

**MINUTES**  
**City Council Meeting**  
**Monday, August 18, 2014 – 7:00 p.m.**

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

**Opening:** Mayor Holder offered the opening prayer and invited everyone to join in the pledge of allegiance to the flag.

**Roll Call: Members:** Mayor Holder presided. **Council Members:** Don Bethune, Bruce Campbell, Rosetta Cody, Marcia Daniel, Scott George and Kim Tice.

**Staff:** Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; David Lyons, Chief of Police; Pam Franklin, HR Director; Charles Draeger, Water Operations Director; Ben Brengman, IT Director; Ron Alexander, Building Safety Director; Cliff Ducey, Parks & Recreation Director and Benny Googe, Public Works Director. *Absent:* Ron Feldner, City Manager

Mayor Holder said City Council held a pre-agenda session prior to tonight's meet. He said no decisions were made during the pre-agenda session.

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

Mr. Burke Wall, President of Atlantic Waste, said I would like to thank City Council for the opportunity to submit a bid for the City's waste collection services. He said I am somewhat disappointed in the City Council's decision to stay with their current vendor when their numbers were higher than ours even though they reduced their price. He said we would have provided a higher level of service to the City. He said we planned to provide all new carts and trucks. He said the City Council talked about having the vendor do a magnetic with key phone numbers. He said we were going to hot stamp the carts with our number. He said the residents would then be able to call us directly and not have to call City Hall. He said I am very disappointed, because you all let Waste Management force you into making a quick decision even to the point that you all had to call a special council meeting.

Mayor Pro-tem George informed Mr. Wall that his time was up. He said I am sorry, but your three minutes are up.

Mr. Ben Wall, Atlantic Waste, said I want to further what my father was saying. He said the difference between Waste Management and us is \$165,000. He said you could have bought police cars or fire equipment with that money. He said we could provide a higher level of service and we have more customers than Waste Management. He said was there ever a question if we could provide the service. He said could there have been a certain lobbyist that called and put that thought in your mind. He said I am upset that we aren't going to get the opportunity. He said if you all want to there is still time to change your mind.

Mr. Bill Grainger, said it seems like a lot of things happen in Garden City that don't make a lot of sense. He said I am sorry you all didn't vote for the Wall's to do the contract, because you could have saved money. He said you all said you needed money and put in property taxes, but then you could have saved money by going with their contract and then don't. He said this doesn't look good.

Mr. Chad Yarborough, Tow Company Owner/Operator, said I question the terms of the wrecker service contract. He said no other company has been able to submit a proposal. He said it should have been put out to bid.

Mr. Sharon Bethune, 2621 Woodlawn, said I am with the Garden City Housing Team and I would like to invite everyone to attend the Housing Fair we are having on September 20<sup>th</sup>. She said it is free to the public and we already have twenty vendors signed up to participate in the event. She said it will be held at the Garden City Gym and we will be advertising it in the newspaper, on the radio and television. She said also information on the event will be included in this month's water bill.

Mayor Holder asked if there was any else who wished to address Council.

City Attorney said five speakers is the limit.

Mayor Holder said with that being said, the informal public comment portion of the meeting is closed.

**Public Hearings:**

**PC1411 – Rezoning Request by Timothy Aiken (Lynah Avenue):** Mayor Holder opened the public hearing to receive public comment on request by Timothy S. Aiken to rezone the Western Section Lots 46, 47, 48, 49, and 50, Lynah Avenue, Central Junction Heights from R-2 to C-1 for desired land use as an electrical contractor's office.

Mr. Phillip McCorkle, Attorney, said I represent Mr. Timothy Aiken on this rezoning request.

Mr. McCorkle handed out information to City Council, City Attorney and Clerk of Council relating to Mr. Aiken's rezoning request.

Mr. McCorkle said his client Mr. Aiken owns property that fronts onto Lynah Avenue and onto Heidt Avenue. He said Mr. Aiken once before requested the rezoning of the entire property which was recommended for approval by the Planning Commission, but was denied by Council. He said the exhibits I handed to you show the location and size of the property. He said currently there are offices and businesses of different styles on Lynah. He said more than 80% of the lots are zoned for commercial with no residential currently being utilized on Lynah. He said the immediate landowners have no objections to the zoning. He said Mr. Aiken will put a fence up as buffer so there is no negative impact. He said no traffic will increase on Heidt Avenue. He said Mr. Sturgess is concerned if this property is rezoned that people closer to him may ask for their property to be rezoned. He said Mr. Sturgess is currently across from a C-2 zoning classification which is a heavier commercial use than the C-1 zoning classification my client is requesting. He said Mr. Aiken owns property and can't use it. He said we think the evidence is clear that this raises the question to his constitutional right being threatened. He said I am not intending this as a threat, just saying.

