

MINUTES

City Council Meeting Monday, June 16, 2025 – 6:00 p.m.

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

Opening: Mayor Campbell gave the invocation and led the City Council in the Pledge of Allegiance.

Roll Call

City Council Members: Mayor Bruce Campbell, Mayor Pro-Tem Marcia Daniel, Councilmember Gwyn Hall, Councilmember Richard Lassiter, Councilmember Debbie Ruiz and Councilmember Kim Tice. Absent: Councilmember Natalyn Morris

Staff Members: Rhonda Ferrell-Bowles, City Manager; James P. Gerard, City Attorney; Gill Ballard, Police Chief; Cliff Ducey, Parks and Recreation Director; Carlos Nevarez, Assistant Planning and Zoning Director; Yolanda Irizarry, Human Resources Director; Katie Draeger, Finance Director; and Tonya Roper, Clerk of Council.

Formal Public Comment: Fiscal Year 2024 Audit Report: Trey Scott from Maulden and Jenkins will present the City's Annual Comprehensive Financial Report for fiscal year 2024.

Mr. Scott stated he will present the results of the City's 2024 audit. Mr. Scott said the Mauldin and Jenkins firm was founded over 100 years ago, serves over 725 municipalities throughout the Southeast by way of 14 offices in six states. The team has been working alongside the City for the annual comprehensive financial report. Mr. Scott said the City has two sets of financial statements: a set for each City fund and a government wide set of financial statements which takes all of the City's funds and places these together for an overall view of the City.

Mr. Scott stated the City has total assets of \$100 million with liability offsets that gives a net position of \$63.5 million. With the change in revenues and expenses, this yields a net income of \$8.2 million. Cash investments and fund balance of approximately \$17 million each equates to about 17.5 months of expenditures that the City has in a fund balance for 12/2024 – which is a very healthy place to be for a City of this size. Mr. Scott said although you are in a healthy place, it is best to stay mindful of spending due to the City being on the Coast where we tend to have weather events where cash frontage is necessary.

Mr. Scott said the Enterprise Fund that includes water and sewer, solid waste, stormwater and fire protection funds are also in a healthy place. The most important thing the City wants to hear is our opinion on the financial statements. It is our responsibility as your auditor to express opinions on the financial information based on our audit and we do that by following general audit and government audit standards.

Mr. Scott said we are pleased to report to Council today that we are able to issue the City a clean opinion which means the financial statements present fairly the financial position of the City in accordance with acceptable principles. It is the highest level of assurance that we can provide to you as your expert auditor. Mr. Scott continued by saying the City also had a single audit with a clean opinion on compliance. This single audit occurs when more than \$750,000 is spent in federal grant monies, and we were able to issue a clean unmodified opinion on compliance with the major grant program.

Mr. Scott concluded by saying that there are no audit findings this year which is a testament to the hard work of the financial department. The Finance Director does a fantastic job in providing what is needed to aid us in doing our job. For required communications and financial reports as it relates to accounting judgement and estimates is that these are integral parts of the financial statements and are the responsibility of management. There were no difficulties in the performance of our audit, no disagreements with management, and we're independent of the City in accordance with all of the applicable standards of our profession. There are new accounting standards that will become effective in the next couple of years, there should be no huge impact as we will work with the finance department on the best course of action for representation on the new standards.

Councilmember Hall asked if the City is in good shape overall.

Mr. Scott replied that the City is reporting its finances in accordance with the applicable standards. An audit is not necessarily designed to tell if you're healthy or in good shape but there are certain indicators that you can look at to gauge health. The General Fund balance and the number of months of expenditures is healthy for a general fund balance.

Councilmember Hall asked if the Enterprise Fund includes the Police and Court departments.

Mr. Scott replied all are included in the General Fund with all facets of the financial aspect of those departments and functions.

City Council thanked the Finance Director and Staff for the work completed with the FY2024 financial report.

Informal Public Comment: Given no comments, Mayor Campbell closed the section for informal public comment.

Public Hearing:

PC-6-25-1126 – Text Amendment (Role of the Planning Commission): Receipt of public comment on a request by the City of Garden City, GA for a text amendment of multiple sections of the zoning code including: 90-43, 90-48, 90-49, 90-102, 90-158, 90-206, and 90-262. *The Planning Commission recommended denial of the request.*

The Assistant Planning and Zoning Director stated the Planning Commission Board had a text amendment to come before them for consideration. The Board had multiple concerns with the text amendment and recommended denial. There were concerns with the responsibility aspects of the

amendment, the City Staff recommended approval for the text amendment because it is an ordinance update for the City with having the Planning Commission Board as a recommending body.

