

MINUTES

City Council Meeting

Monday, September 21, 2009 – 7:-00 p.m.

Call to Order: Mayor Quinney called the meeting of council to order at 7:00 p.m.

Devotional & Pledge of Allegiance: Mayor Quinney offered the opening prayer and invited all in attendance to join in the Pledge of Allegiance 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.

Roll Call:

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

Staff Members: Brian Johnson, City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Pam Franklin, HR Director; Clara Rouse, Finance Director; Nathan Mai-Lombardo, Planning Director; Randall Griffin, Public Works Director; Cliff Ducey, Parks & Recreation Director; Ben Brengman, IS/IT Director; David Lyons, Chief of Police; Jimmy Crosby, Fire Chief and Charles Draeger, Water Operations Director.

Receive Boards & Commissions Reports:

Planning Director presented the Planning Commission/Board of Appeals Report and Councilmember Jones presented the Beautification Committee's Report.

Conduct Public Hearings:

Alcoholic Beverage License Application: Mayor Quinney opened the public hearing to receive comment on an alcoholic beverage license application by Monabahen Patel to sell wines, beer and/or malt beverages at Jasmine Food Mart, 4928 Ogeechee Road, Garden City, Georgia 31405. He said the Police Department recommends approval.

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

Alcoholic Beverage License Managers Application: Mayor Quinney opened the public hearing to receive comment on an alcoholic beverage license manager's application by Hitesh Patel to sell wines, beer and/or malt beverages at Jasmine Food Mart, 4928 Ogeechee Road, Garden City, Georgia 31405. He said the Police Department recommends approval.

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

Alcoholic Beverage License Application: Mayor Quinney opened the public hearing to receive comment on an alcoholic beverage license application by Monabehen Patel to spirituous liquors (package) at Jhony's Package Shop, 4926 Ogeechee Road, Garden City, Georgia 31405. He said the Police Department recommends approval.

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

Alcoholic Beverage License Application: Mayor Quinney opened the public hearing to receive comment on an alcoholic beverage license application by Renuka Patel to sell wines, beer and/or malt beverages at DADA Trading Corp., 4319 Augusta Road, Garden City, Georgia 31408. He said the Police Department recommends approval.

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

Alcoholic Beverage License Managers Application: Mayor Quinney opened the public hearing to receive comment on an alcoholic beverage license manager's application by Kailashben Patel to sell wines, beer and/or malt beverages at DADA Trading Corp., 4319 Augusta Road, Garden City, Georgia 31408. He said the Police Department recommends approval.

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

PC0924, Zoning Map Amendment: Mayor Quinney opened the public hearing on a request by Harvey Jones representing property owner Garden City Lions Club, Inc. to rezone 0 Elm Street from R-1 to C-1 for future use to operate a catering business.

Mr. Harvey Jones said there are three of us going into business to open a catering business. He said there will be little change in the traffic in the area, because we are going to operate the business on a part-time basis. He said no food will be served on the premises. He said we will only be preparing the food to take off site to be served. He said the building is in bad condition. He said by us keeping up the building it will be an improvement to the area. He said the Lions Club has accepted our offer to purchase the building pending the rezoning being approved.

Councilmember Kicklighter said we approved a catering business not long ago in a residentially zoned area on Old Louisville Road and the property remained zoned residential. She said we didn't change that rezoning to commercial.

City Attorney said the individuals on Old Louisville resided there. He said that was considered a home occupation. He said no one will be living onsite in this case.

Mayor Quinney said this will be strictly preparation onsite.

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

PC0925, Ordinance: Mayor Quinney opened the public hearing on a request by the City of Garden City to amend the Code of Ordinance by amending zoning code Chapter 90 Article V relating to off street parking and loading facilities for the purpose of restricting parking on front yards of residentially zoned properties to driveways.

Planning Director said this ordinance is a tool for code enforcement. He said this ordinance is only for properties that we have had problems with.

Councilmember Selph said the definition of front yards has not been defined in the ordinance.

Mr. Don Bethune said I have been looking around Garden City and we have a lot of driveways where people are parking on the side of the driveway. He said ordinance as it is written now would adversely impact a lot of our citizens.

Mr. Ollie Rollinger said I feel the ordinance should be limited to the new residents.

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

Approval of City Council Minutes: Upon motion by Councilmember Jones, seconded by Councilmember Holder, City Council voted unanimously to approve the minutes from the August 17, 2009 meeting of council.

Receive Monthly Status Reports:

Planning Director presented the Planning & Economic Development Department's Monthly Status Report.

Human Resources Director presented the Human Resources Department's Monthly Status Report.

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

IS/IT Director presented the Information Technology Department's Monthly Status Report.

Parks & Recreation Director presented the Parks & Recreation Department's Monthly Status Report.

Public Works Director presented the Public Works Department's Monthly Status Report.
Water Operations Director presented the Water Operations Department's Monthly Status Report.
Fire Chief presented the Fire Department's Monthly Status Report.
Police Chief presented the Police Department's Monthly Status Report.

Councilmember Jones said the City is still maintaining the outdoor watering restrictions.

Items for Consideration:

Alcoholic Beverage License Application: City Manager said we have for consideration an alcoholic beverage license application by Monabahen Patel to sell wines, beer and/or malt beverages at Jasmine Food Mart, 4928 Ogeechee Road, Garden City, Georgia 31405. He said the Police Department recommends approval.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Selph, City Council voted unanimously to approve Monabahen Patel's alcoholic beverage license application.

