

A G E N D A
City Council Meeting
Monday, February 1, 2021 – 6:00 p.m.

➤ **OPENING**

- Call to Order
- Invocation by Dr. Eric Mason from Jesus First Community Church
- Pledge of Allegiance
- Roll Call
- Recognition of the Garden City Police Department's State of Georgia Law Enforcement Re-Certification

➤ **FORMAL PUBLIC COMMENT**

- District Attorney Cook-Jones has requested to address City Council.

Formal Public Comment – City Council Agenda Protocol

The City of Garden City has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Garden City requires that individuals who desire to formally address the City Council submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on the meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal ***“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”*** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the first and third Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or e-mail and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager and on the City's website www.gardencity-ga.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised the completion of a request form does not entitle the speaker to be added to the agenda.

➤ PUBLIC HEARINGS – *No Public Hearings*

Speaking to a Public Hearing Item Protocol

In the interests of time and to ensure fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record.

Speakers addressing City Council on a public hearing item should coordinate comments to respect City Council's time limits. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

***PROCEDURES FOR CONDUCTING PUBLIC HEARINGS ON PROPOSED ZONING DECISIONS BEFORE
GARDEN CITY'S MAYOR AND COUNCIL AND STANDARDS GOVERNING THE EXERCISE OF
CITY COUNCIL'S ZONING POWER***

Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

All public hearings conducted by the Mayor and Council on Garden City, Georgia, on proposed zoning decisions shall be conducted as follows:

- (1) All public hearings by the Mayor and Council on zoning amendments shall be chaired by the Mayor.
- (2) The Mayor shall open the hearing by stating the specific zoning amendment being considered at the public hearing and further stating that printed copies of the adopted standards governing the exercise of the Mayor and Council's zoning power and the procedures governing the hearing are available to the public.
- (3) The Director of the City's Planning and Zoning Department shall advise the Mayor and Council of the recommendation of the Planning Commission when applicable.
- (4) The Mayor shall determine the number of attendees who desire to testify or present evidence at the hearing.
- (5) When there is a large number of individuals wishing to testify at a hearing, the Mayor may invoke time limits on individual speakers. In such cases, these time limits shall apply to all speakers. Proponents, including the petitioner or the petitioner's agent requesting the zoning decision, shall have no less than ten (10) minutes for the presentation of data, evidence, and expert opinions; opponents of the proposed decision shall have an equal minimum period of time. The Mayor may grant additional time; provided, however, an equal period of time shall be granted both sides.
- (6) The petitioner requesting such zoning decision, or the applicant's agent, shall be recognized first and shall be permitted to present and explain the request for the zoning decision. Thereafter, all individuals who so desire shall be permitted to speak in favor of the zoning decision.
- (7) After all individuals have had an opportunity to speak in accordance with subparagraph (6) above, those individuals present at the public hearing who wish to speak in opposition to the requested zoning decision shall have an opportunity to speak.
- (8) The Mayor may limit repetitious comments in the interest of time and may call for a show of hands of those persons present in favor of or opposed to the proposed decision.
- (9) It shall be the duty of the Mayor to maintain decorum and to assure the public hearing on the proposed decision is conducted in a fair and orderly manner.
- (10) Once all parties have concluded their testimony, the Mayor shall adjourn the public hearing.

Standards Governing the Exercise of The Zoning Powers of Garden City's Mayor and Council:

Prior to making a zoning amendment, the Mayor and Council shall evaluate the merits of a proposed amendment according to the following criteria:

- (1) Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
- (2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
- (3) Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- (4) Will this request place irreversible limitations or cause material detriment on the area similarly zoned as it is or on future plans for it?
- (5) Is there an imminent need for the rezoning and is the property likely to be used for the use requested?
- (6) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

➤ **APPROVAL OF CITY COUNCIL MINUTES**

- Consideration of the Pre-agenda Session Minutes (1/19/21) and City Council Minutes (1/19/21).

➤ **CITY MANAGER REPORT**

- Updates and/or Announcements

➤ **ITEMS FOR CONSIDERATION**

- **Resolution, 2021 Police Vehicles:** A resolution by the Mayor and Council to accept the proposal from Butler Chrysler Dodge Jeep Ram to sell the City two (2) 2021 Dodge Durango vehicles and to sell the City two (2) 2021 Dodge Charger vehicles and to authorize the City Manager to sign the purchase contract totaling \$112, 496.00 for the vehicles.

