



# CITY OF PORT WENTWORTH

CITY COUNCIL

DECEMBER 19, 2019

Council Meeting Room

Regular Meeting

6:30 PM

7224 GA HIGHWAY 21  
PORT WENTWORTH, GA 31407

## 1. CALL MEETING TO ORDER

Mayor Gary Norton called the meeting to order then proceeded to read aloud a written statement referencing his role as CEO of the City of Port Wentworth and the legal consequences of the firing of Phil Jones and the hiring of Steve Davis. In summary the Mayor stated "as the CEO of this City, I am charged with the duty and responsibility to require this City to operate within the boundaries of the law. I am ruling that further discussion of the firing of Phil Jones and the hiring of Steve Davis be out of order." Council Member Mark Stephens made the statement "challenge to the ruling of the chair" which was met with the banging of the gavel by Mayor Norton declaring Councilman Stephens out of order. Per Roberts Rules of Order, a Council Member desiring to speak must obtain the floor by being acknowledged by the Council Chair, Mayor Gary Norton.

After the banging of the gavel for several instances, Mayor Norton acknowledged Council Member Linda Smith's desire to speak and she proceeded to cite the ordinance numbers and Georgia codes quoted in the written statement read aloud by Mayor Norton. Councilwoman Smith stated the Ordinance numbers were "Article II Section 3-5-B4 and Article II Section 2-5-B4", as well as Georgia law "O.C.G.A. 50-14-1". While still having the floor, Councilwoman Smith asked if "we can have the pre-agenda, prayer and Pledge of Allegiance and move forward with the meeting?" Mayor Norton responded to Council Member Smith's question by stating "yes".

## 2. PRAYER AND PLEDGE OF ALLEGIANCE

Reverend Paul Mongin, Pastor of First Baptist Church of Port Wentworth, led in Prayer and Mayor Gary Norton led in the Pledge of Allegiance.

## 3. ROLL CALL - CLERK OF COUNCIL

Attendee Name	Title	Status	Arrived
Gary Norton	Mayor	Present	
Debbie Johnson	Mayor Pro Tem	Present	
Linda Smith	Council Member	Present	
Shari Dyal	Council Member	Present	
Mark Stephens	Council Member	Present	
Bill Herrin	Council Member	Present	
Thomas Barbee	Council Member	Present	
Steve Davis	City Administrator	Present	
Shanta Scarboro	Clerk of Council	Present	
Brian Harvey	Director of Development Services	Present	
Tiffany Lancaster	Director of Leisure Services	Present	
Bradwick Sherrod	Interim Chief of Police	Present	
Lance Moore	Chief of Fire Operations	Present	
Chris Lee	Project Manager	Present	

## 4. APPROVAL OF AGENDA

Council Member Mark Stephens stated "I move to add four (4) new items to the agenda". Mayor Norton met Councilman Stephens move with the banging of the gavel declaring him out of order. After the banging of the gavel for several instances, Mayor Norton acknowledged Council Member Linda Smith's desire to speak and she proceeded to ask once more "if you do not mind, can we skip the pre-agenda because we see its going to be challenged and just move on with the prayer and Pledge of Allegiance?" Council Member Mark Stephens responded to Councilwoman Smith's request by stating "no". Mayor Gary Norton banged the gavel yet again in an attempt to bring the meeting to order. Council Member Thomas Barbee stated that "I agree with Linda, I think we should move on with the meeting". Council Member Smith went on to state in regards to the hiring of Steve Davis that "we had no vetting process, no interviews-if they had them we didn't know about it-we were in the dark about it and we were blindsided in November." Councilman Stephens posed a question to Councilwoman Smith asking "so your saying I willingly committed a crime?" Council Member Smith did not answer Councilman Stephens question, but instead asked the audience to stand for the Pledge of Allegiance. Pastor Paul Mongin proceeded to say a prayer.

