

MINUTES

City Council

Monday, January 6, 2009 – 7:00 p.m.

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

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

Visitors: See attached sign-in sheet.

Opening: Mayor Quinney welcomed everyone to the meeting. Mayor Quinney led City Council in the Lord's Prayer and the pledge 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.

Public Hearing:

Neighborhood Stabilization Grant: Mayor Quinney opened the public hearing to receive public comment on the City's application for a Neighborhood Stabilization Grant.

City Administrator said the City is planning to submit a Grant Application to the Georgia Department of Community Affairs for Federal HUD grant funds provided through the NSP. He said the application is due to DCA by January 15, 2009. He said the purpose of the tonight's public hearing is to receive public comment on the City's proposed use of these funds of approximately \$926,308.00.

City Administrator said \$3.9 billion was appropriated to States and some local governments directly such as the City of Savannah which is due to receive \$2,038,631.00. He said the Georgia DCA was awarded \$77,085,125.00 and has designed a system for distributing these dollars to local governments not getting money directly. He said Chatham County is designated to receive \$926,308.00 by DCA to address the foreclosure issues in the entire county area with exception of the City limits of Savannah. The designated amount for each local government is based on HUD data about foreclosures in each county. These funds are to be spent in the areas of greatest need. He said according to this data provided by HUD the vast majority of the areas of greatest need within Chatham County are within the

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City limits of the City of Garden City. He said the leadership of Chatham County has decided NOT to apply for NSP funds and is supporting our application for these Chatham County designated dollars. He said the areas of greatest need are primarily located within the original core (between Highway 21 and Highway 25) and the Rossignol Hill areas of our City. An additional need area which is less populated and less dense is the Highway 80 area.

City Administrator said according to the Activities outlined in the Georgia DCA Plan submitted to HUD, the City is considering undertaking some or all of the following Activities:

- Acquisition/Disposition of Foreclosed properties
- Clearance of vacant and/or dilapidated structures
- New Construction on clearance property
- Financing Mechanisms to assist Homebuyer with purchases
- Grant Administration

City Administrator said the City intends to support approximately 12-15 housing units. He said we would like to hear your questions and any comments on how this new and exciting program should be implemented in our City.

Mayor Quinney said we have some developers interested in investing in the City's revitalization of the Rossignol Hill area. He said we do have a need for these funds and the County has graciously signed off on the funds and supports our efforts.

Councilmember Kicklighter asked if the money has to be used for foreclosures or can we purchase homes that are dilapidated.

City Administrator said the funds have to be used for foreclosure homes.

Councilmember Kicklighter said if my home was being foreclosed on, would the City buy my home?

City Administrator said the funds are used to help the homeowner and you all would have input on the qualifications the homeowner has to meet.

Councilmember Hall asked if it would be on a first come, first served basis.

City Administrator said you all set the qualifications.

City Administrator said the public hearing was advertised in the newspaper and on our website. He said we will hold another public hearing in the future.

Councilmember Selph said I think this is a great program.

Councilmember Shuman said if we get the money, how soon would we receive it?

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City Administrator said I would imagine sometime this summer.

Mayor Quinney asked the City Attorney if he had any comments.

City Attorney said I haven't seen anything on this. He said the City wouldn't be lending money directly to the homeowner. He said it would have to be through a financial institution.

Ms. Sharon Bethune asked what department will be handling the overall administration functions of the program.

City Administrator said the Planning Department. He said it will be up to the staff of the planning department to supervise the grant along with a grant administration firm.

Ms. Bethune said if the City leases to a homeowner the City would be in the rental business.

Mayor Quinney said we will get information out to the public. He said we will have to have a workshop on this matter, but we needed to hold the public hearing tonight to meet the grant requirements. He said we will have more information on exactly what we will have to do, because we do not want to be in the public housing business.

Ms. Bethune asked when is the grant due and how long before it is awarded.

City Administrator said the application is due to DCA January 15, 2009. He said I would imagine the grant will be award sometime in the summer.

There being no further questions or comments, Mayor Quinney closed the public hearing on the Neighborhood Stabilization Grant.

City Council Minutes: Upon motion by Councilmember Jones, seconded by Councilmember Shuman, City Council voted unanimously to approve the minutes from the December 1, 2008, city council meeting.

