

## MINUTES

### City Council

**Monday, November 21, 2016 - 6:00 p.m.**

**Call to Order:** Mayor Bethune welcomed everyone and called the meeting to order at 6:00 p.m.

**Opening:** Pastor Randall France of the First Baptist Church of Garden City, Georgia, gave the invocation and Mayor Bethune invited everyone to join in the pledge of allegiance to the flag.

**Roll Call:** The roll call conducted by the City Manager reflected the following:

**Council Members Present:** Mayor Don Bethune, Bruce Campbell, Rosetta Cody, Marcia Daniel, Bessie Kicklighter, and Debbie Ruiz.

**Council Members Absent:** Kim Tice.

**Staff Present:** Ron Feldner, City Manager; James P. Gerard, City Attorney; Ben Brengman, IT Director; David L. Lyons, Chief of Police; Blake Hodge, Fire Chief; Jackie Jackson, Special Projects Coordinator; Ron Alexander, Planning Director; and Benny Googe, Public Works Director.

**Staff Absent:** Rhonda Ferrell-Bowles, Clerk of Council; Pam Franklin, Human Resources Director; Charles Draeger, Water/Sewer Director; and Cliff Ducey, Recreation Director.

**Opening:** Mayor Bethune announced that City Council had held a Pre-Agenda Session prior to the meeting whereat no decisions or votes were made.

**Informal Public Comment:** Mayor Bethune opened the floor to receive informal public comment from the audience. No citizens came forth to make any comments.

**Formal Public Comments:** Mayor Bethune announced that no formal requests for public comment had been made prior to the meeting.

There being no public comments, Mayor Bethune closed the informal and formal public comment portion of the meeting.

## Public Hearings:

1. P.C. #1626, Zoning Map Amendment.

The City Manager indicated that Tim Aiken had withdrawn his petition to rezone the eastern half of his lot located on Lynah Avenue from R-2 to C-1 for use as an electrical contractor's office.

2. P.C. #1627, Zoning Map Amendment.

Mayor Bethune opened the public hearing for the purpose of receiving public comment on the petition of Renee Coleman to rezone property located at 1317 Heidt Avenue from an R-2 zoning classification to a C-2 zoning classification. Ron Alexander, Director of Planning and Economic Development, indicated that the Planning Commission had unanimously recommended denying the petition. The only individual speaking in favor of the petition was Renee Coleman who indicated that the property under consideration had no value for residential use; that businesses surrounded the property at the present time; that traffic makes the property unsafe for residential use; that after her family has lived on the property for over 75 years, no family member wants to continue living there; and that she would be agreeable to re-zoning the property to a C-1 zoning classification. Individuals coming forward to speak against the petition included Stephanie Bush who lives next to the property at 1311 Heidt Avenue, and who indicated that she did not want any business establishment located next to her house. Also speaking against the petition was Leonard Hodges of 3801 Old Louisville Road who expressed his desire for the Heidt Avenue neighborhood to remain residential in nature. Finally, Clyde Sturgess came forward and voiced his opposition to the petition, stating that he owns rental property at 1305, 1307, and 1309 Heidt Avenue in which he has invested much money to lease for residential use, and that he does not want to lose his investment by reason of Ms. Coleman's petition being granted.

After public comment had ended, Council Member Daniel questioned Ron Alexander about the future land use which has been planned for the subject property and whether the property under consideration constituted one lot or two. Ron Alexander indicated that the future land use for the property is mixed-use and that the property constitutes only one lot (its having previously been two lots which recently were combined into one).

After the public hearing was closed, the Mayor announced that the rezoning petition of Ms. Coleman would be voted on at the next Council meeting scheduled

for December 5, 2016.

3. Public Comment on FY 2017 City Budget.

City Manager Ron Feldner then presented for public comment the City's FY 2017 budget which begins January 1, 2017. His overview of the budget highlighted the following:

A. General Fund.

- (1) The General Fund balance shall increase 3% in FY 2017.
- (2) The City shall not utilize existing reserves in the General Fund to fund departmental operational line items in FY 2017. Instead, reserve fund balances carried over from FY 2016 will be used to fund departmental capital purchases or one time purchases of equipment and services as periodically determined by City Council throughout the year based upon the extent to which revenues are coming in as projected.
- (3) In FY 2017, the City shall have 119 budgeted full-time positions paid out of the General Fund as opposed to 116 budgeted full-time positions in FY 2016. The three (3) additional full-time budgeted positions are related to fire service.
- (4) The City will be in a position to expend money on capital replacement, whether it is equipment, vehicles, or projects, while breaking even with operations which have been stable and consistent each year.

B. The Enterprise Funds.

- (1) The Fire Protection Budget is going to change to reflect having three additional firefighters on staff for optimum operation of the department. Fire Protection revenues are anticipated to increase as a result of new construction generating fire protection fees, and the institution of a new fire line fee for facilities requiring high capacity fire lines between 8 and 10 inches.
- (2) The Stormwater Management Budget is anticipated being the same as FY 2016, bringing in almost \$900,000.00 a year in fees which are reinvested in the stormwater program through a combination of field staff and contracted services.
- (3) The Sanitation Budget is similar, if not the same, in 2017 as compared to

2016.

