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August 9, 2011

CITY OF MORROW, GEORGIA  
Regular Meeting

7:30 pm

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**CALL TO ORDER:** Mayor Millirons  
**PLEDGE OF ALLEGIANCE:** All  
**INVOCATION:** Mayor Millirons

1. **ROLL CALL**

2. **APPROVAL OF MEETING AGENDA:**

To add or remove items from the Agenda:

3. **CONSENT AGENDA:**

1. Approval of the July 26, 2011 Regular and Work Session Meeting Minutes
2. Approval for Fire Chief Mark Herendeen or his designee to dispose of surplus fire hose to another fire department in accordance with the Federal Fire Act Grant.

4. **REPORTS AND PRESENTATIONS:**

1. Financial Update (*Presented by Dan Defnall, Finance Officer*)

5. **FIRST PRESENTATION:**

(Agenda Item 11-08-288)

1. An Ordinance entitled An Ordinance to Amend the Code of Ordinances of the City of Morrow, Georgia, as it pertains to the Recommendation, Approval, and Adoption of an Amended Annual Budget for the Fiscal Year 2011, beginning 1 July 2010 and ending 30 June, 2011; To allocate Revenues and Expenditures for that period for the operation and enhancement of the various services delivered by the City to its Citizens; for the health and well-being of the Residents and Businesses of the City of Morrow; and for other Purposes.

(Agenda Item 11-08-289)

2. An Ordinance of the City of Morrow, Georgia, enacted pursuant to the City's Home Rule Powers, to Amend Sections 2.26 and 2.27 of the City Charter of the City of Morrow; to provide authority for the City Council to enter into Employment Contracts for the position of City Manager; to provide limits on such contracting authority; and for other purposes.

6. **OLD BUSINESS:**

(Agenda Item 11-07-287)

1. Approval of an Ordinance of the Mayor and Council of the City of Morrow, Georgia to set and declare the Tax Millage Rate in the City of Morrow, Georgia for Calendar Year 2011 and setting forth certain information regarding Rolled Back Rates; and for other purposes. *(Presented by City Manager Jeff Eady)*

7. **NEW BUSINESS:**

1. Approval by Mayor and Council on the City's new Logo and Website. *(Presented by Mike Twomey, MBTA)*

8. **GENERAL COMMENTS:**

Citizens-  
City Manager-  
Mayor and Council –

9. **ADJOURNMENT:**

# City of Morrow

## FIRE DEPARTMENT

1500 MORROW ROAD, MORROW, GA 30260-1654  
PHONE: (770) 961-4008 • FAX: (770) 960-1631  
[www.cityofmorrow.com](http://www.cityofmorrow.com)



**MARK W. HERENDEEN**  
*Fire Chief*

August 4, 2011

Mayor and Council,

Attached is a list of surplus fire hose that was replaced by a Federal Fire Act grant. The grant stipulates that we give the surplus hose to another fire department that has a use for it.

Sincerely,

  
Chief Mark Herendeen

Surplus Hose

LDH	3.0	2.5	1.75
27	2009	8511	0116
34	1068	0709	0127
31	2035	0518	0114
37	2039	8514	0112
35	2032	0662	0129
36	3008	0707	0111
43	3009	8513	0128
30	3014	8512	0115
06	3017	8515	0118
17	3006	0719	0120
07	3003	8520	0108
38	2033	0803	0117
33	3024	0747	0151
19	2001	0727	0152
04-01	2034	8517	0137
	3026		0136
	3007		0121
	2022		0122
	2030		0124
			0139
			0138

**AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MORROW, GEORGIA, AS IT PERTAINS TO THE RECOMMENDATION, APPROVAL, AND ADOPTION OF AN AMENDED ANNUAL BUDGET FOR THE FISCAL YEAR 2011, BEGINNING 1 JULY 2010 AND ENDING 30 JUNE 2011; TO ALLOCATE REVENUES AND EXPENDITURES FOR THAT PERIOD FOR THE OPERATION AND ENHANCEMENT OF THE VARIOUS SERVICES DELIVERED BY THE CITY TO ITS CITIZENS; FOR THE HEALTH AND WELL-BEING OF THE RESIDENTS AND BUSINESSES OF THE CITY OF MORROW; AND FOR OTHER PURPOSES.**

**Section I: Adoption**

Be it Ordained and enacted by the Mayor and Council of the City of Morrow, Georgia, that the following Amended Annual Budget for the City is hereby adopted by said Mayor and Council and shall be in full force and effect on August 23, 2011.