Zoning & Building Committee Report: Councilmember Hall said I have nothing new to report tonight. He said I would like to thank the Zoning & Building staff for the fine job they did in 2008 and I know they will do a good job for us in 2009.

Personnel, Finance & Administration Committee Report: Councilmember Shuman said we have filled the mechanic's position, IS/IT Director's position and two police officer positions. She said we are currently recruiting for a Firefighter I and a Recreation Maintenance Crew Leader. She said staff is continuing to participate in ongoing training courses.

Parks & Recreation Committee Report: Councilmember Selph said December was a very busy month for our Recreation Department with all of the holiday events. She said Basketball is underway and

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schedules should be out on Wednesday. She said a Basketball Rama will be held this Saturday at the Gym.

Councilmember Selph said I would like to thank the staff of the Recreation Department for the fine job they do.

Fire Committee Report: Councilmember Motes said the fire department responded to 390 calls during 2008 with an average response time of 4.25 minutes.

Councilmember Motes asked Fire Chief Crosby to talk about the 2008 200 Club Valor Award recipients.

Chief Crosby said Deputy Chief Roy Howard and Firefighter II Ashley Hazard will receive the 2008 200 Club Valor Award at a ceremony to be held on Thursday, February 12, 2009. He said I submitted Firefighters Howard and Hazard for consideration for their valiant efforts on the night of February 7, 2008, during the Imperial Sugar Refinery explosion. He said are very proud of these firefighters.

Police Committee Report: Councilmember Kicklighter gave a routine report. She said the police department raised \$6,900 from their holiday fund raisers. She said I would like to thank the police department for all they do.

Councilmember Selph said she had the opportunity to ride on Christmas Eve with the police officers. She said they found a lost dog and returned it to its owner. She said they also stopped and helped someone with a flat tire on Christmas Eve. She said I would like to thank them for the opportunity to ride with them on Christmas Eve. She said the police department has a very good staff and I would like to thank them for the fine job they do.

Mayor Quinney said someone called-in on the Bill Edwards Radio Show and commented about Garden City Police setting up speed traps. He said I called in and told them that we don't ticket people unless they are going 15 miles over the speed limit.

Chief Lyons said the general rule is 15 or better over the speed limit and you will receive a ticket. He said the law is 10 miles over the speed limit. He said we set up the radar trailer on various roadways and it gives us valuable input on the speeds people are traveling on that particular roadway or area. He said we don't have to set up speed traps.

Mayor Quinney said we write quality tickets. He said I used to get onto the Chief, but now I understand his methods and I support them. He said if you are going 15 miles over the speed limit then you need to get a ticket.

Councilmember Selph said the officers are enforcing the law and required to write tickets.

Chief Lyons said by law we can't not write tickets.

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Councilmember Kicklighter said everyone knows the speed limit and if you speed you will get a ticket. She said I have gotten a speeding ticket, my husband and son have gotten speeding tickets. She said we were speeding and in the wrong. She said I appreciate everything the police department does and if people are speeding then they need to get a ticket.

Public Works Committee Report: Councilmember Holder said during the month of December the public works crews collected 50 tons of leaves and debris. He said that is an extremely large amount. He said I would like to thank the public works department for the fine job they do.

Councilmember Hall said I would like to thank the Public Works Director for coming out on Christmas Eve to remove a tree on Hawkinsville Road and cleaning up the debris. He said Mr. Griffin is an asset to the City.

Water/Sewer Committee Report: Councilmember Jones said everything is going well in the water/sewer department. He said I would like to thank the water/sewer department for the fine job they do and wish everyone a Happy New Year.

City Administrator Report:

New City Seal: City Administrator said we have for consideration the new city seal.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Holder, City Council voted unanimously to approve the new city seal.

Mr. James Osteen asked if the audience could see the new city seal.

City Administrator said the new city seal will be unveiled at a later date.

Mayor Quinney said we have been working on the new city seal for a long time. He said in fact we made a change to it tonight. He said we have not taken the creation of a new city seal lightly.

