Councilmember Morrissey seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Elaine Powierski, 574 Cardinal Circle East: Spoke about handling differences of opinions through communication and willingness to work together in a positive and civil matter.

Barbara Ryan, 711 Mildred Street: Thanked everyone for attending the Film Alliance Museum opening

Bob Nutter, 521 Moeckel Place: Commented on elected officials listening to issues, open communication and trust

Jim Stein, 393 Lanier Avenue: Support of council removal of the agenda item, and citizen's exercising freedom of speech

Loretta Hutchinson, 501 Flamingo Drive: Spoke about differences bringing people together to work on what is best for St Marys

Bill Creed, 613 Kings Way : Supports the decision to remove the item

OLD BUSINESS:

A. ECONOMIC DEVELOPMENT DIRECTOR POSITION:

To appoint one of the top three candidates to the vacant position of Economic Development Director. The Downtown Development Board (DDA) and HR director recommended Artie Jones, III to fill the position. Council consideration was requested to appoint the position in the absence of a city manager.

Councilmember Hase moved to appoint Artie Jones, III to the Economic Development Director position. Councilmember Post seconded the motion. Council discussed the director's role being a key position, city support and Mr. Jones's deep community roots. Voting was unanimous in favor of the motion.

The city attorney stated that the charter amendment removes section (e), which is in conflict with state law because the mayor cannot hold or fulfill two offices/positions even as an interim. Section (e) reads as follows: The mayor shall serve as acting city manager to exercise the powers and perform the duties of the city manager during any temporary absence or disability, which disability shall be acknowledged by a motion adopted by a majority vote of all councilmembers. Council discussed the mayor acting as temporary city manager not being in compliance with state law.

D. SCHEDULE A TOWN HALL MEETING

Councilmember Hase made a motion to schedule a Town Hall meeting on May 3rd at 6:00 p.m. Councilmember Trader seconded the motion. Council discussed the forum being less formal and in a comfortable environment or before a council meeting by moving to the floor. Voting was unanimous in favor of the motion.

E. BUDGET GUIDANCE TO DEPARTMENT HEADS FOR 2012: Councilmember Post

Councilmember Post suggested that budgets provide a minimum and bottom line to maintain the current services in each department.

Councilmember Bird moved to reschedule the budget workshop to April 28th at 4:00 p.m. Councilmember Post seconded the motion. Council discussed providing information on a new line item and revenue sharing with departments at 10-15% reductions. Voting was unanimous in favor of the motion.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. CITY CALENDAR: City Clerk

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

REPORT OF MAYOR:

An update on the Washington Fly-In will be given at the next council meeting. The Mayor attended the Film Alliance Museum Opening, Praise in the Park and Chocolate for Charity events.

REPORT OF CITY MANAGER: None

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

GRANTING AUDIENCE TO THE PUBLIC:

Alex Kearns, 902 Ann Street: Reminded everyone about E-Recycling and cellphones for soldiers at the Tribune & Georgian parking lot on Saturday.

Ron Johnson, 270 Chase Court South: Questioned the status of the name change from Downtown Development Authority to City Development Authority.

B. ARTS & MUSIC STROLL: *Special Event*

To extend the special event zone to Conyers Street as approved in the new alcohol ordinance, and add an additional police officer for extra coverage of the venue

Councilmember Bird moved to extend the boundary to comply with our ordinance and to add the additional police officer as requested at the expense of the event coordinators. Councilmember Morrissey seconded the motion. Voting was recorded as follows:

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

C. GRAND JURY COMMENTS: *Mayor and Councilmembers (REMOVED)*

D. JUMPING PLACE INSURANCE: *Meeting Update*

To request the city attorney to update the council

The city attorney briefed council on his attempt to schedule a meeting last week but Mr. Swanson was out of town. A meeting has been scheduled for this Wednesday.

NEW BUSINESS:

A. RESOLUTION (*): *Support of Senior Housing Project*

Rea Ventures has requested a resolution supporting up to 50 units of affordable senior citizen housing project to be located on tax parcels 121-077 located adjacent to Winding Road.

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

B. GREEN CEDAR, LLC NEW ALCOHOL LICENSE (*): *Public Hearing Advertising*

Consideration to approve the advertising for a public hearing for a beer, wine and spirituous liquor license for St. Marys Seafood & More

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

C. CITY CHARTER AMENDMENT: *First Reading*

To amend Section 4-204: City manager; appointment; qualifications; duties; compensation

MAYOR AND COUNCIL COMMENTS:

Council responded to Mr. Johnson's question that the functions of the Economic Development Director were to work with the Downtown Development (DDA) and Industrial Development (IDA) Authorities to secure grants and mainstreet designation. The responsibilities on the job description and boundaries were expanded to encompass the whole city.

Mayor DeLoughy read the following statement on behalf of Councilmember Trader:

"One of my 8th grade students at St. Marys Middle School is battling cancer for the second time this year; her name is Davondra James. She was treated in the fall for lymphoma and I served her educationally in the hospital homebound program. She returned to my classroom in January bright-eyed and an inspiration to all of us. In the past two weeks, she has suffered a substantial set back. There is a mass in her chest, a large nodule on her right lung, a new nodule on her left lung, and a nodule on her neck. She had a biopsy last week and is expecting to have an additional biopsy this week to determine if the new masses are a reoccurrence of lymphoma or a new cancer.

I have spoken to the family about sending this information out to the community and they have agreed and are truly grateful. Up until now, Davondra's main concerns have been her worry about the CRCT State testing and being promoted in order to have a high school experience. Now she is fighting for her life.

This family would so greatly appreciate any assistance with food and/or gas for trips to Jacksonville for Devondra's treatments. An account is being set up in Davondra's name at United First Federal Credit union. If you wish to help, please contact me directly and I can provide you specifics including Davondra's caring bridge site that provides her personal story with ongoing updates".

EXECUTIVE SESSION: *Personnel*

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

The Mayor and Council adjourned to executive session at 7:08 p.m., returning at 7:59 p.m. with Mayor DeLoughy calling the Council meeting back to order.

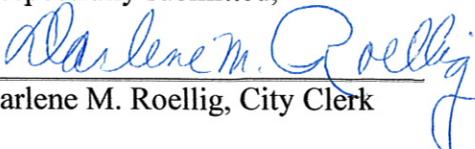
PERSONNEL

Mayor DeLoughy stated that an update was provided on the process to hire the city manager.

ADJOURNMENT:

Councilmember Bird made a motion for adjournment. Councilmember Post seconded the motion. Mayor DeLoughy declared the meeting adjourned at 8:00 p.m.

Respectfully submitted,



Darlene M. Roellig, City Clerk

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

Date: April 18, 2011

MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL

Council Member Bird makes the following motion:

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

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

Motion Seconded by: Council Member Post

Vote on Motion:

Table with 3 columns: Name, Yay, Nay. Rows include Mayor William DeLoughy, Councilman Greg Bird, Councilman Deborah Hase, Councilman Sidney Howell, Councilman John Morrissey, Councilman Keith Post, Councilwoman Chuck Trader.

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

AFFIDAVIT
CLOSURE OF OPEN MEETINGS

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

At its meeting held on April 18, 2011 the City of St. Marys City Council voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows:

Check or initial as appropriate:

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

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

Sworn to and subscribed before me this 18th day of April, 2011
Notary Public, County of Camden State of Georgia
My Commission Expires November 24, 2013
Notary

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