

**CITY OF MORROW, GEORGIA
MINUTES OF REGULAR MEETING
April 27, 2010 – 7:30 pm**

Mayor Jim Millirons called the regular meeting of the Morrow City Council to order at 7:30 pm. The meeting took place in the Council Chambers of the Morrow Municipal Complex, 1500 Morrow Road, Morrow, GA, 30260.

City Clerk Evyonne Browning called the roll and those present were Mayor Jim Millirons, Councilman John Lampl, Councilman Virlyn Slaton, Councilman C.R. Huie, and Councilman Mason Barfield.

Mayor Jim Millirons asked everyone to stand for the Pledge of Allegiance followed by a moment of silent reflection.

APPROVAL OF MEETING AGENDA

City Clerk Evyonne Browning read the following items to be amended on the Meeting Agenda:

1. Remove Agenda Item 10-04-123, Approval of the April 13, 2010 Work Session Minutes from the Consent Agenda and Add them under New Business.
2. Add the appointments of Bert Watkins and Jim Fier, Jr. to Agenda Item 10-04- 117, Approval of appointments to the URA for 2010 which is under New Business.
3. Under New Business to vote on each appointment individually as listed in Agenda Item 10-04-117, Approval of appointments to the URA for 2010.

Mayor Jim Millirons called for a motion and vote to approve the Meeting Agenda as amended.

Motion and Vote: Councilmember Mason Barfield moved to approve the Meeting Agenda as Amended. Councilmember Bob Huie seconded the motion. The motion passed unanimously.

CONSENT AGENDA

City Clerk Evyonne Browning read the following Consent Agenda Items:

Agenda Item 10-04-116, Approval of the April 13, 2010 Regular Meeting.

Removed and added to New Business by motion and vote is Agenda Item 10-04-123, Approval the April 13, 2010 Work Session Minutes.

Mayor Jim Millirons called for a motion and vote.

Motion and Vote: Councilmember Virlyn Slaton moved to approve the Consent Agenda as Amended. Councilmember John Lampl seconded the motion. The motion passed unanimously.

REPORTS AND PRESENTATIONS:

Motion and Vote: Councilmember John Lampl moved to approve the appointment of Jim Fier, Jr. to the URA for 2010. Councilmember Virlyn Slaton seconded the motion. There was no discussion and the motion passed unanimously.

City Clerk Evyonne Browning read Agenda Item 10-04-122, Approval of a Resolution authorizing the submittal of the Pre-application for the Land and Water Conservation Fund Grant and to obligate the City to pay Fifty Percent (50%) of the project costs.

Planning and Zoning Administrator Sylvia Redic presented the item and stated this is for a matching grant (\$35,000) to resurface the walking path at Milton Daniel Park.

Mayor Jim Millirons called for a motion, second and vote.

Motion and Vote: Councilmember John Lampl moved to approve Agenda Item 10-04- 122. Councilmember Bob Huie seconded the motion. There was no discussion and the motion passed unanimously.

City Clerk Evyonne Browning stated that added to New Business by motion and vote is Agenda Item 10-04-123, Approval the April 13, 2010 Work Session Minutes.

Mayor Jim Millirons called for a motion and second.

Motion and Vote: Councilmember Bob Huie moved to approve Agenda Item 10-04-123. Councilmember John Lampl seconded the motion for discussion purposes.

Mayor Jim Millirons asked if there was any discussion.

Councilmember John Lampl: Yes sir. An Item on mixed used zoning requirements on Highway 54. For those that were in that meeting, when you get our work session minutes there is not a lot of text or detail to go with them. If we have items of conflict of interest, we have ethics policies and other things in place and we are supposed to disclose those conflicts. I do not believe Mayor Millirons properly did that. I believe His son has 6214 N. Lee St. listed for sale in the Mixed used zoning application. I believe he was specifically was talking about that project and I want it entered into the record. It was MLS number, well actually the City Clerk already has that and if anyone else has any interest, there it is. You are welcome to look at it.

Mayor Jim Millions: I don't know what kind of request this is.

Councilmember John Lampl: I requested it be entered into the record that you had a conflict of interest and you did not disclose it.

Mayor Jim Millions: When was the discussion on a conflict of interest?

Councilmember John Lampl: Basically, the discussion was to suspend the rules for mixed used zoning application, not application but actually the requirement for 4 years due to the economy, I believe. When you look at the mixed used requirements and how it fits into the comprehensive plans, we have a planning and zoning board and number other things but certainly, anything that gets built ultimately will be here much longer than that. The discussion is fine, the not disclosing is not. I am going to basically... if I know if a conflict of interest, you can believe I am going to state it.

Mayor Jim Millions: When did that discussion happen anyway?

Councilmember John Lampl: April 13 in the work session, line item #6

Mayor Jim Millions: This was Just a work session discussion?

Councilmember John Lampl: It was a work session discussion.

Mayor Jim Millions: Was anything passed?