Stormwater Management Program & Stormwater Utility: City Administrator said we have the first reading of the Stormwater Utility Rate Ordinance before you tonight. He said City Staff and the Ecological Planning Group have been working on the Stormwater Management Program since August of 2008. He said we have had numerous discussions with residents, business owners and various other parties about the City's Stormwater Management Program and proposed Stormwater Utility Fee. He said we have conducted numerous public education and awareness activities on the Stormwater Management Program and Stormwater Utility Fee. He said specific activities undertaken by EPG and City Staff are as follows:

- Mailed General SWMP Educational Brochure to all City utility customers (August 2008)
- Mailed SW Utility FAQ Brochure to all residential customers (mid October 2008)
- Mailed SW Utility FAQ Brochure to all non-residential customers (later October 2008)
- Mailed customer letters to the Top 10% largest customers (later October 2008)
- Conducted Public Meeting/Open House for residential customers (October 27, 2008)

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- Conducted information meeting for large multi-family customers (October 28, 2008)
- Conducted Public Meeting/Open House for non-residential customers (November 10, 2008)
- Conducted information meeting for Top 10% non-residential customers (November 11, 2008)
- Conducted Public Meeting on SW Utility (November 17, 2008)
- Posted SW Utility information on City's Website (early November 2008)
- Conducted specific customer information meetings, upon request (December 17, 2008)

City Administrator said the EPG staff and City staff obtained comments, feedback and input through these various meetings and activities. In each situation, the EPG staff and City staff endeavored to thoroughly answer the questions posed or help the customer better understand the issues associated with the SW Utility. He said selected customers asked for detailed information regarding the SWMP and the SW Utility to allow the opportunity to have outside parties review the information in greater detail. He said all requests for additional or more detailed information were granted and some feedback was provided back to the City in both written and verbal format.

City Administrator said the potential to obtain user fee charge credits resulted in a great deal of discussion with the various entities. The City provided opportunities for potential customers to receive credits on their user fee charge through a user fee credit system that offers user fee charge credits for various activities undertaken by customers to reduce their impact on the City SWMP and/or the City's public drainage system.

City Administrator said EPG has made several revisions to the original Draft Credit Manual from November 2008 to incorporate the customer's feedback/input that we obtained during the various meetings. The credit program has been shown to be very attractive to customers because of the diversity of credits available and the associated user fee charge reduction potential.

City Administrator said in association with the first reading of the SW Utility Rate Ordinance in January 2009 and the potential that the Rate Ordinance is ultimately adopted in the future, we recommend that the City consider the following:

- The City staff should continue to maintain a high level of responsiveness to citizen and customer inquiries leading up to the City Council meetings in January 2009, and then continue those efforts into 2009 and beyond. If necessary, the City staff should engage EPG staff to assist with customer inquiries to ensure that a prompt and thorough response is provided to each customer inquiry.
- Conduct a customer service training session for all City staff that will be asked to address future SW Utility customer inquiries and questions. This training should be conducted to coincide with final adoption of the Rate Ordinance and commencement of customer billing which is tentatively scheduled for February 2009.
- Allow customers to submit user fee charge credit applications until June 20, 2009 such that approved applications will be applied retroactively to the first billing event. This should ensure that customers that are able to secure a credit(s) will have it applied back to the first billing which is tentatively scheduled for February 2009.

- Approved credit applications submitted after June 30, 2009 should be applied to the following month's bill but not applied back to previous bills.
- The City should continue its public education efforts on an ongoing basis to advise customers of the progress being made regarding future SWMP implementation (i.e. regulatory compliance, operations and maintenance, capital projects, water quality management, etc.). The types of activities used by other SW Utilities across the State of Georgia include newspaper inserts, brochures, website updates, City Council Meeting updates, etc.

City Administrator said the SWMP and SW Utility consist of three major operational elements: (1) Program Coordination, (2) Operations & Maintenance, and (3) the Capital Improvement Program. He said the City is in the process of establishing a SW Utility user fee that apportions the cost of providing stormwater services to its customers in relative proportion to the demand the property imposes on the City drainage system and the City SWMP via the parcel's impervious surface and land use characteristics. The City is concurrently establishing a SW Utility User Fee Credit System to offer incentives to those parcels that create and maintain private/on-site structural and non-structural stormwater management systems/activities. Credits will be made available to private and public entities that undertake specific stormwater management activities to reduce their impact/demand they impose on the City's SWMP. It is our recommendation that since the SW Utility user fees will be established based on the impact/demand that individual parcels impose on the City's drainage system and SWMP that the SW Utility User Fee Credit System should adhere to this same rationale. User fee credits should be made available to individual parcels in proportion to the "reduction in demand" that the property imposes on the City drainage system and the City SWMP as a result of parcel related mitigation activities.

