

MINUTES

City Council Minutes Monday, March 7, 2022 – 6:00 p.m.

Call to Order: Mayor Bethune called the meeting to order at approximately 6:00 p.m.

Opening: Rabbi Haas from Congregation Mickve Israel Synagogue gave the invocation. Mayor Bethune led City Council in the pledge of allegiance to the flag.

Roll Call:

Council Members: Mayor Don Bethune, Mayor Pro-tem Bruce Campbell, Councilmember Marcia Daniel, Councilmember Richard Lassiter, Councilmember Natalyn Morris, Councilmember Debbie Ruiz and Councilmember Kim Tice.

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell-Bowles, Finance Director/ Clerk of Council; Cliff Ducey, Recreation Director; Gil Ballard, Chief of Police; Mike Dick, Fire Chief; Jon Bayer, Public Works Director; Ben Brengman, IT Director and Jody Jones, Executive Assistant.

Public Hearings:

PC2126, Rezoning Request: Mayor Bethune opened the public hearing to receive public comment on a request by Chad Zittrouer, Kern & Company LLC to rezone 4713 Old Louisville Road, 4711 Old Louisville Road and US Highway 80 from R-1 to I-1.

Councilmember Ruiz left her normal Council seat to sit in the audience where she could choose to voice her personal opinions as a private citizen about the rezoning which affects her property at 521 Griffin Avenue.

City Manager gave an overview of the rezoning request. He stated that the Planning Commission recommended denial of the rezoning request.

Chad Zittrouer, Kern & Co., stated that the property on Old Louisville Road is approximately 10 acres and 4 acres totaling 14 acres. He stated that the Planning Commission denied the request. He stated that the property is bordered by a planned recreational facility, neighborhood, and industrial zoning. He stated that we are recommending implementing the following additional restrictive zoning conditions for the properties: (1) restrict usage to wholesaling and warehousing, (2) building orientation to have no truck courts facing the residential zoning on the eastern property boundary, (3) signage and driveway orientation restricting truck traffic from heading east on Old Louisville, (4) 6 foot chain-vinyl coated fence adjacent to residential properties along the eastern property boundary, and (5) 50 foot natural buffer to remain adjacent to residential zoning on the eastern property boundary with supplemental understory plantings to be provided. He stated that we feel like these conditions will help to protect the residents.

Harold Yellin, Zoning Land Use Attorney, representing the petitioner provided an overview of a handout which included information regarding character areas, future land use and amendment to the petition. He stated that on the character area map and future land use map these properties are shown as industrial. He stated that he believes that the rezoning to industrial supports the City's land use map.

Harold Yellin stated that in the October 18, 2021 city council minutes you all approved the rezoning of property on Old Louisville to I-1 with the exception of the portion on Highway 80 which was zoned C-2A. He stated that you said that the zoning should be changed to accommodate the residents so they will be able to rezone their property to sell.

Mayor Bethune stated that the Woodlawn neighborhood is very stable. He stated that I've walked and drove down Griffin Avenue and I can't imagine visualizing a warehouse with all the noise. He stated that I haven't seen a warehouse in any of the surrounding areas that infringes on residents. He stated that I've heard it said that this is only going to affect ten or twelve residents, but it is going to affect the neighborhood.

Harold Yellin stated that I have seen industrial next to resident and this group is trying to do everything they can to for this to happen. He stated that I don't see a restaurant or retail ever going on this property. He stated that it looks like that these folks are being asked for their property to serve as a buffer for the rest of the folks.

Councilmember Lassiter asked for where the property was located on the land use map. Harold Yellin provided clarification to Councilmember Lassiter on where the property was located on the land use map.

Mayor Bethune stated that a large portion of the property that we rezoned in October was already zoned industrial when it was in the County.

Mayor Bethune opened the floor to speakers in favor of the rezoning.

Rose and Nick Sanders, 4713 Old Louisville Road, stated that they live next to a trucking company. He stated that is not 1970 anymore and it is time to get out. She stated that we are asking that you support the rezoning. She stated that these people are trying to do all they can to work with Garden City.

Wendy Backel, property owner stated that there is no buffer for our home. She stated that this company is trying to protect us with a buffer.

Mayor Bethune opened the floor to speakers opposed to the rezoning.

Jimmy Spilliards, 407 Griffin Avenue, stated that I am one of the twelve that will be impacted. He stated that our property backs up to their property. He stated that if you rezone the property to I-1 and someone else comes along it may not be a warehouse. He stated that this will make it hard to sell our home. He stated where is it going to stop if this gets rezoned.

