

MINUTES

City Council

Monday, September 15, 2008 – 7:00 p.m.

Members Present: Mayor Andy Quinney presided. **Council Members:** Gwyn Hall, Tennyson Holder, Bowen Jones, Bessie Kicklighter, Durward Motes, Misty Selph, and Judy Shuman.

Staff Present: Brian Johnson, City Administrator; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Pam Franklin, HR Director; Clara Rouse, Finance Director; David Lyons, Chief of Police; Randall Griffin, Public Works Director; Charles Draeger, Water/Sewer Director; Jimmy Crosby, Fire Chief and Cliff Ducey, Recreation Director.

Staff Absent: Nathan Mai-Lombardo, Planning Director

Visitors: See attached sign-in sheet

Opening: Mayor Quinney welcomed everyone to the meeting. Councilmember Kicklighter offered the opening prayer and Mayor Quinney led City Council in the pledge to the flag.

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

Operation Lifesaver Day Proclamation: Mayor Quinney read a proclamation proclaiming September 23, 2008, as "Operation Lifesaver Day" in Garden City, and urged all Garden City Citizens to drive safely and cautiously when approaching a highway-rail crossing, to obey our laws by always yielding to oncoming trains, and to avoid trespassing on railroad tracks and rights-of-way.

Public Hearings:

Alcoholic Beverage License Manager Application: Mayor Quinney opened the public hearing to receive public comment on an application by Scott Kirby to sell wines, beer and/or malt beverages at the Piggly Wiggly Store #57, 4415 Augusta Road, Garden City, Georgia. He said the Police Department recommends approval of the alcoholic beverage license manager application.

Mayor Quinney asked if there were any questions or comments from the audience. There being no questions or comments, Mayor Quinney closed the public hearing.

PC0840, Rezoning Request: Mayor Quinney opened the public hearing to receive public comment on a request by Johnnie Mae Jenkins to rezone 1140 Dean Forest Road from R-1 to R-I-N for a child care center.

Mayor Quinney asked Planning Commission Member Sharon Bethune to give the Planning Commission's recommendation.

Ms. Bethune said the Planning Commission recommended approval. She said they meet all the rezoning criteria.

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Councilmember Kicklighter asked why the application was not signed by the property owner.

Ms. Bethune said the property owner attended the Planning Commission meeting and had no objections to the property being rezoned to R-I-N.

City Attorney said the matter of who signed the application can be corrected.

Councilmember Hall asked if there were any concerns voiced at the Planning Commission regarding safety.

Ms. Bethune said no one expressed any concerns. She said the day care is not right on the road.

Mayor Quinney said the requester should be here to answer our questions.

City Attorney said the issue at hand is the rezoning of the property from R-1 to R-I-N, not deciding whether or not a day care can go there.

There being no further questions or comments, Mayor Quinney closed the public hearing on PC0840.

PC0847, Rezoning Request: Mayor Quinney opened the public hearing to receive public comment on a request by Mike Early, property owner, to rezone 150 Dean Forest Road from RA to I-1 for use as offices and storage.

Mr. Early said he would like to withdraw his request at this time until after the City adopts its new planning map.

There being no further questions or comments, Mayor Quinney closed the public hearing on PC0847.

City Council Minutes: Upon motion by Councilmember Jones, seconded by Councilmember Shuman, City Council voted unanimously to approve the minutes from the August 18, 2008 meeting of council.

Planning & Zoning Committee Report:

First Reading, Main Street Rezoning Ordinance: Councilmember Hall asked the Clerk of Council to read by title only an ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended; to rezone certain properties owned by Charlie Orrel, The Sigler Family Trust, Sai Puramis, LLC, SETCO Truck Sales, Inc., and Goldberg Properties, L.P., from "C-2A" zoning classification to a "PC-2A" zoning classification; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Hall, seconded by Councilmember Kicklighter, City Council voted unanimously to approve the main street rezoning ordinance on the first reading.

