

**A G E N D A**

**City Council Meeting**

**Monday, October 3, 2022 – 6:00 p.m.**

➤ **OPENING**

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**
- **Oath of Office: Swearing in of Mr. Gwyn Hall, Councilmember At-large**

➤ **FORMAL PUBLIC COMMENT:**

**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](http://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

- **Alcoholic Beverage License Application:** Receipt of public comment on an alcoholic beverage license application made by Payal V. Shah to sell wines, beer and/or malt beverages at Sai Gardencity 1912, Inc., (D/B/A Yogi), 1298 U.S. Highway 80, Garden City, Georgia.
- **Alcoholic Beverage License Manager's Application:** Receipt of public comment on a manager's alcoholic beverage license application made by Pankil Patel to sell wines, beer and/or malt beverages at Sai Gardencity 1912, Inc., (D/B/A Yogi), 1298 U.S. Highway 80, Garden City, Georgia.

### **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 September 19, 2022, Pre-Agenda Session Minutes and Council Meeting Minutes.

**City Manager's Report**

- Updates and announcements

➤ **ITEMS FOR CONSIDERATION**

- **Ordinance, Zoning Map Amendment:** An ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended, to rezone certain property owned by Emerge Savannah, LLC, located at 1445 Dean Forest Road in Garden City, Georgia, from its present zoning classification of "R-A" to an "R-2" zoning classification.
- **Resolution, Order Placement for Purchase of FY2023 Police Vehicles:** A resolution to authorize the Garden City Police Department to order five (5) 2023 Dodge Durango vehicles (together with associated equipment) to be used as police patrol cars for the total purchase price of \$207,820, and to authorize the City Manager to sign a purchase order for said vehicles.
- **Alcoholic Beverage License Application:** Consideration by the Mayor and Council of an alcoholic beverage license application made by Payal V. Shah to sell wines, beer, and/or malt beverages at Sai Gardencity 1912, Inc., (D/B/A Yogi), 1298 U.S. Highway 80, Garden City, Georgia.
- **Alcoholic Beverage License Manager's Application:** Consideration by the Mayor and Council of a manager's alcoholic beverage license application made by Pankil Patel to sell wines, beer and/or malt beverages at Sai Gardencity 1912, Inc., (D/B/A Yogi), 1298 U.S. Highway 80, Garden City, Georgia.
- **Mayor Pro-tem Appointment**

➤ **RECEIPT OF INFORMAL PUBLIC COMMENT:**

- **Procedure:** To best manage this meeting section, any person who 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**





## City of Garden City

100 Central Avenue, Garden City, Georgia 31405

Phone: 912.966.7777 Fax: 912.966.2735

Email: Occtax@gardencity-ga.gov

### APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Date Filed: 08/31/22

For the Year: 2022

Expires at December 31 of the above year.

#### Type of License (check all that apply)

- |   |   |
|---|---|
| <input type="checkbox"/> Spirituous Liquors (package) \$2,722.00      | <input checked="" type="checkbox"/> Beer and/or malt beverages \$682.00 |
| <input type="checkbox"/> Spirituous Liquors (by the drink) \$2,722.00 | <input checked="" type="checkbox"/> Wines \$236.00                      |
| <input checked="" type="checkbox"/> Advertising Cost \$95.00          |   |

TOTAL: \$ 554.00

#### Business Information

Business Name: Sai gardencity 1912 INC  
D/B/A/ (if applicable): yogi  
Business Address: 1298 US Hwy 80 W garden city Business Phone: 781-827-1976  
Mailing Address: \_\_\_\_\_ Emergency Phone: 912-401-4587  
(If different from Business Address)  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Business Email Address: payalminimart@gmail.com  
What other kinds of business will be conducted at this location? none

#### List all persons with a financial interest in the business:

(For corporations, include all stockholders who own more than 10% of the outstanding stock of the corporation.)