Michael Bruner, 110 Sunshine Avenue stated he is in opposition of the text amendment being approved. Mr. Bruner stated he has several concerns from a citizen's standpoint. The current ordinance has been in effect since 2008 and feels it's been a very effective way of governing our City. He said the reasoning behind the text amendment was for Mayor and Council to have final say on these items and limiting the potential for litigation for items that comes before Planning Commission. He said there hasn't been any real issues with those types of concerns by Mayor and Council until the last couple of years; there were decisions that the Planning Commission had to make based on the information that was provided. The issues from the staffing level caused decisions that resulted in denials based upon submittals not meeting the code of ordinances for the City.

Mr. Bruner stated he wants Mayor and Council to provide another chance with the Planning Commission due to the recent City management staffing changes. He said the appointed members on the Board should have the opportunity to continue making decisions over the course of the next year or two before making amendments to the ordinances. We have to ensure we are following the proper policies and procedures. The City has departmental staff delegated to make certain decisions and the Planning Commission Board has been given the same delegation for their items. If the amendment is approved, it will add an additional delay of three to five weeks to an applicant receiving a final decision. This text amendment will also add additional time to Mayor and Council's schedule. The time you spend on the cases should be used to handle other City business.

The City Attorney stated he came before the Planning Commission and presented the ordinance based on the discussions in workshop and at Council meetings. He had pointed out that the text amendment simply adds an additional layer of review to any site plan or permit application that comes from the Planning Commission. The applicant and the applicant's opponents would have two public hearings, more witnesses, and more documents being produced. As far as what Mr. Bruner stated regarding mistaken Planning Commission decisions based on the wrong staff information being given to the Planning Commission, the text amendment adds another layer of review where perhaps there can be additional evidence presented to Council in order to correct any mistake.

The City Attorney stated the additional layer of review also gives a rejected permit applicant the opportunity to compromise his position when the item comes before Council for consideration. The amendment also offers an adjacent property owner who may not have agreed with the Planning Commission's decision and who may not have attended the Planning Commission meeting the opportunity to come forward at the next level before City Council to address why he or she believes the site plan should have been denied.

Responding to Br. Bruner's concern about Council not having the time to competently review site plan applications, the City Attorney stated it is important for Council to prepare themselves for the second stage of review just as Council presently does for re-zonings and subdivision applications. He pointed out that prior to 2008, City Council approved all matters which initially came before the Planning Commission which served as only a recommending body with no decision-making authority. In 2008, City Council delegated to the Planning Commission its approval authority as to site plans,

development plans and site permits. This text amendment returns that approval authority to City Council so that the Councilmembers can be held accountable by the public for its own decisions and not those made by the Planning Commission over which they have no control.

Mr. Bruner stated he would like for Mayor and Council to consider allowing a Planning Commission member to come and present why or why not a recommendation was made. He concluded by stating the Council needs to hear the research and details behind the decisions of the Planning Commission for approval or denial.

Jenecia Perry, Board of Appeals/Planning Commission member, stated she opposed the text amendment for the same reasons as previously mentioned. She stated she wants to give an overall preview of what happens when a petition is sent to the Planning Commission and for Council to understand what the process is like for the members. It is a lot of work put into an application; we are contacted by the Chair regarding any questions or concerns, and we're reminded to go to the petitioner's location to look at the parcel. Our Chair follows up with the members and then meets with the City staff.

Commission Member Perry stated the members talk with the citizens, the business owners and then we come together and listen to the information given. The process is time consuming, and the hope is the City has the proper representation like we have from our current chair to guide the Council through the process. She said she feels the Commission has done a superb job in representing the City of Garden City and the residents and businesses of the City. She stated there have been difficult cases and the Commission was able to clean up errors made by staff. The Planning Commission asked for contingencies with certain petitions that involved attorney representation. Our legal representation was unavailable due to prior obligations.

Commission Member Perry said she would be disappointed if the responsibilities changed because the members have not had a fair chance with the proper representation from the current changes in staff. She finished by stating the Planning Commission is now stronger and more confident with the current chair, new staff leadership and is capable of continuing to serve the City.

The City Attorney stated that he has, at times, been contacted by Denise Grabowski, Zoning Administrator consultant, about questions which were going to arise at Planning Commission meetings, and that he has always provided answers to the zoning consultant who would then relay the answers to the Planning Commission. He stated that at no time was he told that his method of responding to questions of the Planning Commission was inadequate and that he needed to attend meetings. He stated that he has a prior client obligation that occurs on the same meeting day as the meetings for the Planning Commission, but that he would find a way to attend Planning Commission meetings in the future if need be.

The City Attorney finished by saying that the responsibilities of the Planning Commission members are not going to change as a result of the text amendment. The Planning Commission will continue doing exactly what it has been doing in the past years. The amendment simply adds another layer of review to the process.

Commission Member Perry responded that the Planning Commission requested on several occasions for the presence of the City Attorney and that she is glad to know that Mayor and Council will have the legal representation when the Planning Commission did not.