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Councilmember Hall made a motion, seconded by Councilmember Kicklighter to suspend the rules of council to hold the second reading of the main street rezoning ordinance. City Council voted unanimously to suspend the rules of council and hold the second reading of the ordinance.

Clerk of Council read by title only an ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended; to rezone certain properties owned by Charlie Orrel, The Sigler Family Trust, Sai Puramis, LLC, SETCO Truck Sales, Inc., and Goldberg Properties, L.P., from "C-2A" zoning classification to a "PC-2A" zoning classification; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Hall, seconded by Councilmember Shuman, City Council voted unanimously to adopt the main street rezoning ordinance on the second reading.

First Reading, Tree Protection & Landscaping Ordinance: Councilmember Hall asked the Clerk of Council to read by title only an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by amending Chapter 30, Article IV, Section 30-402(B)(2) for the purpose of requiring that notice be given to the City of any tree harvesting operations not incidental to the development of land and therefore otherwise exempt from the coverage of the City's Tree Protection and Landscape Ordinance; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Hall, seconded by Councilmember Holder, City Council voted unanimously to approve the tree protection & landscaping ordinance on the first reading.

Councilmember Hall made a motion, seconded by Councilmember Shuman to suspend the rules of council to hold the second reading of the tree protection & landscaping ordinance. City Council voted unanimously to suspend the rules of council and hold the second reading of tree protection & landscaping ordinance.

Clerk of Council read by title only an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by amending Chapter 30, Article IV, Section 30-402(B)(2) for the purpose of requiring that notice be given to the City of any tree harvesting operations not incidental to the development of land and therefore otherwise exempt from the coverage of the City's Tree Protection and Landscape Ordinance; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Hall, seconded by Councilmember Jones, City Council voted unanimously to adopt the tree protection and landscaping ordinance on the second reading.

First Reading, Animal Control Ordinance:

Councilmember Hall asked the Clerk of Council to read by title only an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by repealing sections 14-1 through 14-44 of the City's

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Animal Control Ordinance constituting Article I and Article II of Chapter 14 of said code and substituting in lieu thereof provisions relating to the control of wildlife, the keeping of animals, dead animals, vaccinating and registering dogs and cats, licenses for commercial animals, restrictions on dogs running at large, impounding animals, handling of dog excrement, dog fighting, animal, neglect, limiting the number of cats owned, feeding stray cats and dogs, and the labeling, retaining and confiscation of dangerous dogs; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Hall, seconded by Councilmember Selph, City Council voted unanimously to approve the animal control ordinance on the first reading.

Councilmember Hall made a motion, seconded by Councilmember Holder to suspend the rules of council to hold the second reading of the animal control ordinance. City Council voted unanimously to suspend the rules of council and hold the second reading of the animal control ordinance.

Clerk of Council read by title only an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by repealing sections 14-1 through 14-44 of the City's Animal Control Ordinance constituting Article I and Article II of Chapter 14 of said code and substituting in lieu thereof provisions relating to the control of wildlife, the keeping of animals, dead animals, vaccinating and registering dogs and cats, licenses for commercial animals, restrictions on dogs running at large, impounding animals, handling of dog excrement, dog fighting, animal, neglect, limiting the number of cats owned, feeding stray cats and dogs, and the labeling, retaining and confiscation of dangerous dogs; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Hall, seconded by Councilmember Jones, City Council voted unanimously to adopt the animal control ordinance on the second reading.

Personnel, Finance & Administration Committee Report: Councilmember Shuman gave a routine report. She said the Utilities Account Tech II position has been filled.

Parks & Recreation Committee Report: Councilmember Selph gave a routine report. She said the Town Hall Meeting held on September 8th regarding the relocation of the City's Parks & Recreation Facilities was well attended. She said this year's fall festival will be held on Saturday, October 25th.

Fire Committee Report: Councilmember Motes gave routine report. He said the fire department responded to 27 calls with an average response time of 4.33 minutes.

Police Committee Report:

Alcoholic Beverage License Manager's Application: Councilmember Kicklighter said we have for consideration an application by Scott Kirby to sell wines, beer and/or malt beverages at the Piggly Wiggly Store #57, 4415 Augusta Road, Garden City, Georgia. She said the Police Department recommends approval of the alcoholic beverage license manager application.