Mr. Sikes, 532 Griffin Avenue, stated that I am opposed to the rezoning because of the noise. He stated just look at Highway 80, every time rezoning gets approved it gets worse. I don't want to see the change in zoning.

A resident from the Woodlawn neighborhood stated that I have lived here most of my life and we have a wonderful community. This would be extremely disruptive to the neighborhood, because it would create more noise and traffic. Please do not pass the rezoning.

Cathy Schmitt, 4621 Old Louisville Road, stated that I have lived in the Woodlawn neighborhood for eight years and I do not want to live next to warehouses. She stated that I already have eighteen wheelers coming by my house.

Corey Foreman, stated that I'm not a resident of the Woodlawn neighborhood, but I feel city council's focus should be on the residents. He stated that city council has a tract record of rezoning to industrial.

Misty Selph, 2622 Woodlawn Avenue, stated that my back yard backs up to Highway 80 and I hear noise even though there is a buffer. She stated if this property is rezoned it affects the entire Woodlawn community. I'm asking that you deny the request.

Jay Wood, 321 Griffin Avenue, stated that I have lived in my house since I was four years old. He stated that it would be wonderful not to rezone the property so people could stay in their homes.

James Garrett, 2606 Woodlawn Avenue, stated that I had to leave my home on Dean Forest Road, because I was pushed out by industrial. He stated that it is not going to get any better for the neighborhood if you rezone the property to I-1.

There being no further speakers, Mayor Bethune closed the public hearing on PC2126.

PC2127, Rezoning Request: Mayor Bethune opened the public hearing to receive public comment on a request by Chad Zittrouer, Kern & Company, LLC to rezone 4709 Old Louisville Road from R-1 to I-1.

City Manager stated that this petition covers the remaining four acres of the property.

Harold Yellin stated he would like to thank council for hearing the positions.

There being no speakers for or against, Mayor Bethune closed the public hearing on PC2127.

City Council Minutes: Councilmember Lassiter made a motion to approve the minutes from the February 16, 2022 city council retreat and the minutes from the February 21, 2022 pre-agenda session and council meeting. The motion was seconded by Councilmember Campbell and passed without opposition.

City Manager's Report: City Manager had no updates or announcements.

Items for Consideration

Resolution, City Manager Appointment: Clerk of Council read the heading of a resolution to appoint C. Scott Robider as the City Manager exercising all of the authority delegated to that position by State law, the City Charter and the City Code, and as otherwise delegated to that position by the Mayor and Council.

Councilmember Morris made a motion to adopt the resolution. The motion was seconded by Councilmember Lassiter and passed without opposition.

Resolution, Emergency Service Procurement for the WWTP: Clerk of Council read the heading of a resolution to ratify emergency service procurement for the City's Waste Water Treatment Plant.

Councilmember Tice made a motion to adopt the resolution. The motion was seconded by Councilmember Ruiz and passed without opposition.

Resolution, Amendment to PTO Sell Back Policy: Clerk of Council read the heading of a resolution amending the City’s personnel policy and procedure employment manual to permit certain city employees to convert paid time off hours to cash at the end of each calendar year subject to certain conditions, and implementation of such policy for fiscal year 2022.

Councilmember Morris made a motion to adopt the resolution. The motion was seconded by Councilmember Lassiter and passed without opposition.

Resolution, Amendment to Fire Department’s Staffing Level: Clerk of Council read the heading of a resolution amending the fiscal year 2022 staffing level chart of the City of Garden City, Georgia, to provide for two (1) additional full-time firefighter positions in the fire department through the elimination of two (2) part-time firefighter positions and one (1) full-time administrative position in the fire department.

Councilmember Campbell made a motion to adopt the resolution. The motion was seconded by Councilmember Tice and passed without opposition.

Resolution, Surplus Property (Fire Department’s E-One Pumper): Clerk of Council read the heading of a resolution to classify the Fire Department’s E-One Pumper as surplus property and to authorize the disposal of it by the Fire Department.

Councilmember Lassiter made a motion to adopt the resolution. The motion was seconded by Councilmember Tice and passed without opposition.

Informal Public Comment: No speakers.

Adjournment: There being no further items to discuss, Mayor Bethune called for a motion to adjourn the meeting. Councilmember Lassiter made a motion to adjourn the meeting at approximately 7:23 p.m. The motion was seconded by Councilmember Morris and passed without opposition.

Transcribed & submitted by: Clerk of Council

Accepted & approved by: City Council 3/21/22