After the prayer and roll call, Council Member Thomas Barbee stated "I would like to recommend the approval of the agenda with the three added items". Mayor Norton met Councilman Barbee's recommendation with the banging of the gavel declaring him out of order. Newly appointed Interim City Administrator Steve Davis addressed the Chair and stated that "any member of Council has a right to make a motion".

Mayor Norton responded to his statement by saying "you are not a lawyer" and proceeded to bang the gavel due to a debate on the floor ensuing. Council Member Mark Stephens stated "challenge to the ruling of the chair" and Council Member Barbee seconded the challenge. Mayor Norton banged the gavel and stated "out of order".

Mayor Norton banged the gavel yet again and called for adjournment. An adjournment was not honored due to the motion having to come from the floor and a motion nor second was approved. Thus, a debate on the floor continued regarding the hiring of Steve Davis. At this time, the Clerk of Council exited the Council Chambers and the Mayor called for a brief recess. After a few moments, the Clerk of Council returned to the Council Chambers and the meeting proceeded with Council Member Thomas Barbee making a motion to add three items to the agenda:

1. Under Section 6. **Elections & Appointments** to appoint Steve Davis to full time City Administrator;
2. Under Section 6. **Elections & Appointments** to accept the resignation of the City Attorney agreement for James L. Coursey, Jr.;
3. Under Section 6. **Elections & Appointments** to ratify the termination of the Director of Public Safety, Matt Libby.

Council Member Barbee also stated that he would like to add the addition of the hiring of a Fiance Director under Section 6. **Elections & Appointments** and move **Public Comments** after **Executive Session**. Mayor Norton met Councilman Barbee's motion with the banging of the gavel declaring him out of order. Again, per Roberts Rules of Order, a Council Member desiring to speak must obtain the floor by being acknowledged by the Council Chair, Mayor Gary Norton. Council Member Stephens proceeded to second the motion, but without proper acknowledgement by the Chair the motion does not carry. Councilman Stephens then proceeded to state once again "challenge to the ruling of the chair". Mayor Norton continued to bang the gavel as Council Member Thomas Barbee stated "if you are failing to act there is a rule in the Charter that states specifically you can be removed". Mayor Pro Tem Debbie Johnson backed Councilman Barbee's statement by stating "if you are failing to act, I am going to step in and take the vote".

Mayor Norton then asked Council if they would like to recess for a minute. Council Member Barbee responded by stating "I don't think we need a recess, we need to proceed with the meeting". Council Member Mark Stephens continued to insist that a motion has been made and seconded and that Council needed to move forward with the motion. Mayor Norton continued to bang the gavel and state "out of order" in attempt to gain order because of a debate on the floor regarding a comment made by Council Member Linda Smith on four (4) Council Members being a "coup" short for Coup d'état which is defined by Merriam-Webster dictionary as "a sudden decisive exercise of force in politics *especially*: the violent overthrow or alteration of an existing government by a small group".

Councilman Stephens then stated "since the Mayor is failing to act, I move that the Mayor Pro Tem step in". Mayor Pro Tem Johnson attempted to second the motion by asking "all in favor", but again the mover was not acknowledged by the Mayor as indicated with the continued banging of the gavel and the Mayor stating "out of order". Interim City Administrator, Steve Davis, stated to the Mayor "you do not have the right to rule a Councilman out of order and I'm informing you that according to Robert's Rules of Order if there is a motion on the floor you must act". The Mayor responded to Mr. Davis' statement by stating "you do not inform me of what to do, I inform you of what to do and you are not a lawyer".

At this time, Mayor Pro Tem Debbie Johnson made a motion to adjourn the meeting. Council Member Thomas Barbee seconded the motion. Mayor Norton acknowledged Mayor Pro Tem Johnson's motion by calling for a vote in which he stated "all in favor" all replied "Aye" then Mayor Norton stated "motion approved".

**5. RECOGNITION OF SPECIAL GUESTS**

There were none to report.

**6. ELECTIONS & APPOINTMENTS**

There were none to report.

