

MINUTES

City Council Meeting

Monday, November 21, 2011 – 7:00 p.m.

Call to Order: Mayor Holder welcomed everyone and called the meeting to order at 7:00 p.m.

Devotional & Pledge of Allegiance: Councilmember Hall offered the opening prayer and Mayor Holder invited everyone to join in the Pledge of Allegiance to the flag. Mr. Darel McGee, Councilmember Hall's grandson led everyone in the Pledge of Allegiance to the flag.

Roll Call:

Members Present: Mayor Holder presided. Council Members: Don Bethune, Gwyn Hall, Bowen Jones, Bessie Kicklighter, Durward Motes, Judy Shuman and Jimmy Spilliards.

Staff Present: Brian Johnson, City Manager; Ron Feldner, Deputy City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Cory Salley, Finance Director; Ben Brengman, IT Director; Pam Franklin, HR Director; Scott Allison, PED Director; David Lyons, Chief of Police; Jimmy Crosby, Fire Chief; Charles Draeger, Water Operations Director; Benny Googe, Public Works Director and Cliff Ducey, Recreation Director.

Visitors: Scott George, Council-Elect

Presentation: Chief Lyons presented to Sergeant Shawn Myers and Corporal Kyle Malin certificates from the International Association of Chiefs of Police for receiving their drug recognition expert certifications.

Mayor Holder said City Council held a Pre-Agenda Session prior to tonight's meeting. He said no decisions were made during the Pre-Agenda Session.

Board & Committee Report:

PED Director presented the Planning Commission/Board of Appeals Minutes dated 11/8/11.

Informal Public Comment: Mayor Holder opened the informal public comment portion of the meeting.

Mr. Joe Wilson stated that he wanted people to understand that the police department has never had enough money to operate on. He said that there are officers on the street who don't have good jackets. He said the police department has scrimped and saved on every angle. He said now they have to scavenge old police cars for car parts, because they do not have money to buy new cars. He said when I was a police officer with Garden City I had an old 1996 car to drive. He said now I am told that the police department is not going to have enough money this year to buy new cars. He said cars on patrol writing tickets continuously wear out in two years. He said it is my understanding that the fire department has the same problem of not having enough money. He said you have officers on the street that don't have a jacket. He said when I was with Garden City my office was in a hallway and these officers need new cars and equipment.

There being no further questions or comments, Mayor Holder closed the informal public comment portion of the meeting.

Formal Public Comment: Mayor Holder said we received no formal requests to address City Council at tonight's meeting.

Public Hearings:

PC1130, Rezoning Request (4801 Augusta Road): Mayor Holder opened the public hearing to receive public comment on a request by Harold Yellin, representing property owner Ganesh 4801, LLC, to rezone 4801 Augusta road (Highway 21) from C2 to C2A to allow a full service convenience store.

Mayor Holder asked if there was anyone to speak in favor of the rezoning.

Attorney Tim Walmsley of Hunter MaClean said Harold could not be here tonight. He said the request is to rezone 4801 Augusta Road (Highway 21) from C2 to C2A to sell beer and wine. He said Mr. Patel plans to completely renovate the old service station that is currently on the property into a convenience store. He said our request meets all the distance requirements for locating in the area of a school or church.

Councilmember Kicklighter said there is a neighborhood behind the property and a school and church in the area. She said there are at least five reasons on the rezoning criteria to deny this request. She said C2A zoning is supposed to be down both sides of Highway 21 from the railroad track. She said that Planning Commission seemed more concerned with the looks of the establishment than the alcohol. She said I am concerned about the alcohol. She said did not Planning Commission understand that if the property is rezoned to C2A that it could turn into a bar.

Councilmember Hall said there are also houses beside the establishment. He said I am concerned about the increase in traffic to the area and loitering. He said if the property is rezoned there is no telling what may go in there later.

Mr. Walmsley said we haven't heard from the neighbors. He said the owner is willing to talk to the neighbors.

Councilmember Hall said if the property is rezone a liquor store could go in there if the current owner leaves.

Mr. Walmsely said you can rezone the property with conditions which would permit the owner to sell beer and wine. He said we meet all the distance requirements regarding schools and churches.