- (4) The Water and Sewer Fund continues to operate on a very financially sound basis as revenues continue to come in as the City's thriving business community uses increased water and sewer services. A major component and expense of the water and sewer operation is the debt that the City incurred over the last several years to complete several different projects which enhance the system operation of both utilities throughout various parts of the City. In order to fund such expense, Council looked at 2017 projected revenues, the City's customer base for the consumption of water and the discharge of sewer, and opted to increase the water and sewer bill or rates for the year by about \$1.40 for the average residential customer. This small incremental increase is consistent with what the City has done the last several years in order to maintain the sound financial footing that the City has been on for several years. The City's commercial and residential water and sewer rates are still very competitive with our neighboring communities.

C. SPLOST.

The Splost Fund takes care of the City's major capital needs each year. The most significant expense out of this fund, about half of the money each year, goes to the City Hall debt service payment. Other miscellaneous expenses out of the fund include those for road improvements, public safety vehicles, and development projects at Town Center.

Upon the City Manager's asking for questions or comments from the public or City Council, the only question or comment came from Council Member Kicklighter who asked the City Manager if any utility fees were being increased. The City Manager confirmed that there would be no increase in the fire and stormwater fees, and that there would be a slight increase in water and sewer rates.

There being no further questions or comments about the City's FY2017 Budget, the public hearing thereon was closed by Mayor Bethune.

**City Council Minutes:** Upon motion by Councilmember Kicklighter and seconded by Councilmember Cody, City Council voted unanimously to approve the minutes of the City Council Workshop on November 14, 2016, and the minutes of the City Council Meeting on November 7, 2016.

**Staff Reports:**

Ron Alexander, the City's Director of Planning and Economic Development, gave his

departmental report for the month of October. He indicated that the October 11, 2016, meeting of the Board of Zoning of Zoning Appeals/Planning Commission during which six (6) matters had been scheduled for consideration was cancelled due to Hurricane Matthew. He reported that during October, his Department had issued 44 permits for various items pertaining to site infrastructure and vertical construction activities, and that approximately 82 onsite inspections and 56 plan reviews had been performed in connection with the issued permits to ensure compliance with the civil, environmental, building, fire, mechanical, electrical, and plumbing codes and ordinances adopted by the State or City. When asked by Council Member Kicklighter what happens when a resident builds a room addition to a house without a permit, Mr. Alexander responded that his Department will give the resident a reasonably sufficient time period to come into adherence with whatever city code provisions have not been followed, and will not require the resident to tear down the unapproved building improvements so long as timely compliance with the code is achieved.

The City Manager presented the Water/Sewer Department's October report, indicating that there had been 179 service requests for the month generating 233 work orders which were primarily for city-initiated meter re-reads and water turn on/off services.

Chief David Lyons presented the Police Department's monthly status report for October. He indicated that there had been a total of 1,892 calls for service in the month, and a total of 20,404 service calls since January 1. He reported that the most frequently committed criminal offence for the month was burglary primarily targeting unattended and unlocked automobiles. He further reported 428 cases (356 traffic matters and 72 criminal cases) having been handled by the Municipal Court during the month. As for items of interest, he related to Council his meeting on Civil Rights at Savannah State on October 25, 2016, and his attending the Priscilla D. Thomas Retirement Gala on October 28, 2016. He informed City Council that the newly purchased radar machines had arrived and they would be appropriately placed at the areas in the City where speeding was jeopardizing the safety of residents. With respect to the coming holidays, the Chief reported that the lighting of the City's Christmas tree would take place on December 10, 2016, at 6:00 p.m. o'clock at Volunteer Park, and that coffee, hot chocolate, cider, and doughnuts would be served and singing entertained provided at Sharon Park at 6:30 p.m. o'clock. In closing, he expressed sorrow for the recent untimely death on November 19, 2016, of WTOC anchor Don Logana who had always provided positive coverage on the accomplishments of the police department.

Chief Hodge presented the Fire Department's monthly status report for October, reporting 530 calls for service during such time, 346 of which calls were related to the recent hurricane. He stated that during October, personnel in the Department had undergone 245 hours of training, renovations at Fire Station 2 were ongoing, and that his Department was continuing to conduct weekly blood pressure checks at the Senior Center. At the conclusion of his report, he expressed sorrow for Savannah firefighter Michael Curry who died on November 19, 2016, in action while preparing to extricate victims of a boat ramp collapse from the Savannah River. Mayor Bethune, who once had been Mr. Curry's battalion chief, remembered Mr. Curry as a dedicated firefighter

who, like most other emergency providers, underwent extreme job stress while both handling emergency calls and waiting for them to occur. He encouraged the public to remember at Thanksgiving, through prayer, all of the policemen and firemen who dedicate their lives to providing safety to citizens around the clock.