Name	Address	% Ownership
Payal V. Shah	1298 US Hwy 80 W garden city 3140	100%

Has any person having an interest in said business been convicted of any violation of law other than a traffic violation? Served time in prison, or other correctional institution? ☐ Yes ☒ No

If Yes, describe circumstances: \_\_\_\_\_

THIS PAGE FOR OFFICE USE ONLY

Application received by: Katie Draeger Date: 8/30/22

POLICE DEPARTMENT REVIEW

Fingerprinted by: OK for license SKO Date: 9/15/22

Separate report submitted to the City Administrator:

 Date: 9/19/22  
Police Chief

Public Hearing held on: \_\_\_\_\_

Date advertised in Savannah Morning News: \_\_\_\_\_

Action of Council: ☐ Approval ☐ Denial

License(s) Issued: \_\_\_\_\_ Date: \_\_\_\_\_



## City of Garden City

100 Central Avenue, Garden City, Georgia 31405

Phone: 912.966.7777 Fax: 912.966.2735

Email: Occtax@gardencity-ga.gov

### MANAGER APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

This form must be completed if manager or other employee operates the business on behalf of the License Applicant. If this is a new manager (change from last year's application) an additional advertising cost fee of \$75.00 made payable to the City of Garden City must accompany this application.

Date Filed: 08/3/22

For the Year: 2022

☐ Advertising Cost \$95.00

Expires at December 31 of the above year.

#### Business Information

Business Name: Sai garden city. 1912 INC

D/B/A/ (if applicable): yogi

Business Address: 1298 US Hwy 80 W garden city 31408

#### Manager Information

Full Name: pankil patel

Home Address: 450 Al henderson blvd <sup>02904</sup> Phone: 229-322-7127

City: Savannah State: GA Zip Code:

SSN: [REDACTED] Date of Birth: [REDACTED] Age:

Ever held a similar license:  Year:

Brief personal history of applicant:

(Include education, previous jobs, businesses owned, and any place of residence during last five years.)

he is manager Syss Cheavron

Criminal History of Applicant (if any): NONE

Fingerprints of applicant shall be required with the initial application.

List five character references that will vouch for the applicant:

Name	Address
<u>Vikram Shah</u>	<u>1699 chatham parkway 31405</u>
<u>Payal Shah</u>	<u>1699 chatham parkway 31405</u>
<u>Gokul Patel</u>	<u>4820 Augusta Road garden city.</u>
<u>Anjali patel.</u>	<u>4402 mongamey st. Savannah 31405.</u>
<u>Balkrishna Kodak</u>	<u>450 Alhenderson blvd. 31419</u>



THIS PAGE FOR OFFICE USE ONLY

Application received by: Katie Draeger Date: 8/30/22

**POLICE DEPARTMENT REVIEW**

Fingerprinted by: OK for license SKD Date: 9/15/22

Separate report submitted to the City Administrator:

[Signature] Date: 9/19/22  
Police Chief

Public Hearing held on: \_\_\_\_\_

Date advertised in Savannah Morning News: \_\_\_\_\_

Action of Council: ☐ Approval ☐ Denial

License(s) Issued: \_\_\_\_\_ Date: \_\_\_\_\_

**SYNOPSIS**  
**Pre-Agenda Session**  
**Monday, September 19, 2022 @ 5:30 p.m.**

**Call to Order:** Mayor Campbell called the pre-agenda session to order at approximately 5:30 p.m.

**Attendees:**

**Council Members:** Mayor 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; Gil Ballard, Chief of Police; Mike Dick, Fire Chief; Jon Bayer, Public Works Director; Cliff Ducey, Recreation Director; and Chris Snider, Systems Administrator. Absent: Yolanda Irizarry, HR Director.

The City Manager asked if there were any questions or comments about the Revenue & Expenditures Report for the month of August. There were no questions or comments from the City Council.

The City Manager stated that the City Council would make their nominations for the at-large council seat. He said the person with the highest number of votes gets it. He noted that we are handling this process as dictated by the City's Charter.

Councilmember Morris asked if the Charter could be changed to update the process. She stated that it hadn't been updated since 2010. The City Attorney said the Charter could be changed, but it takes time. The City Manager stated that we could discuss this at a workshop. Councilmember Daniel stated that if you are going to look at the Charter, then you need to look at the whole Charter to see where updates are required. Councilmember Lassiter stated that according to GMA, the Charter must be reviewed every 20 years.

The City Manager gave an overview of the remaining items on the agenda for consideration.

The City Attorney stated that someone would need to make a motion to amend the agenda to add the State Properties resolution for the quitclaim deed. He said they requested the deed to be recorded by the end of the month.