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Upon motion by Councilmember Kicklighter, seconded by Councilmember Selph, City Council voted unanimously to approve the alcoholic beverage license manager's application by Scott Kirby to sell wines, beer and/or malt beverages at the Piggly Wiggly Store #57, 4415 Augusta Road, Garden City, Georgia.

Councilmember Kicklighter gave routine report. She asked Chief Lyons to give council a report on his trip to Israel.

Chief Lyons gave a general overview of his trip to Israel.

Chief Lyons said we held the first meeting with the churches on this year's fall festival. He said only eight or nine churches attended the meeting.

Public Works Committee Report:

Councilmember Holder gave a routine report. He said the crews pick up 23 tons of dry trash in nine days. He said people are putting out more and more dry trash. He said a questionnaire on recycling will be going out to the residents in the near future.

Water/Sewer Committee Report: Councilmember Jones said everything is going fine in the water/sewer department.

City Administrator Report:

First Reading, Cost Recovery Ordinance: City Administrator asked the Clerk of Council to read by title only an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, to amend Chapter 26 Entitled "Emergency Services" by adding an Article III requiring those persons either responsible for, or owning or controlling property affected by, an accident, natural disaster, or emergency incident, to reimburse the City for costs incurred in making an appropriate emergency response thereto; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Jones, City Council voted unanimously to approve the cost recovery ordinance on the first reading.

Councilmember Holder made a motion, seconded by Councilmember Selph to suspend the rules of council to hold the second reading of the cost recovery ordinance. City Council voted unanimously to suspend the rules of council and hold the second reading of the cost recovery ordinance.

Clerk of Council read by title only an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, to amend Chapter 26 Entitled "Emergency Services" by adding an Article III requiring those persons either responsible for, or owning or controlling property affected by, an accident, natural disaster, or emergency incident, to reimburse the City for costs incurred in making an appropriate emergency response thereto; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

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Upon motion by Councilmember Kicklighter, seconded by Councilmember Shuman, City Council voted unanimously to adopt the cost recovery ordinance on the second reading.

First Reading, Flood Damage Prevention Ordinance: City Administrator asked the Clerk of Council to read by title only an ordinance to restate Chapter 8 of the Code of Ordinances of Garden City, Georgia, as amended relating to flood damage prevention; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Holder, seconded by Councilmember Jones, City Council voted unanimously to approve the flood damage prevention ordinance on the first reading.

Councilmember Kicklighter made a motion, seconded by Councilmember Jones, to suspend the rules of council to hold the second reading of the flood prevention ordinance. City Council voted unanimously to suspend the rules of council and hold the second reading of the flood prevention ordinance.

Clerk of Council read by title only an ordinance to restate Chapter 8 of the Code of Ordinances of Garden City, Georgia, as amended relating to flood damage prevention; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Shuman, seconded by Councilmember Selph, City Council voted unanimously to adopt the flood damage prevention ordinance on the second reading.

City Administrator said FEMA has updated the flood maps and all the municipalities in Chatham County are in the process of adopting this ordinance before the September 26th deadline. He said this ordinance is so residents can obtain flood insurance. He said there have been some concerns expressed about the way the maps depict the floodways. He said there could be some amendments later.

City Attorney Report: City Attorney said I have nothing to report tonight.

Mayor Report: Mayor Quinney said I am excited about everything we are doing for the City. He said I receive compliments about the City all the time.

Adjournment: Upon motion by Councilmember Hall, seconded by Councilmember Jones, City Council voted unanimously to adjourn at 7:50 p.m.

Andy Quinney, Mayor

Tennyson Holder, Mayor Pro-tem

Judy Shuman, President of Council

Gwyn Hall, Councilmember

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Bowen Jones, Councilmember

Durward Motes, Councilmember

Bessie Kicklighter, Councilmember

Misty Selph, Councilmember

Rhonda Ferrell, Clerk of Council