Councilmember George said, how long has the property on Heidt been zoned C-2?

Chief Lyons said I have been here twelve years and it was zoned C-2 when I got here.

Councilmember Daniel said you mentioned that none of his neighbors have any objections.

Mr. McCorkle said they have no issues with the property being rezoned. He said the only one that has expressed a concern is Mr. Sturgess.

Mayor Holder said is there anyone else wishing to speak for or against the rezoning. There being no further questions or comments, Mayor Holder closed the public hearing.

**City Council Minutes:** Upon motion by Councilmember Bethune, seconded by Councilmember Cody, City Council voted unanimously to approve the City Council Meeting Minutes dated 7/21/14, City Council Workshop Synopsis dated 7/28/14, Town Meeting Synopsis dated 8/4/14, City Council Workshop Synopsis dated 8/11/14, and Special Called City Council Meeting Minutes dated 8/12/14.

**Staff Reports:**

Building Safety Director presented the Planning, Zoning & Building Department's monthly status report.

HR Director presented the Human Resources Department's monthly status report.

Councilmember Bethune asked the HR Director if all the firefighter positions were filled.

HR Director replied yes.

Councilmember George asked the HR Director to introduce the new director.

HR Director introduced Ron Alexander, Building Safety Director.

IT Director presented the Information Technology Department's monthly status report.

Mayor Holder and City Council congratulated the IT Director on his receiving his award.

Councilmember George asked the IT Director to have the microphone at the podium looked at. He said I am still having people tell me that they can't hear when people are talking into that mic.

IT Director said we will take care of it.

Public Works Director presented the Public Works Department's monthly status report.

Mayor Holder asked the Public Works Director the status of the lights for the Silk Hope area.

Public Works Director said they are on schedule.

Councilmember Bethune said I know you have been having mechanical problems with the Almo, which has presented issues during the mowing season.

Public Works Director said it is back up and running. He said we sprayed week killer along some of the areas.

Councilmember Bethune said I have some people ask me about why we sweep the streets. He said can you tell everyone why.

Public Works Director said in our stormwater permit we are to keep the debris out of the storm drains. He said if we don't sweep the streets then all the debris will wash down into the storm drains and clog them.

Councilmember Bethune said you handled a resident's complaint last week and I want to let you know that you do a good job with our residents.

Mayor Holder said I rode the City with Benny last week to look at some problem areas and talk about how we can best address these issues.

Councilmember Tice said Highway 25 is looking good. She said the bamboo is hanging to low at Nelson and Rommel making it hard to see oncoming traffic.

Recreation Director presented the Parks & Recreation Department's monthly status report.

Councilmember George asked if we were getting a lot of fall sponsors this year for football.

Recreation Director said we get sponsors for baseball. He said for football we do for the stadium. He said we have not had a lot of responses so far. He said this will be the Rebel Bowl's 49<sup>th</sup> year.

Councilmember George encouraged all the businesses to participate.

Water Operations Director presented the Water Operations Department's monthly status report.

Councilmember Tice asked what the black bag on the fire hydrant means. She said there is a black bag covering the fire hydrant on Walberry.

Water Operations Director said it means the hydrant needs to be replaced.

Councilmember George said the fire hydrant contractor is doing a good job. He said how many fire hydrants are there that needs replacing.

Chief Lyons said there are about five to ten that needs to be replaced.

Water Operations Director said we are working on a replacement schedule.

Chief Lyons said the flow testing is helping us to identify the hydrants that need to be replaced.

Public Safety Director presented the Public Safety Department's monthly status report.

Councilmember Bethune said there are tractor trailers parking in the median on Highway 25 and Highway 80. He said I see the officers giving them tickets. He said it creates a dangerous situation when they park in the median, because you can't see oncoming traffic.

Chief Lyons said it is extremely dangerous, because you can't see what is coming. He said the officers issue them tickets when they park in the median.