The City Manager stated that there is no mayor pro-tem vote tonight. The vote for mayor pro-tem would be at the October 3<sup>rd</sup> council meeting. He noted that you are only voting on the at-large seat tonight.

The City Attorney announced that a new zoning act had been passed, which dictates precisely how rezonings, variances, etc., are to be handled, so we will have to change our procedures to comply with the new zoning act. The City Manager said at the next council meeting, you will consider extending the rezoning moratorium for six more months.

There being no other items to discuss, the City Council adjourned the pre-agenda session at approximately 5:54 p.m.

*Transcribed & submitted by: The Clerk of Council*

*Accepted & approved by: The City Council 10/3/22*

**MINUTES**  
**City Council Meeting**  
**Monday, September 19, 2022 @ 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 to the flag.

**Roll Call:**

**Council Members:** Mayor 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; Gil Ballard, Chief of Police; Mike Dick, Fire Chief; Jon Bayer, Public Works Director; Cliff Ducey, Recreation Director; and Chris Snider, Systems Administrator. Absent: Yolanda Irizarry, HR Director.

**Agenda Addendum:** Mayor Campbell asked for a motion to amend the agenda to add a resolution under the Items for Consideration to accept the State Properties Commission's Quitclaim Deed.

The City Manager stated that the State worked with the City to convey additional right-of-way for the realignment of Alfred Street. He said the State requested the deed to be recorded by the end of the month.

Councilmember Daniel motioned to amend the agenda to add the resolution for consideration. The motion was seconded by Councilmember Tice and passed without opposition.

**Public Hearing**

**PC2227, Rezoning Request:** Mayor Campbell opened the public hearing to receive public comment on a request by applicant Scott Allison to rezone 1445 Dean Forest Road from R-A to R-2 for proposed use as a multi-family residential development. Mayor Campbell asked if there was anyone to speak in favor of the rezoning.

Mr. Scott Allison, the applicant, stated that the property is located on Dean Forest Road at Deadman's curve. He said the developer requests the property to be rezoned from R-A to R-2 for multi-family residential development. The property came before the Council before on a re-zoning application for an industrial classification. The developer heard what you were saying and is now looking at doing multi-family residential, which is a good fit for the area.

Councilmember Lassiter asked if the Planning Commission approved the request. Mr. Allison replied yes.

Councilmember Daniel asked how the small bridge would be handled. Mr. Allison said that it would have to be rebuilt if it's not sufficient to handle traffic.

Mr. Joseph Kimker stated that he favored the rezoning because the City needs more housing.

Mayor Campbell asked if there was anyone who wished to speak against the rezoning.

Mr. Steve Bishop said he owns the 50-acre tract adjacent to the property for rezoning. He said that the neighborhood is made up of single-family homes. He noted that the area is tranquil and has a lot of old oak trees. He said there is a six-acre tract between my property and the property for rezoning.

Councilmember Daniel asked who owns the six acres he was referring to. Mr. Bishop noted he believes Mr. Wilkes owns it. If he sells it to the developer, I would be looking directly at apartments.

Ms. Diane Brannen said that she favors home ownership but would like to see the Council not do multi-family units. She said there are a lot of multi-family units on Ogeechee Road. She noted that some people have lived in this area for over 60 years, and this could drastically affect the area. She asked the City Council to please take all of this into consideration.

There being no further speakers, Mayor Campbell closed the public hearing. He said the vote would be at the next council meeting on October 3<sup>rd</sup>.

**City Council Minutes:** Councilmember Ruiz motioned to approve the August 15<sup>th</sup> pre-agenda session minutes, council meeting minutes, and the September 12<sup>th</sup> workshop synopsis. The motion was seconded by Councilmember Daniel and passed without opposition.

**City Manager's Report:** The City Manager stated that he has no updates or announcements.

#### **Items for Consideration**

**First Reading - Ordinance, Zoning Map Amendment (Bulloch Corp.):** The Clerk of Council read the first reading of the heading of an ordinance to amend the Zoning Ordinance and Map of Garden City, Georgia, as amended, to rezone the portion of Lot 5 of the Burdette Tract in Garden City, Georgia, owned by Bulloch Corporation, LLC, lying south of a county canal, located at 2782 U.S. Highway 80 in Garden City, Georgia, from its present zoning classification of "C-2" to "P-I-1" zoning classification.

