

## MINUTES

### City Council Meeting

Monday, July 18, 2011 – 7:00 p.m.

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

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

**Roll Call:**

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

**Staff Present:** Brian Johnson, City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Ron Feldner, Deputy City Manager; Ben Brengman, IT Director; Pam Franklin, HR Director; Scott Allison, PED Director; Cory Salley, Finance Director; Charles Draeger, Water Operations Director; David Lyons, Chief of Police; Jimmy Crosby, Fire Chief; Sara Berry, Public Works Administration Assistant and Judy Roundtree, Senior Center Program Coordinator. **Absent:** Cliff Ducey, Recreation Director and Benny Gooze, Public Works Director

Mayor Holder said city council held a pre-agenda session prior to tonight's meeting. He said no decisions were made during the pre-agenda session.

**Committee/Board Reports:**

PED Director presented the Planning Commission/BOA minutes dated 7/12/11.

Mayor Holder recognized Dr. Priscilla Thomas, Chatham County Commissioner.

Dr. Thomas thanked City Council for their support and said that I have several items I would like to discuss with council, but I will contact the city at a later date to be placed on a workshop agenda.

**Informal Public Comment:**

Mayor Holder opened the informal public comment portion of the meeting.

Ozzie Rollinger, 1431 Den Forest Road said last month I came before you with a complaint about my neighbor and I have not heard back from anyone.

City Manager said that Mr. Rollinger is talking about a small construction company located next to him. He said that Code Enforcement went out there the next day. He said that the construction company

has a building permit and is in the process of building at a new location and will be moving in the near future.

Mr. Rollinger said the guy is always claiming to be moving, but doesn't. He said that he is using the property as a dump and parking vehicles and equipment.

Mr. Rollinger said will I hear back from someone regarding this complaint.

City Manager said someone will get back to you.

Reverend Gary Monore said I am representing Mr. Higgins who owns property on Big Hill Road. He said someone has dumped sewer pipe on his property and it has been there for a week or so.

Councilmember Spilliards said the County has the Pipe Maker's Canal Project going.

Mr. Higgins said the pipe is at the end of the road on my property. He said I don't think it has anything to do with that project.

City Manager said we will check into it and get back to you.

Reverend Monroe said something needs to be done about the maintenance of Hawkinsville Road and Big Hill Road.

Reverend Monroe said I would like to discuss the proposed city council districts. He said I am concerned that all the minority districts will not have adequate representation.

City Manager explained the redistricting process and said we actually have tighter maps with better minority representation than our current map.

Reverend Monroe said I will contact the City Manager to schedule a time to meet with him to review the maps.

Councilmember Kicklighter said we represent all the neighborhoods. She said there is not a need for us to do like the County does. She said I would like to think we represent all the citizens of Garden City.

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

**Public Hearings:**

**PC1119 Rezoning Case, Rothell P. MacMillan:** Mayor Holder opened the public hearing to receive public comment on a request by Diane Kessler representing property owner Rothell P. MacMillan to rezone 266 Alfred Street from C-2A to I-2.

Ms. Diane Kessler said I am representing Mr. Rothell P. MacMillan, property owner of 266 Alfred Street. She said the property was developed and built in 1973. She said in 2007 according to the property

records the property was rezoned to C-2A. She said the property owner doesn't remember receiving notice of the rezoning and the property wasn't posted. She said the property looks industrial and we have had many inquiries from potential buyers for industrial uses. She said this property is not going to be developed for C-2A uses. She said it is an industrial site and has plenty of parking for containers. She said the property has a U.S. Geology Testing site located in the center of the property that cannot be moved. She said if the property was rezoned to industrial it could sustain a trucking terminal which would bring more revenue into Garden City. She said rezoning to industrial is logical, because of what you have located in the area.

Councilmember Kicklighter said I do not remember this property being rezoned.

PED Director said I believe the property was rezoned as part of the future land use plan for commercial corridors.

City Manager said we will have to look into the rezoning.

Mr. MacMillan said we moved on the property in 1994 and it was zoned Industrial/Commercial. He said I did the research.

Councilmember Bethune said when Mr. Grist closed the business I believe he auctioned the property as I-2.

Mr. MacMillan said he auctioned the property as Industrial/Commercial.

Councilmember Bethune asked Ms. Kessler if there is a buyer for the property if it is rezoned.

Ms. Kessler said yes, the property can be sold if it is rezoned.

Ms. Kessler said a buyer is not going to want to do the rezoning. They would prefer that the seller do the rezoning. She said we need to get the property rezoned to get through the due diligence period.

Councilmember Jones asked the square footage of the property.

Mr. MacMillan said it is 312 x 330 x 470 x 390 with the 390 feet on Market Street.