➤ **RECEIPT OF INFORMAL PUBLIC COMMENT:**

- **Procedure:** In an effort to best manage this section of the meeting, any person that desires to address the City Council must sign up using the process outlined on the website where this meeting is advertised. Once recognized by the Mayor, the person will be allowed to speak in accordance with the Informal Public Comment – Speaker Protocols outlined below.

Informal Public Comment – Speaker Protocol

The City of Garden City believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. Informal Public Comments are scheduled for a total of fifteen (15) minutes and each person will be limited to three (3) minutes. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. Speakers not heard during the limited fifteen (15) minute period will be first to present their comments at the next Council meeting. The opportunity to address City Council on a topic of his/her choice shall be used by an individual only one (1) time per month. It may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Garden City, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agendized matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

➤ **ADJOURN**

MINUTES

City Council Meeting Tuesday, January 19, 2021 – 6:00 p.m.

Call to Order: Mayor Pro-tem Kicklighter called the meeting to order at 6:00 p.m.

Opening: Mr. Gerald Ethridge gave the invocation and Mayor Pro-tem Kicklighter led City Council in the pledge of allegiance to the flag.

Roll Call

Members of City Council: Mayor Pro-tem Bessie Kicklighter, Councilmember Marcia Daniel, Councilmember Richard Lassiter, Councilmember Natalyn Morris, Councilmember Debbie Ruiz and Councilmember Kim Tice. Absent: Mayor Don Bethune

Staff: Ron Feldner, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell-Bowles, Finance Director/Clerk of Council; Scott Robider, Assistance City Manager; Gil Ballard, Chief of Police; Corbin Medeiros, Fire Chief and Cliff Ducey, Recreation Director. Absent: Pam Sweeney, HR Director; Ben Brengman, IT Director and Jon Bayer, Interim Public Works Director.

Introduction of Assistance City Manager: City Manager introduced Scott Robider as the new Assistant City Manager.

Presentation: City Manager read a proclamation to recognize January 24 – January 30, 2021 as School Choice Week in Garden City.

Informal Public Comment: Mayor Pro-tem Kicklighter stated that no one signed up to address City Council.

City Council Minutes: Councilmember Ruiz made a motion to approve the November 16, 2020 pre-agenda session synopsis and city council meeting minutes. The motion was seconded by Councilmember Daniel and passed without opposition.

City Manager Report: City Manager stated that the agenda packet included the 2020 year-end reports.

Items for Consideration

First Reading - Ordinance, Sunday Hours of Package Sales of Alcoholic Beverages: Clerk of Council read the first reading of the heading of an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended by amending Chapter 6, Article II, Division IV, to permit package sales by properly licensed retailers of malt beverages, wines, and distilled spirits on Sundays between the hours of 11:00 a.m. and 12:00 a.m.

Councilmember Tice made a motion to approve the ordinance on the first reading. The motion was seconded by Councilmember Ruiz and passed on the first reading without opposition.

Councilmember Ruiz made a motion to suspend the rules of council to hold the second reading of the ordinance. The motion was seconded by Councilmember Daniel and passed without opposition.

Second Reading - Ordinance, Sunday Hours of Package Sales of Alcoholic Beverages: Clerk of Council read the second reading of the heading of an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended by amending Chapter 6, Article II, Division IV, to permit package sales by properly licensed retailers of malt beverages, wines, and distilled spirits on Sundays between the hours of 11:00 a.m. and 12:00 a.m.

Councilmember Daniel made a motion to adopt the ordinance on the second reading. The motion was seconded by Councilmember Lassiter and passed on the second reading without opposition.

Resolution, Chief Judge Agreement (Tomlinson): Clerk of Council read the heading of a resolution by the City Council to authorize the Mayor to execute an agreement between the City and Billy Tomlinson which sets forth the terms of Mr. Tomlinson's appointment as the Chief Judge of the Garden City Municipal Court.