### **City Manager Updates:**

1. The City Manager reported that the City's debris hauling contractor and the monitoring company overlooking the contractor's work had completed their third week of providing services, and that 23,000 cubic yards of debris had been picked-up from within the City during such time. Reporting that the work was in its final stages, he informed residents to place their debris out by the street curb by the Wednesday before Thanksgiving to insure its being removed.

2. The City Manager reported the inspection of the traffic light at the intersection of Chatham Parkway and Telfair Place revealed that the light worked fine except for the sensitivity of the left-turn only signal which had a problem emanating from the control box. He indicated that once the repair parts for the control box are received and installed within the next couple of weeks, the signal will again respond to cars approaching the intersection ready to make a lefthand turn. When Council Member Kicklighter commented that the lefthand turn signal on the traffic light at the intersection of Burnsed Avenue and Highway 80 was also not operating properly, the City Manager indicated that the State of Georgia — the owner of the light — had already been contacted about the problem.

### **Items for Consideration:**

**1. First Reading, Ordinance - Ordinance Permitting Package Sales of Malt Beverages, Wine, and Distilled Spirits on Sunday from 12:30 p.m. o'clock to 11:30 p.m. o'clock:**

Mayor Bethune performed the first reading of the heading of an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by amending Chapter 6, Article II, Division 4, to permit package sales by properly licensed retailers of malt beverages, wines, and distilled spirits on Sundays between the hours of 12:30 p.m. and 11:30 p.m., to repeal all ordinances in conflict therewith, to provide an effective date, and for other purposes.

Upon a motion being made by Council Member Kicklighter and seconded by Council Member Cody to adopt the ordinance, Mayor Bethune asked the City Attorney to outline the basis for same:

The City Attorney explained that in May 2016, City Council had passed a resolution pursuant a Georgia law providing for the holding of a public referendum for the purpose

of allowing residents to vote on authorizing City Council to permit the package sale of alcoholic beverages on Sunday. According to the attorney, the applicable Georgia law (which applies to cities such as Garden City that permit the sale all alcoholic beverages during the weekday) requires that the referendum pose the question of Sunday package sales of all alcoholic beverages, including distilled spirits, and not limit it to the Sunday package sales of just beer and/or wine. Accordingly, the question which was posed in the public notice of the referendum as well as in the ballot itself was whether City Council should be authorized to permit the Sunday sale of distilled spirits, malt beverages, and wine. Since the vote on such question was 66.33% in favor and 33.67% against, the City Council was now authorized to permit all or none Sunday package sales of alcoholic beverages effective December 1, 2016.

Upon Mayor Bethune putting the motion to a vote, City Council voted unanimously to approve the motion and pass the ordinance amendment on the first reading of same.

Upon motion made by Council Member Kicklighter and seconded by Council Member Cody to suspend the rules of Council for the purpose of having a second reading of the ordinance, Council unanimously approved same after being put to vote.

**Second Reading, Ordinance - Ordinance Permitting Package Sales of Malt Beverages, Wine, and Distilled Spirits on Sunday from 12:30 p.m. o'clock to 11:30 p.m. o'clock:**

Mayor Bethune performed the second reading of an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by amending Chapter 6, Article II, Division 4, to permit package sales by properly licensed retailers of malt beverages, wines, and distilled spirits on Sundays between the hours of 12:30 p.m. and 11:30 p.m., to repeal all ordinance in conflict therewith, to provide an effective date, and for other purposes.

Upon motion made by Council Member Kicklighter and seconded by Council Member Cody, City Council voted unanimously to adopt the ordinance on the second reading.

**2. Resolution - Adoption of a Policy for Writing off Uncollectible Account Receivable Debt:**

The Mayor read the heading of a resolution of the Mayor and Council of Garden City, Georgia, adopting a policy for writing off certain uncollectible account receivable debt. The City Manager then stated that one of the recommendations of the City's auditor was to develop and implement a policy whereby the City could write-off old uncollectible debt relating primarily to the City's utility bills pursuant to a standard procedure which has been successfully implemented by several of the other municipalities within Chatham County.

Upon motion made by Council Member Kicklighter and seconded by Council Member Cody, City Council voted unanimously to adopt the resolution.

**3. Write-off of 2009-2010 Utility Accounts Receivables Deemed Uncollectible.**

The Mayor entertained a motion authorizing the write-off of that portion of the City's 2009-2010 utility bills totaling \$50,945.23 which the City's collection company had identified as older than six years overdue and uncollectible under the write-off policy adopted by City Council earlier during the instant meeting. Upon motion being made by Council Member Ruiz and seconded by Council Member Cody, City Council voted unanimously to authorize the write-off.

**Adjournment:** There being no further business before Council, Mayor Bethune asked for a motion to adjourn the meeting. Upon motion being made by Councilmember Kicklighter and seconded by Councilmember Cody, City Council adjourned the meeting at 7:10 p.m. o'clock.