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

**Capital Improvement Element and Short Term Work Program:** Mayor Holder opened the public hearing to receive public comment on the City's Capital Improvement Element and Short Term Work Program.

PED Director gave a power point presentation on the city's proposed Capital Improvement Element and Short Term Work Program. He said the Short Term Work Program is a tool to assist the City and is a road map of the next five years. He said the Department of Community Affairs requires all governments with impact fees to update their plan yearly even though we are not currently charging impact fees.

Council Kicklighter asked if the road that Reverend Monroe spoke about could be added to the Short Term Work Program projects.

Councilmember Bethune asked about the Community Housing portion of the Short Term Work Program.

PED Director gave a brief overview and said five cities are selected annually. He said a steering committee has to be established to work hand and hand with the citizens. He said the residents are involved in the steering committee and it is a five year process.

Councilmember Kicklighter asked what happened with the three NSP houses.

City Manager said the houses have been renovated and a press release is coming soon. He said one house is on Hawkinsville, the second in the Rossignol Hill area and the third is on Chatham Villa Drive.

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

**Alcoholic Beverage License Application, 3 Cees Market:** Mayor Holder opened the public hearing to receive public comment on an application made by Amethyst Shortz Okwu for an alcoholic beverage license to sell wines, beer and/or malt beverages at 3 Cees Market, 420 US Highway 80 Garden City, Georgia 31408.

Mayor Holder asked if there was anyone to speak for or against the alcoholic beverage license application for 3 Cees Market. There being no questions or comments, Mayor Holder closed the public hearing.

**Alcoholic Beverage License Manager's Application, 3 Cees Market:** Mayor Holder opened the public hearing to receive public comment on an alcoholic beverage license manager's application made by Samuel Shortz to sell wines, beer and or malt beverages at 3 Cees Market, 420 US Highway 80 Garden City, Georgia 31408.

Mayor Holder asked if there was anyone to speak for or against the alcoholic beverage manager's license for 3 Cee Market. There being no questions or comments, Mayor Holder closed the public hearing.

**City Council Minutes:**

Upon motion by Councilmember Jones, seconded by Councilmember Kicklighter, City Council voted unanimously to approve the minutes dated 6/20/11.

PED Director presented the Monthly Status Report for the Planning & Economic Development Department.

HR Director presented the Monthly Status Report for the Human Resources Department.

IT Director presented the Monthly Status Report for the Information Technology Department.

Finance Director presented the Monthly Status Report for the Finance Department.

Public Works Administrative Assistant presented the Monthly Status Report for the Public Works Department.

Water Operations Director presented the Monthly Status Report for the Water Operations Department.

Senior Center Program Coordinator presented the Monthly Status Report for the Parks & Recreation Department.

Chief of Police presented the Monthly Status Report for the Police Department.

Fire Chief presented the Monthly Status Report for the Fire Department.

City Manager said the City received the Distinguished Budget Award for the third year. He recognized the Finance Director and his staff for their work on the budget document.

**Items for Consideration:**

**First Reading, Amendment to Off Street Parking Ordinance:** Clerk of Council read for the first reading an ordinance to amend the Code of Ordinances by amending zoning code Chapter 90, Article V. relating to off street parking and loading facilities for the purpose of restricting the parking of boats and trailers on front yards of residentially zoned properties to driveways; providing for variances from the Board of Zoning Appeals.

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

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

**Second Reading, Amendment to Off Street Parking Ordinance:** Clerk of Council read for the second reading an ordinance to amend the Code of Ordinances by amending zoning code Chapter 90, Article V. relating to off street parking and loading facilities for the purpose of restricting the parking of boats and trailers on front yards of residentially zoned properties to driveways; providing for variances from the Board of Zoning Appeals.

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

**Alcoholic Beverage License Application:** Mayor Holder said we have for consideration an application made by Amethyst Shortz Okwu for an alcoholic beverage license to sell wines, beer and/or malt beverages at 3 Cees Market, 420 US Highway 80 Garden City, Georgia 31408.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Bethune, City Council voted unanimously to approve Amethyst Shortz Okwu's alcoholic beverage license application for 3 Cee Market.

**Alcoholic Beverage License Manager's Application:** Mayor Holder said we have for consideration an alcoholic beverage license manager's application made by Samuel Shortz to sell wines, beer and or malt beverages at 3 Cees Market, 420 US Highway 80 Garden City, Georgia 31408.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Bethune, City Council voted unanimously to approve Samuel Shortz's alcoholic beverage manager's license for 3 Cee Market.

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

*Transcribed by Rhonda Ferrell-Bowles, Clerk of Council*  
*Adopted by City Council 8/15/11*