City Attorney asked if the City had talk with the owner about a B & W zoning classification.

Mr. Walmsely said he did not believe that had been discussed with his client. He said his client would be happy to look at a B & W zoning classification.

Councilmember Motes said I have a concern about the school and church. He said it is not a good situation.

Councilmember Kicklighter said I am proud to say that Garden City is the only city that turned down Sunday alcohol sales.

Councilmember Spilliards said I have a concern that if the property is rezoned then other properties will want to change their zoning. He said once a property is rezoned, it is rezoned, because no one ever changes it back to the original zoning.

Mr. Walmsely said this particular property has been a gas station for years. He said the owner plans to convert the old gas pump station into a convenience store. He said it will be a nice looking viable business. He said the owner is willing to work with council to resolve any issues. He said the owner recently remodeled a store by Memorial Medical Center and it is very nice.

Councilmember Kicklighter said we have a lot of concerns about the alcohol issue.

Mayor Holder asked if there was anyone to speak against the rezoning.

The Chairman of the Garden City Homestead Association said I am against the rezoning. He said I do not feel it will be beneficial to our community. He said you already have low income families in the area and bringing another store in with beer and wine does not help their future. He said I am concerned that a liquor store could eventually go in there if it is rezoned.

Reverend Gary Monroe said I welcome businesses to the community. He said demographics should be considered when considering zoning changes. He said to add alcohol sales would increase crime if this type of establishment is allowed in the area.

There being no further questions or comments, Mayor Holder closed the public hearing on PC1130.

FY0212 Operating & Capital Budget Presentation: City Manager presented the FY2012 Recommended Operating and Capital Budget.

Mayor Holder opened the public hearing to receive public comment on the FY2012 Recommended Operating and Capital Budget.

Councilmember Bethune thanked the City Manager and Staff for the work they did on the budget. He said we asked for a lot of information and it was a learning process for me. He said everyone done an excellent job. He said the budget provides enough funding for services for the citizens and keeps them safe.

City Manager said a lot of cuts were made in the employee's compensation and benefits area. He said there was not much room for operational cuts.

Councilmember Bethune asked the City Manager to speak on the fire department grant.

City Manager said the Safer Grant provided funding for five full-time firefighters. He said the grant was a five year grant that decreased over the five year period. He said the grant funding for full-time firefighters allowed the Fire Department to lower their ISO rating to three which is great for a fire department our size and service area. He said that grant help to alleviate the cost burden on the City and the savings on insurance off set the fire protection fees.

Councilmember Bethune said we increased the fire protection fee by \$2.00 per month and asked if it would be off set.

City Manager said no.

Councilmember Bethune said Garden City was recently recognized for the Water First Award and asked if that will reduce the City's rates.

City Manager said the City will be able to obtain stormwater grants, CDBG's and GEFA loans at reduced interest rates.

Councilmember Bethune said recently the rollout cart fees went up.

City Manager said the increase in fees is due to Waste Management's contract in which they can raise the rates through contractual rights. He said the increase initiated by Waste Management is passed onto the residents.

Councilmember Kicklighter said it was good listening to Don ask questions. She said I haven't heard about police cars falling apart or that they do not have jackets. She said we have bought cars for the police department and they have funding for uniforms, etc. that they need. She said I think they are a fine department, but they have to tighten their belts like everyone else.

Mr. Roy Crager said you have listed in your presentation the Waste Water Treatment Project costing eight million plus. He said how do you plan to accumulate the money for the project?

City Manager said we want to start generating a fund balance now so when EPD comes out with what our effluent will have to be we will be ready. He said we are proposing putting away now so we are not faced with a ridiculous rate increase. He said we have several years to build the fund balance.

Mr. Scott George, Council-Elect said I didn't see anything in the budget for the Town Center.

City Manager said we didn't need to budget for it. He said if something happens the City Council can amend the budget at that time.

Mr. George said aren't we paying the developer and when will we see the fruits from their efforts.

Mayor Holder said they give us updates.

Mr. George said what is the timeframe for the modifications to the dry trash collection?

City Manager said the dry trash collection is costing the City approximately \$250,000 per year. He said we are only supposed to be collecting dry trash once a month.

