

**SPECIAL MEETING OF COUNCIL
Savannah, GA
Monday, November 8, 2004**

Pursuant to the following call, a Special Meeting of Savannah City Council was held this date at 2:00 P.M. in the Council Chambers of the City Hall.

TO WHOM IT MAY CONCERN:

A Special Meeting of the Mayor and Aldermen of the City of Savannah will be held at 2:00 P.M., Monday, November 8, 2004, in the Council Chambers of the City Hall in reference to the Recorder's Court judgeship.

Your presence is appreciated.

Sincerely,

Dyanne C. Reese
Clerk of Council

Present: Mayor Otis S. Johnson, Presiding
Alderman Edna Jackson, Mayor Pro Tem
Alderman Tony Thomas, Chairman
Alderman Van R. Johnson, III, Vice-Chairman
Aldermen Ellis Cook, Clifton Jones, Jr.,
Jeff Felser, Kenneth Sadler and Mary Osborne
Attorney James B. Blackburn

Absent: Assistant City Attorneys William Shearouse and
Lester Johnson, III
City Manager Brown

This meeting was called to discuss appointments to the Recorder's Court upon the vacancy by Judge Leroy Burke, III, who resigned upon his appointment as Juvenile Court Judge. Mayor Johnson asked Alderman Jackson to give a report of the joint committee of the City and Council in reference to this vacancy. Mayor Pro Tem Jackson stated that they met and felt they are ready to move forward with a recommendation. Mayor Johnson agreed that the County Commissioners and City Council make the appointment. Therefore, the committee agreed to submit three names as follows:

Tammy Cox-Stokes, Claire Cornwall-Williams and Kevin Street. The County has agreed to fund a third judge position with the City having no additional financial obligation, but by law it would be a joint appointment. The City is ready to recommend Tammy Cox-Stokes and Claire Cornwall-Williams. In reviewing the list of judges, there needs to be more diversity as there is a disproportion of men to women in both judges and pro tem judges. With the appointment of Cox-Stokes and Cornwall-Williams, Cox-Stokes is an African American and both are female. They have received a resume from each candidate and understand that the County is also doing a background check.

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Alderman Van Johnson questioned whether this third judgeship was just a concept with no final decision made by the County Commissioner. Therefore, we should appoint one to fill the present vacancy and then when a final decision is made on the third position, vote on it at a later date. Alderman Osborne asked do we have a record of this decision by the County. Mayor Johnson stated we have the minutes of the County Commissioners. Alderman Jackson stated that the County will address staffing and space for the third position in the new budget in January. Alderman Johnson stated the County's new budget begins in July 2005. Alderman Jackson moved that Ms. Cox-Stokes be recommended to replace Judge Leroy Burke and pending the approval by the County of the third judgeship, Ms. Cornwall-Williams be appointed to the third judgeship.

Alderman Clifton Jones asked if others have been given the opportunity to apply and have we allowed people to submit applications. He felt this was unusual as it denied others for consideration and, therefore, he could not support this motion. Alderman Osborne stated that the position was well publicized as it has been discussed and considered at previous meetings of Council which she feels is enough notification. Time is of the essence and we need to be expedient to fill the position. Anyone interested has already made contact. Mayor Johnson stated he has a file of resumes which keeps coming with no deadlines. We now understand that the public interest has been satisfied and it is now up to City Council to vote it up or down. We do not hire judges, but have the power to appoint them to fill unexpired terms and have decided in the public interest to appoint someone to fill this vacancy with two years left on the term. The citizens will then hire the judge during the election process.

Alderman Sadler stated that he understood an election may be desired for the third judgeship. Alderman Johnson asked that a job description be drawn which outlines the scope of work of the Recorder's Court judge using the enabling legislation creating their powers and duties. Alderman Cook stated he supported the appointment to fill the unexpired term, but felt a special election should be held for the third judgeship. Alderman Osborne disagreed. She believed it would be too much of a financial burden on the taxpayers to have a special election. Mayor Johnson added that it was the County that went a step further to add the third judge.

City Attorney Blackburn recommended that the motion to vote on the two positions be two separate motions. Alderman Jackson then moved that Tammy Cox-Stokes be appointed to replace Judge Leroy Burke. This was seconded by Alderman Johnson and carried, eight to one, with only Alderman Clifton Jones voting against.

Alderman Johnson asked how the appointment of a third judge would affect our part-time administrative judge. City Attorney Blackburn stated that all sworn judges have the same constitutional authority and powers. In the Recorder's Court there is presently a Chief and an Associate judge. Administratively, there is no difference in power and authority. In naming a third judge, they will

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have the same authority. Even Pro-tem judges have the same authority as an appointed or elected judge.

Alderman Cook felt there was no rush to create a third judge at this time. He then moved that we adjourn the meeting. This was seconded by Alderman Jones, but failed by a vote of seven to two, with only Aldermen Cook and Clifton Jones voting in favor. Alderman Sadler then moved that upon approval by the County for funding of a third judgeship that Claire Cornwall-Williams be recommended to full this position until the next general election. This was seconded by Alderman Felser. Alderman Johnson wanted it made clear that the City's blight agenda keeps moving. Alderman Sadler added that this position be totally funded by the County as expressed by them. Alderman Jackson added that three judges should be able to carry the load to continue advancing our blight agenda.

Alderman Clifton Jones stated that if the part-time administrative judge steps into the third Recorder's Court judge position, how would this affect our agenda. Mayor Johnson said the part-time administrative judge was created to speed up the process. Alderman Jones felt this position was created as a court of mediation to eliminate going directly through the Recorder's Court judge. Mayor Johnson stated the creation of the part-time administrative judge was an alternative structure, but the Recorder's Court is the proper place and this system should work, but we will not let our agenda process slow down. A vote was taken on the motion for the appointment of Cornwell-Williams based on county funding of this position and it carried with a vote of eight to one, with only Alderman Cook voting no.

There being no further business, Mayor Johnson declared this Special Meeting of Council adjourned.

Dyanne C. Reese
Clerk of Council