**Section II: Operating Budget**

The Operating Budget for the City of Morrow, Georgia for Fiscal Year 2011 (FY 2011) as shown on Exhibit "A" and attached hereto shall be adopted as follows:

Revenues	\$ To be provided at First Presentation
Expenditures	\$ To be provided at First Presentation

**Section III: Budget Administration**

The Morrow City Manager is hereby authorized and directed to execute the approved amended Budget for Fiscal Year 2011 as funds become available.

**Section IV: Repealer and Enactment**

All ordinances or parts of ordinances in conflict herewith are hereby repealed and shall be of no further force or effect from the date of enactment of this Ordinance on this the 23rd day of August, 2011.

**Section V: Enactment Date**

This Ordinance is hereby enacted and shall be of full force and effect on August 23, 2011.

\_\_\_\_\_  
Jim Millirons, Mayor

ATTEST:

\_\_\_\_\_  
Evyonne Browning, City Clerk  
(Seal)

FIRST READING: August 9, 2011  
SECOND READING: August 23, 2011

**AN ORDINANCE OF THE CITY OF MORROW, GEORGIA, ENACTED PURSUANT TO THE CITY'S HOME RULE POWERS, TO AMEND SECTIONS 2.26 AND 2.27 OF THE CITY CHARTER OF THE CITY OF MORROW; TO PROVIDE AUTHORITY FOR THE CITY COUNCIL TO ENTER INTO EMPLOYMENT CONTRACTS FOR THE POSITION OF CITY MANAGER; TO PROVIDE LIMITS ON SUCH CONTRACTING AUTHORITY; AND FOR OTHER PURPOSES.**

WHEREAS, the City Charter establishes the position of City Manager and provides for the appointment of a City Manager by the City Council; and

WHEREAS, Section 2.27 of the City Charter provides that the City Manager is employed at will and may be terminated at any time; and

WHEREAS, said provisions currently do not authorize the City Council to enter into employment contracts with the appointed City Manager; and

WHEREAS, the City Manager is not covered by the City personnel system; and

WHEREAS, it is necessary to establish a manner of providing for benefits and conditions of employment for the City Manager's position; and

WHEREAS, the competitive nature of the marketplace places the City at a disadvantage in finding and retaining talent to serve as City Manager as compared with other cities that are able to contract for services of a City Manager and provide contractual protections for the position; and

WHEREAS, it is the desire of the City Council to provide appropriate contractual protections for a City Manager while retaining full discretion to remove a City Manager at any time the City Council deems appropriate;

**IT IS HEREBY ORDAINED** by the Governing Authority of the City of Morrow:

**Section 1.** That Section 2.26 of the City Charter of the City of Morrow is amended by deleting the provisions of that section in its entirety and inserting the following language in lieu thereof:

“Sec. 2.26 City Manager; appointment; qualifications; compensation; employment contract.

“The City Council shall appoint a City Manager for an indefinite term and shall fix the Manager’s compensation. The City Manager shall be appointed solely on the basis of that person’s executive and administrative qualifications. In lieu of appointment for an indefinite term, the City Council is authorized, but not required, to enter into an employment contract with the City Manager for a term of no more than four (4) years. Any such contract shall contain as an essential term the express right of the City Council to terminate the City Manager’s employment at any time for any reason not prohibited by law or for no reason whatsoever, but such contract may provide for payment of up to six (6) months’ severance pay at the City Manager’s then current rate of compensation, if termination is not made on the basis of grounds specified in the contract that would void entitlement to such severance.”

**Section 2.** That Section 2.27 of the City Charter of the City of Morrow is amended by deleting the provisions of that section in its entirety and inserting the following language in lieu thereof:

“Sec. 2.27 Removal of City Manager.