City Administrator said a Stormwater Utility Credit Manual has been prepared to outline and document the policies and procedures for customers to utilize when applying for and obtaining credits on their monthly stormwater user fee charge. The Credit Manual has been developed based on the following (1) existing precedent in the State of Georgia; (2) input from the City Attorney and City Staff; and (3) feedback from the future Garden City Stormwater Utility customers. He said the Credit Manual will be formally adopted as part of the second reading of the Rate Ordinance.

City Administrator said the City Council is to conduct the first reading of the Stormwater Rate Ordinance tonight and then consider it for adoption on January 20, 2009. He said if the City Council adopts the Rate Ordinance and Credit Manual on January 20, 2009, the initial Stormwater Utility User Fee Charge bills would be mailed to customers in February 2009.

First Reading, Stormwater Utility Rate Ordinance: City Administrator asked the Clerk of Council to read the Stormwater Utility Rate Ordinance for the first reading.

Clerk of Council read for the first reading an ordinance to amend Chapter 20, Article V, pertaining to stormwater management, as amended, so as to establish and set up a stormwater utility rate structure and billing rate; to provide for definitions; to provide for stormwater utility customer classes; to establish user fees; to provide for exemptions; to provide for credits; to provide for billing, delinquencies, collections, and adjustments; to provide for appeals and hearings; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

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Upon motion by Councilmember Holder, seconded by Councilmember Jones, City Council voted unanimously to approve the Stormwater Utility Rate Ordinance on the first reading.

Resolution to Amend the Regular City Council Meeting Schedule: City Administrator said we have for consideration a resolution to amend the regular city council meeting schedule.

Clerk of Council read a resolution to amend the regular meeting schedule of the Garden City City Council; to eliminate the January 19, 2009 regular meeting of the City Council in observance of Martin Luther King, Jr. Day; and to establish a meeting of City Council on Tuesday, January 20, 2009.

Upon motion by Councilmember Jones, seconded by Councilmember Kicklighter, City Council voted unanimously to adopt the resolution to amend the regular city council meeting schedule.

City Attorney Report: City Attorney said I have nothing new to report tonight.

Mayor Report: Mayor Quinney said we have the following 2009 appointments for consideration.

Appointment of Municipal Court Judge: Upon motion by Councilmember Holder, seconded by Councilmember Jones, City Council voted unanimously to appoint Tom Edenfield to serve as Municipal Court Judge.

Appointment of Municipal Court Judge Pro-tem: Upon motion by Councilmember Jones, seconded by Councilmember Holder, City Council voted unanimously to appoint Doug Andrews and James P. Gerard to serve as Judge Pro-tem(s).

Appointment of City Attorney: Upon motion by Councilmember Hall, seconded by Councilmember Shuman, City Council voted unanimously to appoint James P. Gerard to serve as the City Attorney.

Appointment of Clerk of Council: Upon motion by Councilmember Kicklighter, seconded by Councilmember Jones, City Council voted unanimously to appoint Rhonda Ferrell-Bowles to serve as the Clerk of Council.

Mayor Quinney said we do not take anything likely. He said the City Seal has been revamped several times before it can be before us tonight for consideration. He said we have covered all the steps on implementing the Stormwater Program so no one can say they didn't know. He said I am very excited about 2009 and finishing up some of our projects.

Adjournment: Upon motion by Councilmember Selph, seconded by Councilmember Hall, City Council unanimously voted to adjourn at 7:50 p.m.

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Andy Quinney, Mayor

Tennyson Holder, Mayor Pro-tem

Gwyn Hall, Councilmember

Bowen Jones, Councilmember

Bessie Kicklighter, Councilmember

Durward Motes, Councilmember

Misty Selph, Councilmember

Judy Shuman, Councilmember

Rhonda Ferrell-Bowles
Clerk of Council