Councilmember George said there was a train blocking Smith, Azalea and Herty for a long period of time. He said how long are they allowed to set on the tracks?

Chief Lyons said they are supposed to be through the intersection in ten minutes. He said an officer has to observe them sitting there before he can ticket them. He said we can't take a citizen's word. He said the officer has to witness the train blocking the track.

Councilmember George said this is becoming an emergency responder situation. He said they need to alert the police, fire and ambulance service if they are going to block the tracks for an extended period of time. He said a plan needs to be in place for the first responders so they can reach people if something happens.

Chief Lyons said the problem is there is not a schedule for the trains.

Councilmember George said if they have the ability to move freight then they should know when they are going to be moving it.

Chief Lyons said we can break the train if there is an emergency. He said it is not easy, but it can be done.

Councilmember Tice said I was stuck yesterday by the same train. She said can't we limit them on how much they can carry.

Chief Lyons said I have learned that you can't make the railroad do anything. He said it is only going to get worse with the deepening of the harbor.

Councilmember Tice said can't the railroad build an overpass over Highway 21.

Chief Lyons said it would be very expensive and we would probably end up having to pay for it.

Councilmember Daniel said in your report you mentioned that the Police department was recertified. She said I would like to congratulate you and your department on being recertified. She said I know that wasn't an easy thing to accomplish.

Chief Lyons said thank you. He said you are correct it is not easy.

**Items for Consideration:**

**Resolution, Wrecker Service Contract** – Mayor Holder read a resolution of the Mayor and Council of Garden City, Georgia, authorizing the piggy-backing off of the pricing and terms of a contract for head-out wrecker service between Sapp's Wrecker Service, Inc., and Port Wentworth, Georgia, and the competitive procurement process used by the City of Port Wentworth in connection therewith.

City Attorney said for years we have been piggy-backing of other government's wrecker service contracts. He said the last was Chatham County. He said there is no state law or ordinance that requires us to solicit bids. He said when the owner of a vehicle has no preference or isn't present on the scene this is where Sapp's could be used. He said Port Wentworth is our neighboring City and they bid out looking for the same criteria we are. He said other cities have a rotation list, but according to the Chief we have tried this in the past and it doesn't work, because there were occasions where towing companies could not tow the vehicle. He said Sapp's has the ability. He said we could rebid, but the same criteria would be used so the results would be the same.

Councilmember George said we start the contract where Port Wentworth is in the contract.

City Attorney said Port Wentworth's contract is twelve months. He said the contract could be terminated by either party with just thirty days' notice.

Upon motion by Councilmember Bethune, seconded by Councilmember Tice, City Council voted unanimously to adopt the resolution for the wrecker service contract.

**Resolution, Unsecured Building Violation (355 Priscilla D. Thomas Way)** – Mayor Holder read a resolution by the Mayor and Council of Garden City, Georgia, to order the building owned by Larry Scott on the Property at 355 Priscilla D. Thomas Way, Garden City, Georgia, to be closed and secured by the City's Code Enforcement Officer.

Upon motion by Councilmember Campbell, seconded by Councilmember Tice, City Council voted unanimously to adopt the resolution for the unsecured building violation.

Mayor Holder asked if there were any other comments from Council.

Councilmember Bethune said I would like to thank Atlantic Waste for submitting their bid. He said we received five bids and we could have awarded the contract to anyone. He said the waste services doesn't cost the City any money. He said it is paid by the resident. He said if an increase occurs it is passed onto the resident. He said I have talked to approximately forty or so residents and explained to them that they would receive a small savings on their waste collection if we changed vendors, but I couldn't find a single resident that said they were displeased with Waste Management. He said I encourage you to bid the next time. He said you are a very reputable company and you are good with what you do.

Councilmember George said it is a lot more than a small savings. He said the difference is what we paid last year. He said the \$92,000 difference over the next couple of years' amounts to a lot of money. He said we passed property taxes and I don't understand how Waste Management was able to lower their rate. He said were they over charging us or what? He said it is weird.

Mayor Holder said there being no further business, I will ask for a motion to adjourn.

**Adjournment** – Upon motion by Councilmember Bethune, seconded by Councilmember Campbell, City Council adjourned at 8:23 p.m.

*Transcribed by: Clerk of Council  
Accepted by City Council: 9/15/14*