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MINUTES

City Council

Monday, May 18, 2009 - 7:00 p.m.

Members Present: Mayor Andy Quinney presided. **Councilmembers Present:** Bowen Jones, Tennyson Holder, Bessie Kicklighter, Gywn Hall, Judy Shuman, and Misty Selph

Members Absent: Durward Motes

Staff Present: Brian Johnson, City Manager; James P. Gerard, City Attorney; Nathan Mai-Lombardo, Planning Director; Cliff Ducey, Recreation Director; Clara Rouse, Finance Director; David L. Lyons, Chief of Police; Jimmy Crosby, Fire Chief; Randall Griffin, Public Works Director; Pam Franklin, Human Resource Director; and Corey Salley, Accounting Supervisor.

Staff Absent: Rhonda Ferrell-Bowles, Clerk of Council, and Charles Draeger, Water/Sewer Director.

Visitors: See attached sign-in sheet.

Opening: Mayor Quinney welcomed everyone to the meeting. Councilmember Hall offered the opening prayer. Mayor Quinney led City Council in the pledge to the flag. He then announced that the Council had held a pre-agenda session prior to the Council Meeting for the purpose of discussing the agenda tonight. He indicated that no decisions were made at the session, but Council did meet in order to discuss what it would be considering tonight so that everyone would be prepared and "on the same page."

Council Minutes:

Upon motion made by Councilmember Holder, and seconded by Councilmember Kicklighter, City Council voted unanimously to approve the minutes from the May 4, 2008, meeting of Council.

Planning & Zoning Committee Report:

Councilmember Hall had nothing to report, but he wanted to thank the City's staff for all they do for the City, and encouraged them to keep up the good work.

Personnel, Finance & Administration Committee Report:

Councilmember Judy Shuman reported that interviews have begun for the Utility Business Services Office Manager position; that the Parks and Recreation Department is recruiting for the full time position of Parks and Recreation Technician I; and that recruitment has also begun for summer camp counselors and lifeguards for the Parks and Recreation Summer Youth Program.

She also announced that the Annual Employee Benefits Enrollment and Benefits Fair would be held on May 28, 2009, from 9AM to 5PM o'clock, whereat full time employees would be able to add, delete, and/or change items in their benefit coverage package.

Parks & Recreation Committee Report:

Councilmember Misty Selph reported that there are two weeks left in the City's baseball, softball, and T-Ball season and that the kids were having a great time. The end-of-the-season hotdog and awards party has been scheduled for Tuesday, June 2, 2009, at 5:30 PM o'clock at Bazemore Park.

She announced that this year's Camp Eagle will start on May 26 and run through the end of August. The Camp is for children between the ages 6 and 12 years old. The registration fee is $25, and the weekly fee is $75 per child. Swim lessons will be available.

She also reported that the City Pool would open on June 1, and that registration was currently taking place for the City's gymnastics program for children 4 years of age and up.

Fire Committee Report:

In the absence of Councilmember Durward Motes, Councilmember Shuman gave the Fire Committee Report. She reported that between May 4 and May 17, 2009, the Fire Department responded to 13 fire calls with an average response time of approximately 4.46 minutes. She also reported that the Fire Department had recently participated with other local fire agencies in a successful fire drill at Vo-Tech Industries.

Police Committee Report:

Councilmember Bessie Kicklighter reported that since May 1, 2008, the Police Department had written 347 citations and 116 warning citations, and had investigated 28 traffic accidents with no fatalities.

Council Member Kicklighter also reported that Police Chief David Lyons had recently attended the 2009 Rural Law Enforcement Technology Institute in San Diego, California, from

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May 3 to May 8, at the invitation of the Department of Justice which paid for all of the Chief's expenses associated with attendance.

Chief Lyons then explained that at the San Diego convention, approximately 60 police chiefs and sheriffs from rural areas around the country spent a week discussing law enforcement technology related issues. He said that the discussion had much relevance to the operation of the City's Police Department in that the Department has applied for several grants funded by stimulus money for enhanced technology purposes. For example, his department is looking into implementing e-citations (traffic citations being input into handheld devices and automatically transmitted into police records) and automated fingerprinting checks.

The Chief also reported that his Department has begun the process of obtaining national re-certification with the Commission on Accreditation for Law Enforcement Agencies (CALEA). The assessors from CALEA are expected to be at the Department on July 6, 7, & 8, to do their work. Town Hall meetings will be later held to receive public comment on the Department's performance. The results of the re-certification process should be received in November.