“The City Manager is employed at will and may be summarily removed from office at any time by the City Council; provided that in those instances in which the City Council has, in its discretion, entered into an employment contract with the City Manager that provides for severance pay under certain conditions, termination may result in payment of severance pay in accordance with contract terms. Under no circumstances shall contractual entitlement to severance pay be deemed a right to continued employment as City Manager.”

**Section 3.** All Charter provisions, ordinances and parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 4.** Should any word, phrase, sentence or paragraph of this Ordinance be declared invalid by a court of competent jurisdiction, such ruling shall not affect the remaining words, phrases, sentences or paragraphs of this Ordinance, but the offending provisions shall be severed from the remainder to the extent allowable by law.

**Section 5.** This Ordinance shall be effective immediately upon its adoption.

**So Ordained** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Jim Millirons, Mayor

Attest:

\_\_\_\_\_  
Evyonne Browning, City Clerk  
(Seal)

Prepared and approved by:

\_\_\_\_\_  
Laurel Henderson, City Attorney

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MORROW,  
GEORGIA TO SET AND DECLARE THE TAX MILLAGE RATE IN THE CITY OF  
MORROW, GEORGIA FOR CALENDAR YEAR 2011 AND SETTING FORTH  
CERTAIN INFORMATION REGARDING ROLLED BACK RATES;  
AND FOR OTHER PURPOSES.**

**BE IT ORDAINED** by the Council of the City of Morrow, Georgia while in a regular Council Meeting on August 9, 2011 at 7:30 pm as follows:

**Section I:**

It is hereby ordained by the Mayor and Council of the City of Morrow, Georgia, that for calendar year 2011 the gross millage for maintenance and operation is Thirteen point 10 (13.10) mils, less the rollback for Local Option Sales Tax, leaving the net millage for maintenance and operation purposes to be set at 7.5 mils. Appendix A shall be a part of this ordinance by reference.

**Section II:**

All ordinances or parts of ordinances in conflict herewith are hereby repealed and shall be of no further force or effect from the date of the enactment of this ordinance.

**Section III:**

This Ordinance is hereby enacted and shall be of full force and effect from this the 9<sup>th</sup> day of August, 2011.

**ADOPTED AND APPROVED** this 9<sup>th</sup> day of August, 2011.

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Jim Millirons, Mayor

Attest:

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Evyonne Browning, City Clerk  
(Seal)

First Reading: July 26, 2011  
Second Reading: August 9, 2011

# Appendix A

## Ordinance No.2011-31

### To set and declare the Tax Millage Rate for Calendar Year 2011

Prusuant to the requirements of O.C.G. A Section 48-5-32, The City of Morrow does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

#### CURRENT 2011 TAX DIGEST AND 5 YEAR HISTORY OF LEVY

COUNTY WIDE	2006	2007	2008	2009	2010	2011
Real & Personal	358,264,489	373,407,539	383,633,664	362,582,803	332,583,375	312,050,822
Motor Vehicles	11,916,590	12,361,360	13,200,010	13,611,450	11,652,700	10,356,060
Mobile Homes						
Timber - 100%						
Heavy Duty Equipment						
Gross Digest	370,181,079	385,768,899	396,833,674	376,194,253	344,186,075	322,406,882
Less M & O Exemptions	51,408,070	53,401,350	57,525,739	55,095,856	47,720,016	44,879,588
Net M & O Digest	318,773,009	332,367,549	339,307,935	321,098,397	296,466,059	277,527,294
State Forest Land Assistance Grant Value						
Adjusted Net M&O Digest	318,773,009	332,367,549	339,307,935	321,098,397	296,466,059	277,527,294
Gross M&O Millage	10.000	10.000	10.000	12.029	11.679	13.109
Less Rollbacks	5.000	5.000	5.000	6.029	5.679	5.609
Net M&O Millage	5.000	5.000	5.000	6.000	6.000	7.500
Net Taxes Levied	\$1,593,865	\$1,661,838	\$1,696,540	\$1,926,590	\$1,778,796	\$2,081,455
Net Taxes \$ Increase	393,724	\$67,973	\$34,702	\$230,051	-\$147,794	\$302,658
Net Taxes % Increase	32.81%	4.26%	2.09%	13.56%	-7.67%	17.01%