



July 13, 2010

CITY OF MORROW, GEORGIA
Regular Meeting

7:30 pm

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

1. **ROLL CALL**

2. **APPROVAL OF MEETING AGENDA:**

(Agenda Item 10-07-145)

To add or remove items from the Agenda:

3. **CONSENT AGENDA:**

(Agenda Item 10-07-146)

1. Approval of the June 22, 2010 Regular Meeting Minutes.

(Agenda Item 10-07-147)

2. Approval of the June 22, 2010 Work Session Minutes.

(Agenda Item 10-07-148)

3. Approval of the June 24, 2010 Special Called Meeting Minutes.

4. **REPORTS AND PRESENTATIONS:**

1. Presentation of a watch to Captain Donny Harry for his 30 years of service to the City of Morrow Fire Department (*Presented by Fire Chief Mark Herendeen*)

2. Report on MBTA Work Plan for Fiscal Year July 1, 2010 through June 30, 2011. (*Presented by Mike Twomey, Director MBTA*)

5. **OLD BUSINESS:**

(Agenda Item 10-06-137)

1. Approval to Re-adopt Ordinance No. 2010-18 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 2010, beginning 1 July 2009 and ending 30 June 2010; 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. (*Presented by Jeff Eady, City Manager*)

(Agenda Item 10-06-138)

2. Approval to Re-adopt Ordinance No. 2010-19 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 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.

(Presented by Jeff Eady, City Manager)

7. **NEW BUSINESS:**

(Agenda Item 10-07-149)

1. Approval of Resolution No. 2010-07-10 to Invoke Mayor and Council's Powers to make Inquiries and Investigations under Section 2.15 of the City Charter and to establish a Process for Responding to a Grievance filed Thursday, June 17, 2010 by the Finance Director against Councilman Lampl. *(Presented by Laurel Henderson, City Attorney)*

8. **COMMENTS:**

Citizens-
City Manager-
Mayor and Council –

9. **EXECUTIVE SESSION** (if needed) To discuss personnel

10. **ADJOURNMENT:**

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 2010, BEGINNING 1 JULY 2009 AND ENDING 30 JUNE 2010; 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 June 22, 2010.

Section II: Operating Budget

The Operating Budget for the City of Morrow, Georgia for Fiscal Year 2010 (FY 2010) as shown on Exhibit "A" and attached hereto shall be adopted as follows:

Revenues	\$ 21,257,400
Expenditures	\$ 21,257,400

Section III: Budget Administration

The Morrow City Manager is hereby authorized and directed to execute the approved amended Budget for Fiscal Year 2010 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 24 day of June 2010.

Section V: Enactment Date

This Ordinance is hereby enacted and shall be of full force and effect on July 24, 2010.

Jim Millirons, Mayor

ATTEST:

Evyonne Browning, City Clerk
(Seal)

FIRST READING: June 8, 2010
SECOND READING: June 22, 2010

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 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 Annual Budget for the City is hereby adopted by said Mayor and Council and shall be in full force and effect on July 1, 2010.

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:	\$ 18,743,877
Expenditures	\$ 18,743,877

Section III: Budget Administration

The Morrow City Manager is hereby authorized and directed to execute the approved Budget for Fiscal Year 2011 as funds become available, in compliance with the provisions of Ordinance 2010-16 dated February 9, 2010 (the City's Purchasing Policy).

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 24 day of June 2010.

Section V: Enactment Date

This Ordinance is hereby enacted and shall be of full force and effect on July 1, 2010.

Jim Millirons, Mayor

ATTEST:

Evyonne Browning, City Clerk
(Seal)

FIRST READING: June 8, 2010
SECOND READING: June 22, 2010

STATE OF GEORGIA
COUNTY OF CLAYTON

RESOLUTION NO. 2010-07-10

**A RESOLUTION TO INVOKE MAYOR AND COUNCIL'S POWERS TO MAKE
INQUIRIES AND INVESTIGATIONS UNDER SECTION 2.15 OF THE CITY
CHARTER AND TO ESTABLISH A PROCESS FOR RESPONDING TO A
GRIEVANCE FILED THURSDAY, JUNE 17, 2010 BY THE FINANCE DIRECTOR
AGAINST COUNCILMAN LAMPL.**

WHEREAS, a formal grievance was filed by Dan Defnall, Finance Director, on June 17, 2010 grieving conduct of Councilman Lampl; and

WHEREAS, the grievance against a sitting elected official falls outside the ability of the City Grievance Policy to address; and

WHEREAS, the City currently possesses no procedure for handling grievances involving elected officials; and

WHEREAS, it is the desire of the Mayor and Council to establish a process for handling the grievance so that a final determination can be made; and

WHEREAS, a claim against the City was also asserted in Mr. Defnall's grievance which has been conveyed to the Georgia Interlocal Risk Management Agency (GIRMA); and

WHEREAS, GIRMA is instituting its own investigation into the claim as outlined in Mr. Defnall's grievance; and

WHEREAS, it is anticipated that there is likely to be significant duplication and overlap in the claim investigation and the grievance investigation; and

WHEREAS, GIRMA has assigned the firm of Elarbee Thompson to investigate the claim;

BE IT HEREBY RESOLVED:

Section 1. That the Mayor and Council accepts the grievance filed by Dan Defnall, Finance Officer, against John Lampl, City Council Member, dated June 17, 2001.

Section 2. The Mayor and Council hereby invokes its authority to conduct inquiries and investigations pursuant to Section 2.15 of the City Charter for the purpose of investigating the grievance filed by Mr. Defnall;

Section 3. In order to avoid the aforementioned unnecessary overlap in investigations, the Mayor and Council designates the firm of Elarbee Thompson to perform a factual investigation on its behalf as to the claims raised by the grievance and to provide factual findings to the Mayor and Council at the conclusion of that investigative work for consideration.

Section 4. To the extent that the claims investigation performed by Elarbee Thompson is insufficient to fully explore the claims raised in the grievance, Elarbee Thompson shall report back to the Mayor and Council with a proposed scope of work and proposed budget required to complete the grievance investigation.

Section 5. Elarbee Thompson, in addition to making factual findings, is further requested to provide a range of responsive options that would be appropriate for the Mayor and Council to take in response to the grievance.

Section 6. Elarbee Thompson is requested to complete all factual investigation and reporting to the Mayor and Council no later than thirty (30) days from today's date. Upon receipt of the factual findings and alternatives for action, this matter will be placed on the next available Council agenda for consideration.

Section 7. When the agenda item is called, Mr. Defnall and Mr. Lampl will each have an opportunity to make a statement. However, no new evidence will be submitted.

Section 8. All City officers, employees and agents are directed to comply with investigative requests of Elarbee Thompson and to cooperate in their fact-finding investigation.

SO RESOLVED, this _____ day of _____, 2010.

JIM MILLIRONS, MAYOR

ATTEST:

APPROVED AS TO FORM

Evyonne Browning, City Clerk
(Seal)

Laurel E. Henderson, City Attorney