Councilmember John Lampl: No sir, it wasn't.

Mayor Jim Millions: Then there is no conflict.

Councilmember John Lampl: I think when you try to change the rules for personal benefit, it is a conflict.

Mayor Jim Millions: When you are just discussing things, you are not changing the rules.

Councilmember John Lampl: I understand.

Mayor Jim Millions: There was no conflict and no rules were changed.

There was no further discussion.

Mayor Jim Millirons called for a vote and the motion passed unanimously.

COMMENTS

Mayor Jim Millirons made the call to citizens for comments.

Susan Butler stated that State Representative Glen Baker is running again for the 78th District. She wanted to know if they could hold a rally announcing his re-election at Olde Towne Morrow on May 22nd. She further stated they would use the restaurants at Olde Towne Morrow to supply food and beverages.

City Attorney Laurel Henderson suggested she contact the Downtown Development Authority since they are the owners of the property. Councilmember John Lampl said if she would see him after the meeting he could provide names and contact numbers for her.

Mayor Jim Millirons asked if the City Manager is he had any comments. He did not.

Mayor Jim Millirons asked if the Council had any comments.

Councilman John Lampl: I have a couple.

Councilman John Lampl: Dan Defnall is in the audience and we just finished up the comprehensive annual financial report for June 30, 2010. I would like him to state for the record any discrepancies that they found within this particular report. What were the auditor's findings?

Finance Officer Dan Defnall: The Auditor's finding related to a negative fund balance in the budgeting for confiscated assets.

Councilman John Lampl: That is just a police department issue, right? Everything else was fine.

Finance Officer Dan Defnall: A debt transaction we have with the Downtown Development Authority.

Councilman John Lampl: That's it?

Finance Officer Dan Defnall: Yes

Councilman John Lampl: OK, I would like to have the comprehensive financial reports for the last 10 years and most of you do not get these. The reason these are done, Dan don't we spend about \$30,000 on this putting it all together, the whole audit and everything that goes with it. We submit these for an award and we have received this award for the past 14 consecutive years. These are prepared in a way so that an average person can read it. They will tell you what we have done for the last 10 years, where we have spent our money, what our assets are, what our liabilities are and it allows for misinformation not to continue, for example, what if I asked for a show of hands for those of you who think we owe a single penny on Olde Towne Morrow. A number of you might be inclined to raise your hand. We owe not a single nickel. Now we have a building that we own at the old Macy's space that we do, but we do not owe a single nickel on Olde Towne Morrow and that is a fact. But if you're not left to that, that's there and also, I would like these reports to be available on the city's website.

Councilman John Lampl: Last statement... there has been some conversations on another audit we are doing and it's about disclosures again. I want to enter into the record the two items, but closer to 3 by the time we are done because the other is already finished.

Councilman John Lampl: One is a public record and it is already here and sometimes difficult to find. It relates to the changing the retirement policy and it was done about this time last year that allowed elected officials only in terms of first draft to ultimately retire. Of that two took advantage, one certainly had health issues beyond his control and the other is still sitting on this council. I will enter that into the record.

Councilman John Lampl: The second one is actually going to be property disclosures in terms of how any particular individual can use a position to financially gain and that particular property is going to be the Macy's space itself when it was sold from Federated Dept. Stores to the city of Morrow and the brokerage fee in excess of \$200,000 that was paid. Those will also be entered into the record today.

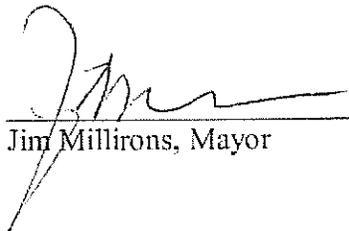
Mayor Jim Millirons: Since the vindication has started let me explain to you as I explained to the council, when the sale was made from Federated Dept. Stores or whatever they are called, I listed that property for approximately 3 to 4 years and had shown it several times. I convinced them to drop their price from 2.3 million to 1.7. At that time the city showed an interest in

buying it. I still had the leasing commission agreement with Federated and I advised the council and I said that I am not writing a check for \$200,000 to the City. If you prefer, I will resign. That was put on the board and nothing was said about it. No one asked me to resign. I made a \$200,000 commission legitimately, I put it in the bank legitimately and I owe no apologies. The other requirement if Mr. Lampl had bothered to check he would find that a disclosure was made and he was there at the time and the official record is on file in the city clerk's office so there has been nothing hid. This is dragging out dirt and nothing more. That is all I have to say about it. Anything else? I don't have anything, the meeting is adjourned.

ADJOURNMENT:

Motion and Vote: Councilmember Mason Barfield moved to adjourn the meeting. Councilmember Bob Huie seconded the motion. The motion passed unanimously and the Mayor adjourned the meeting at 7:47 pm.

Approved this 25th day of May, 2010,



Jim Millirons, Mayor

Attest:



Evyonne Browning, City Clerk

(Seal)

