

MINUTES
City Council Meeting
Monday, May 5, 2014 – 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 George offered the opening prayer and Mayor Holder invited everyone to join in the Pledge of Allegiance to the flag.

Roll Call:

Members: Mayor Holder presided. **Council Members:** Don Bethune, Bruce Campbell, Rosetta Cody, Marcia Daniel, Scott George and Kim Tice.

Staff: Ron Feldner, Acting City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; David Lyons, Chief of Police; Pam Franklin, HR Director; Benny Googe, Public Works Director Jimmy Crosby, Fire Chief; Cliff Ducey, Recreation Director; Charles Draeger, Water Operations Director; and Sara Berry, Public Works Administrative Assistant. **Absent:** Ben Brengman, IT Director

Presentation: Mayor Holder presented to the Public Works Director a proclamation declaring May 18th through May 24th 2014 as National Public Works Week in Garden City.

Informal Public Comment: Mayor Holder opened the floor to receive informal public comment from the audience. There being no questions or comments from the audience, Mayor Holder closed the informal public comment portion of the meeting.

Public Hearing:

Mayor Holder read a letter from Councilmember Bethune stating that he would be abstaining from voting on the proposed rezoning of the property on Heidt Avenue. He said Councilmember Bethune states in his letter that his family owns property at 1306 Heidt Avenue and he believes that presents a conflict of interest regarding his family's property.

PC1403, Zoning Map Amendment (1323 Heidt Avenue: Mayor Holder opened the public hearing to receive public comment on a request by Mr. Tim Aiken to rezone 1323 Heidt Avenue from R2 to C1 for future office space.

Mayor Holder asked if there was anyone in the audience who wished to speak in favor of the rezoning request.

There being no one who wished to speak in favor of the rezoning request, Mayor Holder asked if there was anyone who in the audience who wished to speak against the rezoning request.

Mr. Clyde Sturgess, Big Hill Road, said I am against the rezoning. He said the City's current zoning map and future land use plan map has the property zoned R2 and I would like to see it kept residential. He said I have a petition signed by approximately 15 people in the area against the rezoning.

Mr. Leonard Hodges, Old Louisville Road, said I am against the rezoning. He said I would like to see the property left residential.

Ms. Stefanie Beck, Heidt Avenue said I am against the rezoning and I would like the property to be kept residential.

There being no further questions or comments from the audience, Mayor Holder closed the public hearing on PC1403.

City Council Minutes: Upon motion by Councilmember Bethune, seconded by Councilmember Campbell, City Council voted unanimously to approve the City Council Minutes dated 4/21/14 and Workshop Synopsis dated 4/28/14.

Staff Reports:

Interim Zoning Administrator presented the Planning and Zoning Department's Monthly Status Report. Human Resources Director presented the Human Resources Department's Monthly Status Report. Public Works Director presented the Public Works Department's Monthly Status Report. Parks & Recreation Director presented the Parks & Recreation Department's Monthly Status Report.

Items for Consideration:

Resolution, RDS Proposal for Business License & Occupational Tax Ordinance Project: Clerk of Council read a resolution authorizing Garden City, Georgia, to enter into an agreement with PRA Government Services, LLC, D/B/A RDS, to examine potential changes to the City's business license and occupational tax ordinance; to authorize the City's Acting City Manager to execute the agreement for said services; to provide for an effective date; and for other purposes.

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

Resolution, Radio Read Water Meter Installation Project Bid Award: Mayor Holder read a resolution to expend funds provided by a Georgia Environmental Finance Authority ("GEFA") Loan in the amount of \$620,000.00 to install approximately 1,241 Radio Read Water Meters for the City of Garden City; to accept the low bid proposal of Thielsch Engineering, Inc., to perform a portion of the project; to retain the engineering firm of Brennan Jones Engineering Associates to perform oversight services in connection with the performance of the project; and for other purposes.

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

First Reading, Ordinance to Rezone 1323 Heidt Avenue: An ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended; to rezone from R-2 to C-1 certain property owned by Timothy S. Aiken at 1323 Heidt Avenue; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Councilmember Campbell made a motion, seconded by Councilmember Tice to deny the rezoning request.

Mr. Tim Aiken, owner of 1323 Heidt Avenue said I didn't realize I was supposed to speak in favor of the rezoning during the public hearing portion of tonight's meeting. He said I would like an opportunity to speak regarding my rezoning request.

Mayor Holder said the public hearing to receive public comment has closed.

City Attorney said a public hearing was held last month on this same rezoning case. He said the motion by City Council should also consider the evidence at the hearing held last month. He said your consideration should not be restricted to the evidence heard at tonight's public hearing.

Mr. Tim Aiken, owner of 1323 Heidt Avenue said at the original public hearing no one made any comments. He said I didn't know there was any opposition to the rezoning until after they spoke tonight. He said I would like a chance to speak on my behalf.

City Attorney said I would suggest allowing Mr. Aiken to address City Council since he did not understand that the public hearing was the time for him to speak to City Council in favor of his rezoning request.

Mr. Aiken said I have been in the area for five years. He said Mr. Sturgess has two rental units and a shop that he is trying to operate as businesses. He said I don't feel we will hurt the neighborhood. He said my neighbor is also looking at rezoning her property to commercial. He said I know Mr. Sturgess called some of you about the rezoning.

Councilmember George asked if this was the one in that area that was denied in the past year by Planning Commission.

Acting City Manager said at the Planning Commission meeting held on 1/8/13, Mr. Patterson requested his property to be rezoned from R-2 to C2. He said the Planning Commission denied his request. He said Mr. Patterson pulled his petition and it was never brought to City Council.

Mayor Holder said we already have a motion on the floor by Councilmember Campbell, seconded by Councilmember Tice to deny the rezoning request. He said I would like to ask the Clerk of Council to take a roll call vote of Council for the record.

Mayor Holder, Mayor Pro-tem George, Councilmember Campbell, Councilmember Cody, Councilmember Daniel and Councilmember Tice voted in favor of denying the rezoning request, with Councilmember Bethune abstaining from the vote.

Resolution, Chatham County Library Distribution Line Easements: Mayor Holder read a resolution authorizing the Mayor of Garden City, Georgia, to execute two easements to Georgia Power Company conveying the right to construct, operate, and maintain underground utility lines across City property adjacent to Constantine Road and Central Avenue in the Garden City Town Center for the purpose of providing electrical service to the Chatham County Library site located on Block 4 of said Center; to provide an effective date; and for other purposes.

City Attorney said Georgia Municipal Association came up with some suggestions to prohibit Georgia Power from allowing other companies to lay lines in the easements. He said I would recommend City Council vote to approve the easements contingent on the City Attorney's assignment of the easement rights to Georgia Power.

Upon motion by Councilmember Bethune, seconded by Councilmember Daniel, City Council voted unanimously to approve the resolution contingent on the City Attorney's assignment of the easement rights to Georgia Power.

Declaration of Surplus Equipment: Consideration of declaring the 1958 Dodge Novac Tank Truck Serial #99R01527 as surplus equipment.

Upon motion by Councilmember Bethune, seconded by Councilmember Tice, City Council voted unanimously to declare the 1958 Dodge Novac Tank Truck as surplus equipment.

Adjournment: Mayor Holder said there being no further business on tonight's agenda, I would like to call for a motion to adjourn. Upon motion by Councilmember Bethune, seconded by Councilmember Campbell, City Council adjourned at 7:33 p.m.

Transcribed by: Clerk of Council
Approved by City Council: 5/18/14