

MINUTES
City Council Meeting
Monday, November 16, 2015 – 7:00 p.m.

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

Opening: Mayor Pro-tem Campbell offered the opening prayer and Mayor Holder invited everyone to join in the pledge allegiance to the flag.

Roll Call:

Members: Mayor Holder presided. Council Members: Mayor Pro-Tem Campbell, Councilmember Bethune, Councilmember Cody, Councilmember Daniel and Councilmember Tice.

Staff: Ron Feldner, City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Ben Brengman, IT Director; David Lyons, Chief of Police; Blake Hodge, Fire Chief; and Ron Alexander, Planning, Zoning & Building Director. *Absent:* Charles Draeger, Water Operations Director; Benny Googe, Public Works Director; Cliff Ducey, Recreation Director; and Pam Franklin, HR 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.

Informal Public Comment: Mayor Holder opened the floor to received public comment from the audience.

Reverend Gary Monroe and Minister Lingeela Johnson addressed City Council to request that City Council consider appointing Reverend Monroe to fill the vacant at-large Council seat.

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

Public Hearings:

PC1518, Zoning Map Amendment: Mayor Holder opened the public hearing to receive public comment on a request by Garden City Convenience LLC representing Ganesh 4801 LLC, to rezone 4801 Augusta Road from C-2 to C-2A.

Planning, Zoning & Building Director said that the Planning Commission recommended denial of the case.

City Attorney said what was their reason for denying the request? Planning, Zoning & Building Director said because of the impact on the residential neighborhood.

Mayor Holder said does the distance between the store and church meet State requirements. Planning, Zoning & Building Director replied yes.

Councilmember Bethune said the convenience store down the street by Chatham City sells beer and wine.

Councilmember Tice said it is no different than when Bilo's sold beer and wine. She said we already have businesses selling beer and wine near residential neighborhoods.

Mr. Bob Bryant, State Representative said Mr. Patel contacted me and I visited his location. He said his location meets all the State requirements so I don't understand why the Planning Commission rendered a negative vote. He said I would ask that you give Mr. Patel's request a positive recommendation.

City Attorney said did the applicant know that we have a zoning classification for just beer and wine?

Dr. Priscilla Thomas, Chatham County Commissioner said I have frequented Mr. Patel's stores and I have found nothing out of the ordinary. She said I have checked with the State and have found nothing negative about him or his stores. She said I feel it would be discriminatory against him when all other stores in the area are selling beer and wine.

Mr. Victor Logan of Savannah, said this establishment is right down the street from Fairlawn Baptist Church. He said that State lines are drawn for a reason to keep the selling of beer and wine away from the churches and schools.

Mr. Elliot Simons of Savannah, said my mother lives about fifteen to twenty feet away from Mr. Patel's property. He said he promised to put up a fence, but has not. He said there are a lot of people hanging around there and passing through my mother's property. He said I am against it, because of the community.

Minister Lingeela Johnson, Hawkinsville Road said there is a direct correlation between the selling of beer and wine and crime. He said it would increase loitering around the church and community.

Reverend Gary Monroe, Hawkinsville Road said this will have a direct impact on the community in regards to crime and drugs associated with alcohol.

Ms. Betty Grant of Savannah, said I am a member of the Fairlawn Baptist Church and we not only have services on Sunday, but also during the week. She said during the week it is mostly women and children at the church and we have people all the time coming in the church unannounced and this would increase the danger of something happened. She said would you put this store near your church around your wife or children.

Councilmember Bethune asked Mr. Patel if he owned other stores. Mr. Patel replied yes, I have owned this store since 2001.

Councilmember Bethune said do you allow loitering? Mr. Patel replied no.

Councilmember Bethune said are you prepared to work on the drainage issues on the property and put up a fence. Mr. Patel said the water comes straight down the corridor and right now I don't have the money to fix the drainage issues or do the fence.

Councilmember Bethune said later in the meeting we are voting to approve approximately twenty-eight beer and wine licenses for the 2016 calendar year. He said if there is ever any issues the license can be revoked. He asked Mr. Patel if he saw any issues resulting from beer and wine being sold at the store. Mr. Patel replied no, I don't foresee any problems.

City Attorney asked Mr. Patel if he just considered rezoning to C-2A, because we do have a zoning classification that is restricted to the sale of only beer and wine. He said if you would like to reconsider then you need to tell the Planning, Zoning & Building Director if you want to change to C-2 B&W.

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

PC1520, Zoning Text Amendment: Mayor Holder opened the public hearing to receive public comment on a text zoning amendment to enact Article VI Section 50-100 – Section 50-109 Business Trailers.

Planning, Zoning & Building Director said the Planning Commission recommended approval of the zoning text amendment.

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

FY2016 Proposed Operating & Capital Budget: City Manager presented the proposed FY2016 Operating & Capital Budget for public comment.

Councilmember Bethune thanked the City Manager, Rhonda and staff for their work on the budget. He said the budget was well put together in format that was very easy to read and understand.