Councilmember Lassiter motioned to deny the ordinance on the first reading. Councilmember Morris seconded the motion. Councilmember Lassiter, Councilmember Morris, Councilmember Ruiz, Councilmember Tice, and Mayor Campbell voted in favor, with Councilmember Tice opposed.

Mayor Campbell said the motion to deny passed by a vote of 5 to 1. The City Manager noted that no second reading would be needed.

**Resolution, CAT Intergovernmental Agreement:** The Clerk of Council read the heading of a resolution approving an intergovernmental agreement for transit services between the Chatham Area Transit Authority (CAT) and Garden City, Georgia, for the expansion of the fixed route bus services being currently provided by CAT within the City

Councilmember Ruiz motioned to approve the resolution. The motion was seconded by Councilmember Lassiter and passed without opposition.

**Resolution, NextSite Agreement:** The Clerk of Council read the heading of a resolution authorizing Garden City, Georgia, to enter into an agreement with NextSite, LLC, for providing research, marketing, and consulting services aimed at recruiting new commercial development and re-development for certain sites/corridors with Garden City.

The City Attorney clarified that this is a three-year service contract. He noted that the payment would be three annual installments of \$15,000 per year for a total cost of \$45,000.

Councilmember Lassiter motioned to table the item for further study. Councilmember Morris seconded the motion. Councilmember Lassiter, Councilmember Morris, Councilmember Ruiz, Councilmember Tice, and Mayor Campbell voted in favor, with Councilmember Daniel opposed.

**Resolution, Cingular Wireless Agreement:** The Clerk of Council read the heading of a resolution approving the renewal of the tower lease agreement with New Cingular Wireless, PSC, LLC.

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

**Resolution, Public Information Plan:** The Clerk of Council read the heading of a resolution adopting the Garden City Program for Public Information Plan.

Councilmember Lassiter motioned to adopt the resolution. The motion was seconded by Councilmember Daniel and passed without opposition.

**Resolution, Retiree Medical Coverage Benefit:** The Clerk of Council read the heading of a resolution establishing employee medical coverage benefits for city retirees at least 55 years old with at least 20 years of credited service.

After a brief discussion, the City Council voted unanimously to adopt the resolution establishing employee medical coverage for city retirees 55 years old with 20 years of service.

**Resolution, Bazemore Park Parking Lot Area Site Clearing Contract:** The Clerk of Council read the heading of a resolution authorizing the City Manager to enter into a contract with Eastern Excavating Company to clear land behind the City's water treatment plant on Bud Brown Drive to create additional parking space for Bazemore Park.

Councilmember Morris motioned to adopt the resolution. The motion was seconded by Councilmember Tice and passed without opposition.

**Resolution, Police Vehicle Replacement:** The Clerk of Council read the heading of a resolution that authorizes the City Manager to sign a purchase contract or purchase order for a police patrol vehicle to replace the car taken out of service due to sustained damage in a vehicular accident.

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

**Resolution, State Properties Commission's Quitclaim Deed:** The Clerk of Council read the heading of a resolution accepting conveyance from the State of Georgia, through its State Properties Commission, of title to a 1.350-acre portion of the State Farmers Market located in the northwestern quadrant of the intersection of U.S. Highway 80 and Anderson Avenue in Garden City, Georgia, together with temporary construction easement rights to an adjacent 0.481-acre area, for the expansion of Anderson Avenue (future Alfred Street).



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

**City Council At-Large Seat Appointment:** Mayor Campbell asked the City Attorney to elaborate. The City Attorney read the Code Section of the Charter about vacancies on the Council. He said, as you know, the at-large seat came vacant when Mr. Campbell became Mayor. Therefore, the remaining members of the Council need to appoint a replacement to sit in that seat under our Charter. He said that is what we need to do tonight if that is what you want. Mayor Campbell stated that is what we want to do.

Councilmember Daniel asked whether we are voting on Councilmember at-large or Mayor Pro-tem. The City Attorney replied you are voting on the at-large seat. The City Manager said the Mayor Pro-tem would be voted on at the next council meeting on October 3<sup>rd</sup>.

Mayor Campbell opened the floor for nominations from the City Council.

Councilmember Ruiz nominated Gwyn Hall. Councilmember Morris nominated Donna Williams. Councilmember Lassiter nominated Gary Monroe. Councilmember Tice nominated Gwyn Hall. The City Attorney stated that you would need to vote on them one at a time.