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

Resolution, Associate Judge Agreement (Huffman): Clerk of Council read the heading of a resolution by the City Council to authorize the Mayor to execute an agreement between the City and Brian Joseph Huffman, Jr., which sets forth the terms of Mr. Huffman's appointment as the Associate Judge of the Garden City Municipal Court.

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

Resolution, Judge Pro Tem Agreement (Sanders): Clerk of read the heading of a resolution by the City Council to authorize the Mayor to execute an agreement between the City and Richard Sanders, Jr., which sets forth the terms of Mr. Sanders appointment as Judge Pro Tem of the Garden City Municipal Court.

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

Resolution, Prosecuting Attorney Agreement (Moody): Clerk of Council read the heading of a resolution by the City Council to authorize the Mayor to execute an agreement between the City and Lindy Moody which sets forth the terms of Ms. Moody's appointment as the City's Prosecuting Attorney.

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

Resolution, Public Defender Agreement (Harmon): Clerk of Council read the heading of a resolution by the City Council to authorize the Mayor to execute an agreement between the City and Crystal D. Harmon which sets forth the terms of Ms. Harmon's appointment as the City's Public Defender on a part-time basis.

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

Resolution, Judge Pro Tem Appointment (Andrews): Clerk of Council read the heading of a resolution by the Mayor and Council to appoint Douglas G. Andrews to serve as Judge Pro Tem of the Garden City Municipal Court.

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

Resolution, Judge Pro Tem Appointment (Gerard): Clerk of Council read the heading of a resolution by the Mayor and Council to appoint James P. Gerard to serve as Judge Pro Tem of the Garden City Municipal Court.

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

City Attorney Appointment (Gerard): Consideration by the Mayor and Council to appoint James P. Gerard to serve as City Attorney.

Councilmember Tice made a motion to appoint James P. Gerard to serve as City Attorney. The motion was seconded by Councilmember Ruiz and passed with Councilmember Lassiter opposing.

Resolution, 2021 Qualifying Fee: Clerk of Council read the heading of a resolution to set the qualifying fee for the Office of City Council Member at \$180.00 for the general election in November 2021.

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

Resolution, 2021 Election Duties: Clerk of Council read the heading of a resolution to authorize the Board of Elections of Chatham County, Georgia, to perform all duties as the municipal superintendent of elections with the exception of the qualifying of candidates which shall be the responsibility of the Clerk of Council and to authorize the Chatham County Board of Registration to perform the duties of absentee ballot clerk. Qualifying for City Council will take place at City Hall commencing on Monday, August 16, 2021, at 8:30 a.m. and ending Thursday, August 19, 2021, at 4:00 p.m.

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

Adjournment: There being no further items to discuss, Mayor Pro-tem Kicklighter called for a motion to adjourn the meeting. Councilmember Lassiter made a motion to adjourn the meeting at approximately 6:13 p.m. The motion was seconded by Councilmember Tice and passed without opposition.

Transcribed & submitted by: Clerk of Council
Accepted & approved by: City Council 2/1/21

SYNOPSIS

Pre-Agenda Session Tuesday, January 19, 2021 – 5:30 p.m.

Call to Order: Mayor Pro-tem Kicklighter called the pre-agenda session to order at 5:30 p.m.

Review of Council Agenda Items: Mayor Pro-tem Kicklighter presented the council agenda items for review. She stated that these items are annual housekeeping items.

Councilmember Morris asked several questions about the process used for the selection of the municipal court Judges, Judge Pro tems, Prosecuting Attorney, and Public Defender. The Chief of Police gave an overview of the process.

Councilmember Morris asked several questions about the City Attorney's contract. A discussion ensued in regards to the City Attorney's contract.

There being no further items to be discuss, Mayor Pro-tem Kicklighter adjourned the pre-agenda session at approximately 5:59 p.m.