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

City Council Minutes: Upon motion by Councilmember Campbell, seconded by Councilmember Bethune, City Council voted unanimously to approve the City Council Minutes dated 11/2/15 and Workshop Synopsis dated 11/9/15.

Staff Reports:

Planning, Zoning & Building Director presented the Planning, Zoning & Building Department's monthly report.

City Manager presented the Water Operations Department's monthly report.

Chief of Police presented the Police Department's monthly report.

Fire Chief presented the Fire Department's monthly report.

City Manager said I have no updates.

Items for Consideration:

First Reading, Ordinance Text Amendment (Railroad Crossing Obstruction): Clerk of Council read an ordinance to amend Article IV of Chapter 78 of the Code of Ordinances of Garden City, Georgia, as amended, relating to railroads, by declaring the obstruction of a public street by a railroad to be a nuisance and a hazard and a danger to the health, safety, and welfare of the citizens of the City; prohibiting the obstruction of City streets by railroads; providing exceptions to such prohibitions; delegating responsibility of maintenance for railroad crossings; providing penalties; repealing all ordinances, and parts of ordinances, in conflict herewith; and for other purposes.

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

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

Second Reading, Ordinance Text Amendment (Railroad Crossing Obstruction): Clerk of Council read an ordinance to amend Article IV of Chapter 78 of the Code of Ordinances of Garden City, Georgia, as amended, relating to railroads, by declaring the obstruction of a public street by a railroad to be a nuisance and a hazard and a danger to the health, safety, and welfare of the citizens of the City; prohibiting the obstruction of City streets by railroads; providing exceptions to such prohibitions; delegating responsibility of maintenance for railroad crossings; providing penalties; repealing all ordinances, and parts of ordinances, in conflict herewith; and for other purposes.

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

Resolution, Alcohol License Renewals (2016 Calendar Year): Mayor Holder read a resolution by the Mayor and Council of Garden City, Georgia, to authorize renewal of Garden City alcohol licenses for the 2016 calendar year; to provide for review and limited investigation of said license holders; and for other purposes.

Upon motion by Councilmember Bethune, seconded by Councilmember Tice, City Council voted unanimously to adopt the resolution.

Resolution, Urban Redevelopment Plan - Statement of Need: Clerk of Council read a resolution to state the need for establishment of redevelopment areas within the City of Garden City; to describe the boundaries and the redevelopment areas; to cause a redevelopment plan to be prepared for said areas; and for other purposes.

Upon motion by Councilmember Bethune, seconded by Councilmember Cody, City Council voted unanimously to adopt the resolution.

Resolution, Disposition of GCFD 1979 Fire Pumper Truck: Mayor Holder read a resolution to provide for the disposition of the City's 1979 Fire Pumper Truck through transfer to Savannah Technical College of Savannah, Georgia.

Upon motion by Councilmember Tice, seconded by Councilmember Campbell, City Council voted unanimously to adopt the resolution.

Resolution, Disposition of GCFD 1988 Fire Rescue Truck: Mayor Holder read a resolution to provide for the disposition of the City's 1988 Fire Rescue Truck to the highest bid in the amount of **\$3,010.00** offered through the GovDeals Internet Auction Service and to authorize the City Manager to execute the necessary documents to transfer the vehicle's title to the successful bidder in exchange for receipt of the bid amount.

Upon motion by Councilmember Bethune, seconded by Councilmember Tice, City Council voted unanimously to adopt the resolution.

Resolution, GMEBS Defined Retirement Plan Modification: Clerk of Council read a resolution to modify the City's Georgia Municipal Employees Benefit System ("GMEBS") defined benefit retirement plan for the purpose of providing for normal retirement at age fifty-five (55) with twenty (20) years of service.

Upon motion by Councilmember Campbell, seconded by Councilmember Tice, City Council voted unanimously to adopt the resolution.

Resolution, Vacant At-Large Council Seat Appointment: Mayor Holder read a resolution by the Mayor and Council to appoint Bessie Kicklighter to fill the vacant at-large Council seat vacated by Scott George, effective January 4, 2016, with a term to expire on December 13, 2017.

Upon motion by Councilmember Tice, seconded by Councilmember Daniel, City Council voted unanimously to adopt the resolution.

Resolution, Amendment to City Council Meeting Schedule: Clerk of Council read a resolution to amend the regular meeting schedule of City Council; to eliminate the December 21, 2015 regular meeting of City Council; to establish a special meeting of City Council on January 4, 2016 for the purpose of holding the inauguration ceremony of the Mayor and City Council Members; to eliminate the January 18, 2016 regular meeting of City Council in observance of Martin Luther King Jr., Day; and to establish a meeting of the City Council on Tuesday, January 19, 2016.

Upon motion by Councilmember Bethune, seconded by Councilmember Daniel, City Council voted unanimously to adopt the resolution.

Adjournment: Upon motion by Mayor Holder, seconded by Councilmember Bethune, City Council voted unanimously to adjourn at 8:27 p.m.

Transcribed by Clerk of Council

Accepted by City Council 12/17/15