**7. ADOPTION OF MINUTES**

A. City Council - Regular Meeting - Nov 21, 2019 6:30 PM

Due to the meeting being adjourned and no business being conducted, the November 21, 2019 Regular City Council Meeting Minutes will be added to the January 21, 2020 agenda for acceptance.

**RESULT: MEETING CANCELLED**

**8. COMMUNICATIONS & PETITIONS**

There were none to report.

**9. COMMITTEE REPORTS**

A. Committee Reports

Due to the meeting being adjourned and no business being conducted, the December 19, 2019 Committee Reports will be added to the January 21, 2020 agenda for approval.

**RESULT: MEETING CANCELLED**

**10. CONSENT AGENDA**

Due to the meeting being adjourned and no business being conducted, Consent Agenda Items # A. - D. will be added to the January 21, 2020 agenda for adoption.

- A. Agreement with Fun Time, Inc. for the 2020 Stand Up For America Day  
Due to the meeting being adjourned and no business being conducted, Consent Agenda Item# A. will be added to the January 21, 2020 agenda for adoption.
- B. Mobley Park Drainage Improvements Phase 2 Pay Change Order No. 1 in the amount of \$48,985.00 and contract extension to B & D Clearing, Inc.  
Due to the meeting being adjourned and no business being conducted, Consent Agenda Item# B. will be added to the January 21, 2020 agenda for adoption.
- C. Mobley Park Drainage Improvements Phase 2 Pay Request No. 4 in the amount of \$184,511.25 to B & D Clearing, Inc.  
Due to the meeting being adjourned and no business being conducted, Consent Agenda Item# C. will be added to the January 21, 2020 agenda for adoption.
- D. Hendley Road & Monteith Road Improvement Project Pay Request No. 6 in the amount of \$7,013.20 to Griffin Contracting, Inc.  
Due to the meeting being adjourned and no business being conducted, Consent Agenda Item# D. will be added to the January 21, 2020 agenda for adoption.

**11. UNFINISHED BUSINESS**

There were none to report.

**12. PUBLIC COMMENTS - REGISTERED SPEAKERS**

There were none to report.

**A. Jodi Hawks - Port Wentworth Resident**

Although the December 19, 2019 meeting was adjourned, without any business being conducted, Mayor Norton did allow registered speaker Jodi Hawks, 22 Lanvale Steet, to address him and the remaining Council Members present after the meeting was adjourned. At that time, Mr. Hawks expressed his displeasure of the appointment of Interim City Administrator, Steve Davis, during the November 21, 2019 Regular City Council Meeting.

**13. NEW BUSINESS**

- A. Site Plan Review Application submitted by Phillip R. McCorkle, McCorkle & Johnson, LLP., on behalf of L-A Savannah Crossgate, LLC., for PIN # 7-0035-01-008 (1500 Crossgate Road) for a Specific Development Plan to allow a Warehouse in a P-I-1 (Planned Industrial) Zoning District

Due to the meeting being adjourned and no business being conducted, New Business Item# A. will be added to the January 21, 2020 agenda for approval.

**RESULT: MEETING CANCELLED**

**14. RESOLUTIONS/ORDINANCES/PROCLAMATIONS**

There were none to report.

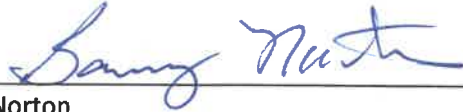
**15. EXECUTIVE SESSION**

There were none to report.

**16. ADJOURNMENT**

Due to no business being conducted, Mayor Pro Tem Debbie Johnson made a motion to adjourn the meeting. Council Member Thomas Barbee seconded the motion. Mayor Norton

acknowledged Mayor Pro Tem Johnson's motion by calling for a vote in which he stated "all in favor" all replied "Aye" then Mayor Norton stated "motion approved".



Mayor Gary Norton

The foregoing minutes are true and correct and approved by me on this 19<sup>th</sup> day of February, 2019. 2020

ATTEST:



Shanta M. Scarborough, Clerk of Council