Mayor Campbell asked all in favor of Donna Williams. Councilmember Morris voted in favor of Donna Williams.

Mayor Campbell asked all in favor of Gary Monroe. Councilmember Lassiter voted in favor of Gary Monroe.

Mayor Campbell asked all in favor of Gwyn Hall. Councilmember Daniel, Councilmember Ruiz, Councilmember Tice, and Mayor Campbell voted in favor of Gwyn Hall.

Councilmember Lassiter noted that Gwyn Hall would have to relinquish his seat on the Ethics Committee. The City Manager stated that would be at another meeting. He said you are welcome to do that at the October 3<sup>rd</sup> meeting.

Councilmember Lassiter asked Mayor Campbell to explain to the public the difference between the at-large seat and the pro-tem seat since it is two nominations.

Mayor Campbell stated that the at-large seat is councilmember like a regular councilmember, but his district is the whole City of Garden City, and the mayor pro-tem takes the place of the mayor if anything was to happen to the mayor. Like when Don Bethune stepped down, I stepped in because I was mayor pro-tem. He said we would vote on the mayor pro-tem at the October 3<sup>rd</sup> council meeting. He said we are only voting on the at-large seat tonight.

Councilmember Daniel asked when Mr. Hall would be sworn in. The City Manager said on October 3<sup>rd</sup>.

Councilmember Morris asked if the public would have a chance to address the Council on this. The City Manager replied at the end of the meeting during the informal public comment portion.

Councilmember Lassiter asked if something were to happen to Mayor Campbell, who would take his spot since we do not have a mayor pro-tem. Mayor Campbell replied that the President of Council would step

in. The City Manager stated that Marcia Daniel is the President of Council, so she would step in if something happened to the mayor. He said that since this is not an election, we will separate the votes, so there is no confusion. He noted that if this was an election typically mayor pro-tem goes with the at-large seat when it is elected by the people. Since this is an appointment, it has to be voted on by you all.

**Receive Informal Public Comment:** Mayor Campbell opened the floor for 15 minutes to receive public comments.

Kelly Holt, residing on Nelson Avenue, stated that she wanted to know why we, as residents can't vote on mayor pro-tem at a special election. She said we are the ones paying the taxes, and you all are the ones making the choices, which is not fair to the residents. She said can you all answer that?

The City Manager stated that the purpose of the open forum was for the Council to hear the citizen's concerns. If the Council chooses to respond, they can, but they don't have to.

The City Attorney stated that the answer to your question is that our city is governed by our Charter, which is passed by the state legislature. He said that he had been asked to look at changing the Charter, and until that occurs, we have an obligation to follow the law that the state legislature passed. If the process needs to be changed, the Council will make that decision, and then we will go forward with that process, but today you have got to follow the Charter as it is written.

Ms. Holt asked if the citizens would have a say in changing the Charter. The City Manager stated that the workshops are open to the public.

A District 3 resident asked if changes to the Charter were asked for before you made the appointment. He said if a council member asked for changes before you made the appointment, why did you wait until after the appointment to try to make changes? You all couldn't wait to make the appointment until after changes to the Charter could be made. The City Manager said that the provisions in the Charter had been there for over a decade. He said it takes a majority vote to change the Charter because it is a law. He said this is not something the city puts in place at random. It must be passed by the Legislature. The Legislature passed the Charter that is in place now, so it is the law.

Donna Williams, residing on Varnedoe Avenue stated that when the previous mayor resigned, she got all kinds of calls. She said that the residents feel there is no transparency in Garden City. She noted that the Neighborhood Association was formed so that we could have a better relationship with the city government and residents so that they are not in the dark. The fact that an outdated Charter is being followed is a concern. We just had an election last year, and this is a three-year appointment that you have taken out of the residents' hands. She said some of us contacted the Election Board, and they said we should ask the City Manager to look at the election laws. We need to make sure that all of the residents have a say because it is no surprise that there is always going to be a certain group of individuals voting altogether regardless of whether it is good for the entire city. She said you all should be listening to the residents. She noted that certain council people come to the Neighborhood Association meetings, and the residents want to see each of their council persons attend the Association meetings.