Public Works Committee Report:

Councilmember Tennyson Holder reported that for the period from May 1, 2009, through May 15, 2008, the City had picked up 26 tons of dry trash which was carried to the landfill. He said that the hauling has become very expensive for the City which has spent $250,000 for hauling dry trash last year. He said that initially dry trash was supposed to be picked up on the first Monday of the month, but now it is being picked up throughout the first two weeks of each month because residents continue to place dry trash by the road after the pick-up day. He said that the program is being abused by non-residents who dump their trash on our streets for pick-up. He also reminded residents that dry trash means only leaves and limbs no longer than 4 feet in length, and not items such as refrigerators, mattresses, furniture, toilets, or air-conditioners for which the City will charge a removal charge of $350.00.

He reported that the City would have a bid-opening on May 21 at 2 PM o'clock for repairs/improvements (including drainage and driveway improvements) at Fire Station No. 2.

He also reported that 1,600 linear feet of right-of-way on Old Lousiville Road from Dean Forest Road was paved by Georgia DOT pursuant to the LARP Program. He added that DOT had awarded to a contractor the re-paving project for the intersection of Old Louisville Road and Highway 307.

Water & Sewer Committee Report:

Councilmember Bowen Jones reported that the City had recently experienced and repaired a major break in the Nelson Avenue sewer line which is the one of the deepest lines in the City (20 feet deep). The repairs took almost a week to complete during which time a

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portion of Nelson Avenue was closed.

He also reported that Department Head Charles Draeger was presently attending the week-long meeting of the Georgia Association of Water Professionals on Jekyll Island.

Beautification Committee Report:

Councilmember Bowen Jones reported that the Beautification Committee had lost some members who need to be replaced, and that the Committee has submitted the names of Lois Gaskins of Griffin Avenue and Jeff Webb of Governor Street for approval by City Council as replacements. Upon motion being made by Councilmember Jones and seconded by Councilmember Hall, the two names nominated by the Committee were unanimously approved by Council.

City Manager Report:

1. First Reading, Impact Fee Ordinance. & Second Reading

After supervising all of the work necessary to implement impact fees as a means of lessening the increased cost burden on the City of service delivery to new development, including the drafting of a capital improvement element to the City's comprehensive plan, creating an advisory committee, holding public hearings, engaging in much financial planning and fee calculations, and reporting to Council the preliminary findings of such work, City Manager Johnson announced that the City was finally ready to conduct the first reading of an ordinance putting such fees in effect for the funding of water, wastewater, police, and fire protection facilities. After the motion to approve the first reading of the ordinance was made by Councilmember Hall and seconded by Councilmember Jones, some discussion followed. In response to a question posed by Councilmember Selph as to whether the fees would apply just to new development, City Manager Johnson stated that the fees would be a one-time charge assessed against new (not existing) development for the impact that such development will have on the City's ability to provide services. The fees would help defray the cost incurred by the City to integrate the increased service delivery to the new development into the City's normal service delivery strategy. In response to Councilmember Jones' question as to whether the fee would apply to the expansion of a facility belonging to an existing business, City Manager Johnson stated that the fee would only apply if the expansion was significant enough to trigger the City's development approval process before the Planning Commission and/or Council and/or to require more services (e.g., more water or sewer capacity) from the City.

The Council then voted unanimously in favor of the first reading of the ordinance.
The Council then voted to suspend the rules & Carried & voted in favor of the ordinance on the
2. Vehicle Weight Limit Ordinance for Kessler Avenue. 2nd reading

City Manager Johnson then presented to Council for consideration an ordinance no longer exempting Kessler Avenue from the otherwise applicable 6,000 pound vehicle weight limit. He

stated that the reasons for the ordinance were (1) the presence of Garden City Elementary along the road; (2) concern for maintaining the condition of the road for use by the nearby multi-family developments; and, (3) the presence of an ingress/egress point onto Dean Forest Road for trucks.

Upon motion made by Councilmember Jones, and seconded by Councilmember Holder, to approve the first reading of the ordinance, Council voted unanimously in favor of the motion. Upon motion made by Councilmember Jones, and seconded by Councilmember Kicklighter, to suspend the rules of Council to allow for a second reading of the ordinance, the motion passed unanimously. Upon motion then made by Councilmember Holder, and seconded by Councilmember Jones, to adopt the ordinance on its second reading, the motion carried unanimously.

3. Consideration of Master Development Agreement.

Upon motion being made by Councilperson Holder, and seconded by Councilmember Selph, to table the Council's consideration of the City's Master Development Agreement until a future Council meeting by which time City Staff will have completed its due diligence studies, Council voted unanimously in favor of the motion. Upon motion then being made by Councilmember Holder, and seconded by Councilmember Selph, to extend the Developer's Due Diligence Period under the Agreement until the above-mentioned Council meeting, Council voted unanimously in favor of the motion.