Charlie Orrel, Board of Appeals/Planning Commission Member stated he wanted to reiterate what we do, and we are fortunate to be a part of working with Garden City. The Board has received more communication in the last few months and feel things are going well. We would appreciate the opportunity to have more time to show that this is all working out. He finished by stating that he respects what has been said by Council and the City Attorney, but the members feel their role will not be as important as before. He said communication is much better which was a problem for the Board, and he would appreciate Council's consideration before changing the role of the Commission.

With no additional questions or comments, Mayor Campbell closed the Public Hearing.

City Council Minutes: Councilmember Ruiz made a motion to approve the minutes from the June 2nd Pre-Agenda Session and City Council meeting minutes and June 9th workshop meeting minutes. Councilmember Hall seconded the motion; the vote passes with all voting in favor of the motion.

Items for Consideration:

Resolution – Lift Station Panel Replacement Proposal Agreement: The Clerk of Council read the heading of a resolution by the Mayor and Council authorizing the City Manager to approve a procurement with Xylem Water Solutions, USA Inc. in the amount of \$71,365.20 for the sewer lift station panel replacement on Azalea Avenue.

Councilmember Tice made a motion to approve the resolution. Councilmember Ruiz seconded the motion. The motion passes with all voting in favor of the motion.

Resolution – Ad Valorem Tax Rate: The Clerk of Council read the heading of a resolution of the Mayor and Council of Garden City, Georgia to set the Ad Valorem tax rate of Garden City for fiscal year 2025.

The City Attorney stated that the resolution constitutes only a proposal by City Council as to the establishment of the Ad Valorem Tax Rate which shall be subject to public hearings and comment, and that it did not constitute final approval of the ad valorem tax rate.

Councilmember Hall made a motion to approve the resolution as a proposal only to set the ad valorem tax rate subject to public hearings. Councilmember Ruiz seconded the motion. The motion passes with Councilmember Daniel, Councilmember Hall, Councilmember Lassiter, Councilmember Ruiz and Mayor Campbell voting in favor of the motion. Councilmember Tice voted to deny the motion.

Executive Session – Personnel Matter: Councilmember Lassiter made a motion to enter Executive Session. The motion was seconded by Councilmember Ruiz and passed without opposition.

Adjournment: Councilmember Tice made a motion to end the Executive Session, with a second by Councilmember Hall, the meeting adjourned at approximately 7:15pm.

*Transcribed & submitted by: The Clerk of Council
Accepted & approved by: The City Council on 07-07-25*

GARDEN CITY, GEORGIA AFFIDAVIT AS TO OPEN MEETING LAW

The undersigned Mayor, under oath, certifies that at a meeting of the Mayor and Council of Garden City Georgia, held on the date identified below being the date of this document, the Mayor and Council closed their meeting as permitted by the Chapter 14 of Title 50 of the Georgia Code and pursuant to advice by the City Attorney. The only matters considered or discussed during the closed session or executive session of the meeting is as checked below:

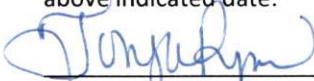
Check ✓	Subject Matter	As provided in O.C.G.A. Section
	Meeting to discuss or vote to authorize the settlement of a matter covered by the attorney-client privilege. <i>The subject discussed was _____</i> <i>(identify the case or claim discussed, but not the substance of the attorney-client discussion)</i>	50-14-2 (1) 50-14-3 (b)(1)(A)
	Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property.	50-14-3(b)(1)(B)
	Meeting to discuss or vote to authorize the ordering of an appraisal related to the acquisition or disposal of real estate.	50-14-3(b)(1)(C)
	Meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote.	50-14-3(b)(1)(D)
	Meeting to discuss or vote to enter into an option to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote.	50-14-3(b)(1)(E)
✓	Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee.	50-14-3(b)(2)
	Meeting to interview one or more applicants for the position of executive head of an agency.	50-14-3(b)(2)
	Pursuant to the attorney-client privilege, a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, and the matter discussed was <i>(identify the matter but not the substance of the discussion)</i>	50-14-2(1)
	Staff meeting held for investigative purposes under duties or responsibilities imposed by law.	50-14-3(a)(1)
	Meeting to consider records or portions of records exempt from public inspection or disclosure because there are no reasonable means to consider the record without disclosing the exempt portions.	Article 4, Chapter 18 of Title 50

This Affidavit is executed for the purpose of complying with the mandate of O.C.G.A 50-14-4(b) and is to be filed with the official minutes of the aforementioned meeting.

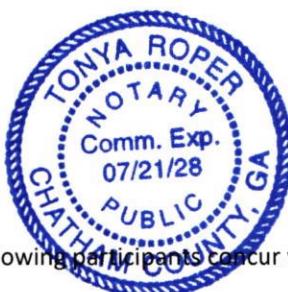
This the 16th day of June 2025.

By: 
Mayor, City of Garden City, Georgia

Sworn to and subscribed before me on the
above indicated date:



Notary Public, State of Georgia
Commission expires: 07/21/28



(Although the same is not mandatory, the following participants concur with the accuracy of this Affidavit.)
