

MINUTES

City Council

Monday, April 18, 2011 – 7:00 p.m.

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

Devotional & Pledge: Councilmember Motes 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, Durward Motes, Judy Shuman and Jimmy Spilliards. **Absent:** Bessie Kicklighter

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

Board & Committee Report:

Planning Director presented the Planning Commission/Board of Appeals Minutes dated 4/12/11. Councilmember Jones presented the Beautification Committee Minutes dated 4/11/11.

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

Mr. Sam Spencer said I own a business at 115 Kicklighter Way and where the fire hydrant is located the road has started to buckle and deteriorate.

Mayor Holder referred Mr. Spencer's concern to the City Manager to handle.

There being no further questions or comments, Mayor Holder closed the informal public comment portion of the meeting.

Formal Public Comment: Mayor Holder said we received no formal requests to address City Council.

Public Hearings:

PC1112, Rezoning Request: Mayor Holder opened the public hearing to receive public comment on a request by Robert Aber, property owner, to rezone 4906-4912 Old Louisville Road from C-1 to C-2A for future development.

Mr. Robert Aber asked if City Council had any questions for him regarding his rezoning request.

Councilmember Jones asked Mr. Aber if he amended his rezoning request to C-2 instead of C-2A.

Mr. Aber said yes. He said I do not desire a C-2A zoning for alcohol.

Mr. Clyde Munn, 212 Dean Forest Road, said I am against the rezoning. He said I thought we had settled that it would be zone C-1 for a transitional area. He said I am concerned about the drainage and where the water will go, because his property will cause my property and others to flood. He said I would like to request that the zoning go back to C-1.

Mr. Munn asked if the parking lot was going to be a hard surface, gravel or dirt. He said we already have a noise and dust problem from other businesses in the area.

Mr. Glen Holland, 220 Dean Forest Road, said I have lived in Garden City most of my life. He said that area ditches are overgrown and that there are not ditches where ditches used to be. He said property owners have filled in the ditches which makes the area more prone to flooding. He said my concern is that my property is going to flood, because there is nowhere for the water to go.

Ms. Phyllis Holland, 220 Dean Forest Road, said I would like to see City Council not rezone the property to C-2. She said we would like to protect our home and neighborhood.

Councilmember Bethune asked the Planning Director to talk about drainage concern.

Planning Director said if approved, the site plan will have to be reviewed by the City's engineers and a hydrology study will be performed. He said the engineers will look at what is currently being done with the stormwater runoff and what will need to be done.

Councilmember Bethune asked if Mr. Aber will need to put in a retention pond.

Planning Director said it depends on what is being done with the stormwater. He said this will be addressed during the review process.

Councilmember Bethune asked if Mr. Aber was going to use crush run for parking lot.

Planning Director said Mr. Aber is using concrete. He said the road and parking lot will be paved.

Councilmember Bethune asked the City Manager to meeting with the Public Works Director regarding the ditch maintenance in the Dean Forest Road and Old Louisville Road area and report back to us at our next workshop.

City Manager said we are considering the rezoning request. He said all of the issues presented here tonight should be addressed during the site plan review process.

Councilmember Hall asked about the buffer.

Planning Director said he is required to have a 25ft. buffer between him and the residential area. He said our ordinance also requires that he install a fence on the backside of the buffer.

There being no further questions or comments, Mayor Holder closed the public hearing on PC1112.

City Council Minutes: Upon motion by Councilmember Jones seconded by Councilmember Hall, City Council voted unanimously to approve the minutes dated 4-4-11.

Staff Reports:

Finance Director presented the Finance Department's Monthly Status Report for the month of March.
Water Operations Director presented the Water Operations Monthly Status Report for the month of March.

Chief of Police presented the Police Department's Monthly Status Report for the month of March.

Fire Chief presented the Fire Department's Monthly Status Report for the month of March.

Mayor said we have no items for consideration.

Adjournment: Upon motion by Councilmember Hall, seconded by Councilmember Shuman, City Council voted unanimously to adjourn at 7:40 p.m.

***Transcribed by Rhonda Ferrell-Bowles, Clerk of Council
Adopted 5/2/11***