

MINUTES
City Council
Monday, November 15, 2010 – 7:00 p.m.

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

Devotional & Pledge of Allegiance: Councilmember Jones offered the opening prayer and Mayor Holder invited everyone to join in the Pledge of Allegiance to the flag.

Roll Call: Mayor Holder presided. Council Members: Don Bethune, Gwyn Hall, Bowen Jones, Bessie Kicklighter, Durward Motes, Judy Shuman and Jimmy Spilliards.

Staff: Brian Johnson, City Manager; Ron Feldner, Assistant City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Clara Rouse, Finance Director; Cory Salley, Assistant Finance Director; Pam Franklin, HR Director; Ben Brengman, IT Director; David Lyons, Chief of Police; Jimmy Crosby, Fire Chief; Charles Draeger, Water Operations Director; Randall Griffin, Public Works Director and Cliff Ducey, Recreation Director.

Receive Board & Commission Reports:

City Manager presented the Board of Zoning Appeals/Planning Commission Minutes dated 11/9/10.

Councilmember Jones presented the Garden City Beautification Committee Minutes dated 11/8/10. Councilmember Jones reminded everyone of the Holiday Tour of Homes and Churches on Sunday, December 5th. He said tickets are \$5.00 and can be purchased at the Senior Center.

Public Hearings:

FY2011 Recommended Operating & Capital Budget: City Manager presented the FY2011 Recommended Operating and Capital Budget. Upon completion of the presentation, the City Manager asked if there were any questions or comments on the proposed budget. There being no questions or comments, Mayor Holder closed the public hearing.

PC1018, Rezoning Telfair Road & Telfair Place Properties: Mayor Holder opened the public hearing to receive public comment on a request by the City of Garden City to rezone properties located on Telfair Road and Telfair Place. The City of Garden City requests to rezone the following properties from R-2 to P-I-2. The properties for consideration are 439 Telfair Road (6-0737-01-003); 443 Telfair Road (6-0737-01-004); Telfair Road (6-0737-01-004A); Telfair Place (6-0737-01-006); Telfair Place (6-0737-02-003B); 1405 Telfair Road (6-0737-02-003); 531 Telfair Road (6-0737-02-009); Telfair Road (6-0737-02-010); and Telfair Road (6-0737-02-011).

Mayor Holder asked if there was anyone who wished to speak for or against the rezoning request. No one from the audience spoke for or against the request.

Councilmember Kicklighter asked if the property owners requested the rezoning, because the property owner is not here tonight.

City Manager said the property is subdivided into smaller parcels. He said some of the parcels are zoned differently and he is requesting the rezoning to get the zoning in line with the area.

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

City Council Minutes: Upon motion by Councilmember Jones, seconded by Councilmember Shuman, City Council approve the minutes dated 11/1/10 as amended.

Staff Reports:

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

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

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

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.

Items for Consideration:

First Reading, Annexation Ordinance Trans-World Properties, LLC: Mayor Holder read for the first reading an ordinance to annex properties owned by Trans-World Properties, LLC, into the City of Garden City, Georgia, pursuant to Title 36, Chapter 36, Article 2, of the Official Code of Georgia Annotated (the 100% method"); to rezone said properties to a "R-A" zoning classification; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Jones, seconded by Councilmember Hall, City Council voted unanimously to approve the Trans-World Properties Annexation Ordinance.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Shuman, City Council voted unanimously to suspend the rules of council and hold the second reading.

Second Reading, Annexation Ordinance Trans-World Properties, LLC: Mayor Holder read for the second reading an ordinance to annex properties owned by Trans-World Properties, LLC, into the City of Garden City, Georgia, pursuant to Title 36, Chapter 36, Article 2, of the Official Code of Georgia Annotated (the 100% method"); to rezone said properties to a "R-A" zoning classification; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Hall, City Council voted unanimously to adopt the Trans-World Annexation Ordinance on the second reading.

Second Reading, Fire Protection Fee Rate Structure & Billing Rate Ordinance: Mayor Holder read for the second reading an ordinance to amend Chapter 34 of the Code of Ordinances of Garden City, Georgia; to provide for a new article, to be known as Article X entitled "Fire Protection Fee Rate Structure and Billing Rate"; to provide for definitions; to provide for fire protection utility customer classes; to provide for fire protection fee charge rates; to provide for fire protection fee charge exemptions; to provide for fire protection fee charge credits; to provide for fire protection fee billing, delinquencies, collections, and adjustments; to provide for appeals; to provide for an effective date; to provide for repeal of conflicting ordinances; and for other purposes.

Councilmember Bethune made a motion, seconded by Councilmember Jones to adopt the Fire Protection Fee Rate Structure & Billing Rate Ordinance on the second reading. Councilmember Bethune, Councilmember Hall, Councilmember Jones, Councilmember Motes, Councilmember Shuman and Councilmember Spilliards voted in favor with Councilmember Kicklighter opposed.

Municipal Court of Garden City, Fire Recovery Fee: Mayor Holder said we have for consideration an additional surcharge of a \$10.00 Fire Recovery Fee (dedicated to Fire Protection Fund Site) to all traffic violation fines and fees established and published by the Garden City Municipal Court.

City Manager said this is a surcharge on all our fines and forfeitures that will be dedicated to the fire department.

Councilmember Kicklighter said I voted against the fire protection fee, because it is charged to our residents. She said I am going to vote in favor of the additional \$10.00 surcharge, because it is charged to everyone who does something illegal.

Upon motion by Councilmember Shuman, seconded by Councilmember Jones, City Council voted in to approve the \$10.00 surcharge on all fines and forfeitures established and published by the Garden City Municipal Court.

Mayor Holder reminded everyone of the Mayor's Motorcade on December 8th.

Adjournment: Upon motion by Mayor Holder, seconded by Councilmember Shuman, City Council voted unanimously to adjourn at 8:20 p.m.

Transcribed by Rhonda Ferrell-Bowles, Clerk of Council
Adopted: December 6, 2010

