

**CITY OF MORROW, GEORGIA  
MINUTES OF REGULAR MEETING  
November 13, 2012 – 7:30 pm**

*Note: These are summary minutes. For anyone who would like the full dialogue of the meeting, CDs are available in the City Clerk's office through the open records act.*

**Mayor Burke** 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 JB Burke, Mayor Pro Tem Jeanell Bridges, Councilman Virlyn Slaton, Councilman C.R. Huie, and Councilman Larry Ferguson. She stated there was a quorum present.

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

**APPROVAL OF MEETING AGENDA**

**City Clerk Evyonne Browning** stated there were no changes to the Agenda.

**Mayor Burke** called for a motion and vote.

**MOTION AND VOTE:** Mayor Pro Tem Jeanell Bridges moved to approve the meeting agenda. Councilman Virlyn Slaton seconded the motion. The motion passed unanimously.

**CONSENT AGENDA:**

**City Clerk Evyonne Browning** read the following Consent Agenda Items:

1. Approval of the October 23, 2012 Regular Meeting minutes and the November 5, 2012 Special Called Meeting minutes.
2. Approval of the October 9, 2012 invoice from Fincher Denmark & Williams, LLC in the amount of \$2,574.34.

**MOTION AND VOTE:** Councilman Bob Huie moved to approve the Consent Agenda. Mayor Pro Tem Jeanell Bridges seconded the motion. The motion passed unanimously.

**REPORTS AND PRESENTATIONS:**

1. Award of Appreciation presented to Craig Drummond for his support of the Children's Christmas Fund by Police Chief Leighty.
2. Recognizing Mayor Pro Tem Jeanell Bridges receipt of the 2012 Political and Civic Involvement Award from the Clayton County Ministers Association by Councilman Bob Huie.
3. Financial Update by Dan Defnall.

## **PUBLIC HEARING**

1. Public Hearing on a Conditional Use Request by Feroz Lalani of Ashukar, Inc. to convert an existing car wash building into an emissions testing service. The subject property is zoned General Business (BG).

**Brecca Johnson, Senior Planner** presented the Conditional Use request and stated that staff and the Planning and Zoning Board recommends approval.

**The Requestor, Mr. Lenanni,** thanked the Mayor and Council for their consideration of his request.

No one spoke on behalf of or against the conditional use request.

**Mayor JB Burke** called for a motion.

**MOTION AND SECOND:** Councilman Bob Huie stated that based on the acceptance of all requirements by the applicant and the recommendation from staff and the Planning and Zoning Board he makes a motion to approve the Conditional Use request. Mayor Pro Tem Jeanell Bridges seconded the motion.

**Mayor Burke** asked if there was any discussion. Hearing none, he called for a vote.

**VOTE:** The motion passed unanimously.

**FIRST PRESENTATION:** None at this time

## **OLD BUSINESS:**

1. Approval of an Ordinance to Amend the Alcoholic Beverage Code of the City of Morrow; to revise the Definition of a Restaurant; To Provide an Alternative Hearing Procedure; and for Other Purposes.

**Jeff Eady, City Manager** presented the item.

**Mayor JB Burke** called for a motion.

**MOTION AND SECOND:** Councilman Virlyn Slaton moved to approve the item. Councilman Larry Ferguson seconded the motion.

**Mayor Burke** asked if there was any discussion. Hearing none, he called for a vote.

**VOTE:** The motion passed unanimously.

**NEW BUSINESS:** None

## GENERAL COMMENTS:

**Mayor Burke** made the call for Citizens comments.

**Community Garden President Cathy Turner** thanked the Mayor and Council and Mike Twomey for helping to start the community garden. She then presented a plaque to the founder of the Garden Club, Michael McLaughlin.

**Resident Tony Shaw**, 1838 Lamplight Court, asked if there has been a ruling on the accusation from Michael McLaughlin against Mayor Burke and comments in the paper about the meeting not being legally conducted.

**Mayor Burke** asked for a legal opinion.

**Chris Balch**, Attorney requested by City Council for a legal opinion on the Executive Session held on November 5, 2012, stated that after review his opinion is that the meeting was called and conducted lawfully and it is in accordance with the law.

**Resident Dorothy Dean**, 1765 Stratford Arms Circle, thanked the City personnel for all the work they do and also made comments about the 10/23 council meeting.

**Resident Ray Aballo** 6451 Northridge Ct., asked about the statement made by Councilman Huie at the end of the November 5, 2012 meeting.

**Mayor Burke** asked if anyone on the council would like to respond.

None responded.

**Resident and former Mayor Jim Millirons** asked why there was a different attorney brought in for the legal opinion when the City has a City Attorney.

**Mayor Pro Tem Jeanell Bridges** stated they asked Mr. Balch to give them a legal opinion on the matter of the Executive Session and his ruling is that it was handled correctly.

**Resident and former Mayor Jim Millirons** asked if Laurel (City attorney) was here and was she at the November 5<sup>th</sup> meeting.

**Mayor Pro Tem Jeanell Bridges** stated the City Attorney is here and she was not at the meeting and they asked for the other attorney to give a legal opinion because the City Council has no confidence in the City Attorney. She stated Mayor Burke has met with the City Attorney in secret on several occasions and never let the council know the reasons for the meetings or the topics discussed.

**Mayor Burke** stated that for the record he has had no secret meetings.

**Former Mayor Millirons** stated that the Mayor is the CEO and when he wants to talk with the City Attorney he has the authority to do so. He can speak with any city employee anytime he wants, but he does not give demands (direction) as that has to go through the City Manager.

**Mayor Burke** stated that he is the Chief Executive Officer and that some have forgotten that. He further stated he can talk with the City Attorney anytime he wants to.

**Mayor Burke** asked if the City Manager had any comments. He had none.

**Mayor Burke** asked if the Council had any comments.

**Councilman Larry Ferguson** thanked the City Employees for all their hard work. He then said the Mayor said some things at the October 23th meeting (about staff) and he wanted it to be known that he (the Mayor) did not speak for the City Council.

**Mayor Burke** gave an update on the Georgia State Archives during his lunch meeting today with the Governor Deal.

**ADJOURNMENT:**

**Mayor JB Burke** called for a motion to adjourn the meeting.

**MOTION AND VOTE:** Councilman Bob Huie moved to adjourn the meeting. Mayor Pro Tem Jeanell Bridges seconded the motion. The motion passed unanimously and the meeting was adjourned at 8:13 pm.

Approved this 27<sup>th</sup> day of November, 2012.



JB Burke, Mayor

Attest:



Evyonne Browning, City Clerk

(Seal)