Transcribed & submitted by: Clerk of Council

Accepted & approved by: City Council 2/1/21

GARDEN CITY RESOLUTION

WHEREAS, Garden City, Georgia, desires to purchase two (2) 2021 Dodge Durango vehicles (together with associated equipment) to be used as police investigator cars, and two (2) 2021 Dodge Charger vehicles (together with associated equipment) to be used as police patrol cars for the total purchase price of \$112,496.00 in order to meet the public safety needs of its police department; and,

WHEREAS, the purchase of the above-mentioned vehicles has been identified as an approved capital outlay item in the City's 2021 budget in the amount of \$170,000.00; and,

WHEREAS, the Chief of Police, having solicited bids for the purchase of the vehicles, received the attached proposal of Butler Chrysler Dodge Jeep Ram at 188 Robert Smalls Parkway, Beaufort, South Carolina 29906, to sell 2021 Dodge Durango vehicles at \$30,510.00 per car, and to sell 2021 Dodge Charger vehicles at \$25,738.00 per car, which he has determined to be the lowest and most responsible proposal, said price being within the range of pricing established by the Georgia Statewide Contract for police vehicles established by the State Purchasing Division of the Georgia Department of Administrative Services;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Garden City, Georgia, that the attached proposal of Butler Chrysler Dodge Jeep Ram to sell to the City two (2) 2021 Dodge Durango vehicles (together with associated equipment) at the price of \$61,020.00, and to sell to the City two (2) 2021 Dodge Charger vehicles (together with associated equipment) at the price of \$51,476.00 be accepted and that the City Manager be authorized to sign the purchase contract or purchase order totaling \$112,496.00 for the vehicles as well as all other documents associated therewith in the name of the City.

ADOPTED AND APPROVED this 1st day of February, 2021.

RHONDA FERRELL-BOWLES, Clerk of Council

Received and approved this 1st day of February, 2021.

DON BETHUNE, Mayor

BUTLER CHRYSLER DODGE JEEP RAM



188 ROBERT SMALLS PKWY, BEAUFORT, SC 29906

843-522-9696

1/27/2021

Buyer:	Garden City Police Department
	100 Central Avenue
	Garden City GA 31405
	Attn: Capt Joe Papp
Phone:	912-704-0619
Fax:	

Cell:	
Phone:	
Fax:	

Make:	Dodge
Model:	Charger V8 Police Package RWD
Year:	2021
Color:	t/b/d
VIN:	t/b/d
Stock #:	t/b/d
Mileage:	10

Make:	
Model:	
Year:	
Color:	
VIN:	
Stock #:	
Mileage:	
ACV:	

MSRP	\$37,100.00
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Sale Price	\$24,708.00
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Options Included		
5.7L V8 HEMI MDS VVT Engine	8-Speed Auto Transmission	included in price
Cloth Front & Rear Seats	Vinyl Flooring Throughout	included in price
Black Steel Wheels w/Chrome Cap	Full Size Spare	included in price
GXQ - 6 Additional Keys		\$ 135.00
AHM - Convenience Group 1		\$ 437.00
AWC - Gleet Safety Group		\$ 320.00
LSA - Security Alarm		\$ 138.00
Options Total		\$1,030.00

Sub Total	\$25,738.00
DOC	
Tag	
5% IMF/Tax (SC)	
Balance Due	\$25,738.00

Manager Tina Neill

Customer

BUTLER CHRYSLER DODGE JEEP RAM



188 ROBERT SMALLS PKWY, BEAUFORT, SC 29906

843-522-9696

1/26/2021

Buyer:	Garden City Police Department
	100 Central Avenue
	Garden City GA 31405
	Attn: Capt Joe Papp
Phone:	912-704-0619
Fax:	

Cell:	
Phone:	
Fax:	

Make:	Dodge
Model:	Durango Special Service RWD
Year:	2021
Color:	t/b/d
VIN:	t/b/d
Stock #:	t/b/d
Mileage:	10

Make:	
Model:	
Year:	
Color:	
VIN:	
Stock #:	
Mileage:	
ACV:	

MSRP	\$37,715.00
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Sale Price	\$29,928.00
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Options Included		
5.7L V8 HEMI MDS VVT Engine	8-Speed Auto Transmission	included in price
Red/White Auxiliary Dome Lamp	Cloth Front & Rear Seats/Carpet Floor	included in price
Power Windows, Locks & Mirrors	Remote Keyless Entry w/All-Secure	included in price
Full Size Spare		\$ 136.00
Blind Spot & Cross Path Protection		\$ 446.00
Options Total		\$582.00

Sub Total	\$30,510.00
DOC	
Tag	
5% IMF/Tax (SC)	
Balance Due	\$30,510.00

Manager Tina Neill

Customer _____