Mr. George said is the decision on dry trash included in the 2012 budget. He said were you able to do a comparison with other cities on their dry trash collection. He said also there are no raises across the board for employees and what will be the impact.

City Manager said that employees will be asked to do more with less. He said we do not have opportunities for operational cuts.

Councilmember Kicklighter said I think every employee understands that the money is not there and they know jobs are hard to find.

Mr. Joe Wilson said it is a fact that you replace police cars every five to seven years, but you are scavenging police cars for parts. He said you are expecting the police to do more and more to produce revenue and that is not the way they should work. He said when I was with Garden City we used to have to borrow radios to go get prisoners, because there was not enough radios to go around. He said I understand that there are still not enough radios.

Councilmember Kicklighter said what type of radio are you talking about? She said don't they have cell phones too. She said don't all our police officers have radios, because that is the system they work off of. She said I have never heard of any of this that you are bringing up tonight. She said I appreciate everything you are saying, but we need to leave it up to the Chief to decide the necessary things that his officers need.

Reverend Gary Monroe said I have a question on how you get to serve on a volunteer advisory board for the city. He said what are the prerequisites for serving?

Mayor Holder said we have one planning commission seat coming open. He said the City Manger can explain the process.

City Manager said you need a nomination from a City Council Member. He said the appointments are done at the first council meeting in January of the New Year depending on the terms of office.

Reverend Monroe said that these boards should have at least one individual from each district. He said I am somewhat astounded at the budget presentation. He said you have an item on the agenda tonight to help to balance the budget. He said you all are amending the rainy day fund to lower it from 50% to 25% with 15% cash.

Councilmember Kicklighter said you are out of order discussing another item that has nothing to do with this.

Reverend Monroe said I don't see how you can say that, because this resolution on the agenda tonight for approval is to pay the city hall debt. He said the citizens voted for SPLOST and the City is going to forgive the SPLOST fund used to pay city hall debt. He said you are robbing Peter to pay Paul. He said there are tough decisions to be made regarding the City's budget. He said I have looked at the cities comparison presented here tonight and based on Fort Oglethorpe's comparison, Garden City is over staffed. He said Garden City needs to make hard necessary cuts. He said I do not see a lot of economic development and the City does not have the ability to extend expenditures and there needs to be tough cuts. He said I would recommend taking another critical look at the budget, because you don't have to adopt it right now.

Councilmember Hall said this is a proposed budget and we will take your recommendations under consideration. He said tough decisions have been made and this is not the final budget. He said I appreciate staff's hard work on the budget.

There being no further questions or comments, Mayor Holder closed the public hearing on the FY2012 Budget.

City Council Minutes: Upon motion by Councilmember Jones, seconded by Councilmember Bethune, City Council voted unanimously to approve the minutes dated 11/7/11.

Staff Reports:

Finance Director presented the Finance Department's Monthly Status Report.

Water Operations Director presented the Water Operations Department's Monthly Status Report.

Police Chief presented the Police Department's Monthly Status Report.

Fire Chief presented the Fire Department's Monthly Status Report.

Items for Consideration:

Resolution, Fund Balance Policy Amendment: Mayor Holder read a resolution to authorize amending the Fund Balance Policy of the City of Garden City, Georgia, to conform to the requirements of the Government Accounting Standards Board Statement No. 54.

City Manager explained the GASB 54 fund balance requirements. He said that staff recommends having a minimum fund balance of 25% with no less than 15% cash. He said the Rainy Day Fund is only tapped into in the event of a natural disaster. He said what you are approving is what our auditors will hold us to.

Upon motion by Councilmember Spilliards, seconded by Councilmember Jones, City Council voted unanimously to adopt the resolution.

Mayor Holder reminded everyone of the City's Annual Tree Lighting Ceremony and Christmas in the Park on December 3rd.

Councilmember Kicklighter said the Garden City Pride Association started the tree lighting ceremony 14 years ago.

Adjournment: Upon motion by Councilmember Hall, seconded by Councilmember Jones, City Council voted unanimously to adjourn at 9:45 p.m.

Transcribed by: Rhonda Ferrell-Bowles, Clerk of Council

Adopted by City Council: 12/5/11