4. FYO8 Budget Amendment Resolution for Confiscated Funds.

City Manager Johnson expressed the accounting need to approve a supplemental appropriation to the City's Confiscated Funds Budget for an increase of $12,000 in order to accurately reflect the differences between the originally budgeted/projected revenues and expenditures and the presently projected revenues and expenditures for the FY08 Special Revenue Fund based on actual income and expenses as of December 31, 2008. Upon motion made by Councilmember Jones, and seconded by Councilmember Shuman, to pass a resolution providing for such an appropriation, the motion carried unanimously.

5. FY08 Budget Amendment Resolution for Tourism Fund Budget.

City Manager Johnson also expressed the accounting need to approve a supplemental appropriation to the City's Tourism Fund Budget for an increase of $34,241.00 in order to accurately reflect the differences between the originally budgeted/projected revenues and expenditures and the presently projected revenues and expenditures for the FY08 Special Revenue Fund based on actual income and expenses as of December 31, 2008. Upon motion made by Councilmember Shuman, and seconded by Councilmember Holder, to pass a resolution providing for such an appropriation, the motion carried unanimously.

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6. Appointment of Billy Jackson to Planning Commission.

City Manager Johnson then presented Billy Jackson as a candidate for Council's appointment to the Planning Commission as a replacement for James Osteen who recently passed away. Upon motion made by Councilmember Holder, and seconded by Councilmember Jones, to appoint Mr. Jackson to the Planning Commission to replace Mr. Osteen, the motion carried unanimously. After Mr. Jackson accepted the appointment with thanks, Mayor Quinney, as well as Councilmembers Kicklighter and Selph, expressed much confidence that he would prove to be valuable asset to the Planning Commission and the City.

7. City's Receipt of Certificate of Excellence for Budgetary Reporting.

City Manager Johnson announced that the City had been awarded the Certificate of Excellence for Budgetary Reporting by the Government Finance Officers Association for FY2009. He gave primary credit for the City's receipt of the award to Finance Director Clara Rouse as well as the employees of the Finance Department who had made a commitment last year to apply for and obtain the prestigious designation. Ms. Rouse shared credit for receiving the award with the City's Department Heads who provided invaluable input to her during the budgetary process; with Corey Salley, the City's accounting supervisor who, with a great attitude, gave her much assistance; with City Manager Johnson who does things with a spirit of excellence and promotes that feeling in those with whom he works; and with City Council who, as a team, has given her much encouragement and support.

8. Passage of City Charter Amendment.

City Manager Johnson reported that a few days ago, Governor Perdue signed House Bill 297, amending the City's charter so as to (1) change the form of government to a city manager form, and (2) implement a council election districting process which will take effect in year 2012. He said that since the City's recent policy has been to operate under a city manager form of government (whereunder he has been given a leadership role for the purpose of implementing policy decisions made by City Council), the charter amendment will really not change much in how the City is doing business; it will simply formalize how the City has been operating in the recent past. He did say, however, that under the charter amendment, the Mayor will become a regular voting member of Council; beginning in 2012 after the 2011 election, Mayor and Council will be composed of 7 members instead of 8; most of the day-to-day municipal administrative duties will be entrusted to him; and he will be answering to all of the Councilmembers instead of just the Mayor. He stressed that the Mayor and Council would continue being the body responsible for making policy decisions for the City's future. He commented that the charter amendment is another example of how City Council is taking steps to formalize efforts to increase the level of professionalism in the City. He stated that the city manager form of government is the most prevalent among cities of Garden City's size and that it is presently being utilized by the City of Savannah. Councilmember Selph added that another attribute of the charter amendment is that it brings a high level of professionalism to the office of City Manager

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by setting forth high qualifications for that position going forward.

CityAttorney's Report:

City Attorney Jim Gerard said he had no report to give.

Mayor's Report:

Mayor Quinney stated that he had been approached by the Westside American Legion reminding him about the World War II monument being built on River Street, and notifying him of a flag burning ceremony being sponsored by the American Legion, involving the westside mayors, on Flag Day, June 14, at 3 PM o'clock, at a location to be later determined. He stated that the City needs a list of all veterans who served in World War II so that those names may go on the monument. He asked that if anyone knows of a westside veteran who served in World War II to contact City Hall with the name.

Mayor Quinney announced that on Friday, May 22, 2008, at 7 AM o'clock, at the Masonic Lodge, a military appreciation breakfast will be served by a community prayer group at no charge to any man who wants to come. The group's motto is "God first; patriotism second."

Adjournment: Upon motion made by Councilmember Holder, and seconded by Council Member Hall, to adjourn, the motion passed unanimously and the meeting was adjourned at 7:45 PM o'clock.

Andy Quinney, Mayor	Tennyson Holder, Mayor Pro Tem
Bessie Kicklighter, Councilmember	Bowen Jones, Councilmember
Judy Shuman, Councilmember	Durward Motes, Councilmember
Misty Selph, Councilmember	