Alcoholic Beverage License Managers Application: City Manager said we have for consideration an alcoholic beverage license manager's application by Hitesh Patel to sell wines, beer and/or malt beverages at Jasmine Food Mart, 4928 Ogeechee Road, Garden City, Georgia 31405. He said the Police Department recommends approval.

Upon motion by Councilmember Holder, seconded by Councilmember Hall, City Council voted unanimously to approve Hitesh Patel's alcoholic beverage license manager's application.

Alcoholic Beverage License Application: City Manager said we have for consideration an alcoholic beverage license application by Monabahen Patel to spirituous liquors (package) at Jhony's Package Shop, 4926 Ogeechee Road, Garden City, Georgia 31405. He said the Police Department recommends approval.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Selph, City Council voted unanimously to approve Monabahen Patel's alcoholic beverage license application.

Alcoholic Beverage License Application: City Manager said we have for consideration an alcoholic beverage license application by Renuka Patel to sell wines, beer and/or malt beverages at DADA Trading Corp., 4319 Augusta Road, Garden City, Georgia 31408. He said the Police Department recommends approval.

Upon motion by Councilmember Selph, seconded by Councilmember Kicklighter, City Council voted unanimously to approve Renuka Patel's alcoholic beverage license application.

Alcoholic Beverage License Managers Application: City Manager said we have for consideration an alcoholic beverage license manager's application by Kailashben Patel to sell wines, beer and/or malt beverages at DADA Trading Corp., 4319 Augusta Road, Garden City, Georgia 31408. He said the Police Department recommends approval.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Holder, City Council voted unanimously to approve Kailashben Patel's alcoholic beverage license managers license.

Second Reading, Ordinance: Clerk of Council read for the second reading an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, to amend Code Section 6-4 relating to the possession of alcohol on city property so as to allow alcoholic beverages to be served on city property during large public and formal events where the city acts in symbolic ways to honor, celebrate, and reward achievements essential to its mission; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Councilmember Kicklighter made a motion, seconded by Councilmember Selph, to adopt the ordinance on the second reading. Councilmember Hall, Councilmember Holder, Councilmember Kicklighter, Councilmember Selph voted in favor with Councilmember Jones, Councilmember Motes and Councilmember Shuman opposed.

First Reading, Robert Beck Rezoning Ordinance: City Manager said we have for consideration the first reading of an ordinance to rezone Robert K. Beck's property from "R-A" to a "R-I-N" zoning classification. He said Mr. Beck originally requested an R-I-N zoning classification. He asked the Clerk of Council to read for the ordinance by title only for the first reading.

Mayor Quinney announced that the floor was not open for public comment, because the public hearing had already been held at a previous council meeting. Several members from the audience voiced opposition to the rezoning request. (Note: Due to inappropriate behavior Mr. Ollie Rollinger was escorted by police officers from the council chambers).

Clerk of Council read for the first reading an ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended; to rezone certain property owned by Robert K. Beck, from its present zoning classification of "R-A" to a "RIN" zoning classification; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

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

Ordinance - Rezoning of Dean Forest Road Properties: City Manager said City Council wishes to withdraw from the agenda an ordinance to amend the zoning ordinance and map of Garden City,

Georgia, as amended; to rezone certain properties owned by Collen Carter Eaton; James L. Osteen; Helen A. Miltiades, Jimmy Morris, Amy Zipperer, and Corbin C. Zipperer; Clara Evelyn Rollinger; and Robert & Pearl Sapp, to a Mixed Use or "M" zoning classification; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Mayor Quinney made motion to withdraw the Dean Forest Road Properties Rezoning Ordinance, seconded by Councilmember Selph, with City Council voting in favor of withdrawing from consideration the ordinance to rezone the Dean Forest Road Properties.

Regional Police Academy: City Manager said we have for consideration awarding the Regional Police Academy contract to New South Construction and Hussey, Gay, Bell & DeYoung, Inc.

Upon motion by Councilmember Holder, seconded by Councilmember Selph, City Council voted unanimously to award the regional police academy contract to New South Construction and Hussey, Gay, Bell & DeYoung, Inc.

Annexation Petition: City Manager said we have for consideration accepting for processing an annexation petition from Harbor Forest Development, LLC, for Lots 1 and 6 of Harbor Forest Office Park (a/k/a 1481 & 1487 Dean Forest Road, Garden City, Georgia). At present time, the properties are zoned PUD-IS-B under Chatham County's Zoning Ordinance. The petitioner is seeking to have the properties rezoned to Mixed Use (MU).

Upon motion by Councilmember Holder, seconded by Councilmember Kicklighter, City Council voted unanimously to accept the annexation petition for processing.

Exchange Deed & Resolution: City Manger said we have for consideration a resolution authorizing the exchange of the Tourism's Board Pineland Avenue lot for the City's Town Center lot.

Upon motion by Councilmember Selph, seconded by Councilmember Kicklighter, City council voted unanimously to adopt the resolution.

Mayor Quinney thanked everyone for attending tonight's meeting.

Adjournment: Upon motion by Councilmember Selph, seconded by Councilmember Holder, City Council voted unanimously to adjourn at 8:30 p.m.

Transcribed and Submitted by Rhonda Ferrell-Bowles, Clerk of Council

Adopted by City council: October 5, 2009