The City Attorney stated that as far as what our State Statutes say and the Constitution say, they all refer to our Charter at the time of the resignation, which is the law that applies.

Ms. Williams said that it would have been good for this to have been explained at last month's resident's meeting so everyone would know. She said that if you all are voting at the next council meeting on a mayor pro-tem, then that is going to leave a seat open in a district. The City Attorney said no, they will need to choose amongst themselves who is going to serve as mayor pro-tem. She asked if the Mayor Pro-tem would still represent his/her district. The City Attorney said yes. If there had been an election, the person would have automatically been appointed mayor pro-tem. Since Gwyn Hall was appointed and not elected, the Charter dictates that the council members fill that position. The City Attorney noted that this is not the only time this has happened, and the same procedure has been followed.

Corey Foreman, Rowe Avenue, stated that I think Garden City has a serious ethics problem. He said that Don Bethune campaigned specifically for Bruce Campbell and Kim Tice and if that is not a problem within itself, why is he campaigning for the current Mayor Bruce Campbell, and Bruce Campbell is in the seat? Also, why is there always in pre-agenda and other meetings or on Mr. Don's Facebook that there is always a majority of the council members together, and there is a clear separation of the votes? He stated that it is clear as day that there is a separation among everybody, and that is why we can't get things done in Garden City. Councilmember Ruiz asked what things couldn't you get done? Mr. Foreman said do you want me to have everyone come up. The Charter is the law, but it needs to be revisited. He noted that if you all can't see an ethics issue, then I don't know what's wrong because clearly nothing can get done because of the majority.

Mayor Campbell closed the informal public comment portion of the meeting.

**Adjournment:** There being no other items to discuss, Mayor Campbell called for a motion to adjourn the meeting. Councilmember Daniel made a motion to adjourn the meeting at approximately 7:03 p.m. The motion was seconded by Councilmember Ruiz and passed without opposition.

*Transcribed & submitted by: The Clerk of Council*

*Accepted & approved by: The City Council 10/3/22*

ORDINANCE NO. 2022-

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF GARDEN CITY, GEORGIA, AS AMENDED, TO REZONE CERTAIN PROPERTY OWNED BY 1143 & 1445 DEAN FOREST ROAD, LLC, LOCATED AT 1445 DEAN FOREST ROAD IN GARDEN CITY, GEORGIA (CHATHAM COUNTY TAX PARCEL NUMBER 6-0990-01-007), FROM ITS PRESENT ZONING CLASSIFICATION OF "R-A" TO A "R-2" ZONING CLASSIFICATION; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY The Mayor and Council of Garden City, Georgia, and it is hereby ordained by the authority of the same that:

Section 1: The zoning ordinance and zoning map of Garden City, Georgia, as amended, is amended so that the following described property presently owned by 1143 & 1445 Dean Forest Road, LLC, located at 1445 Dean Forest Road in Garden City, Georgia, is rezoned from its present "R-A" zoning classification to a zoning classification of "R-2":

All that certain lot, tract, or parcel of land shown as Lot 3, 18.58 acres, on that certain plat entitled "Recombination Survey: Being a Recombination of Lot 3-A and Lot 3-B of a Subdivision of Lot 3, Dean Forest Acres Subdivision and the Remaining Portion of Parcel 5 of the Pine Forest Tract, 7<sup>th</sup> G.M. District, Garden City, Chatham County, Georgia," prepared by Michael A. Hussey, Georgia Registered Land Surveyor No. 2509, dated April 11, 2019, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 52, Page 37, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distances of the subject property.

The above-described property is the same property which was conveyed by Ardmore Recovery, LLC, f/k/a Emerge Savannah, LLC, to 1143 & 1445 Dean Forest Road, LLC, pursuant to a Limited Warranty Deed dated June 20, 2022, filed for record and recorded on July 6, 2022, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 2850, Page 781.

Chatham County, Georgia Property Identification Number 6-0990-01-007

Property Address: 1445 Dean Forest Road, Garden City, Georgia 31408

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective on the date of passage.

ADOPTED this 3rd day of October, 2022.

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RHONDA FERRELL-BOWLES,  
Clerk of Council

RECEIVED AND APPROVED this the 3rd day of October, 2022.

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BRUCE CAMPBELL, Mayor

Read first time:

Read Second time and approved:



## **GARDEN CITY RESOLUTION**

WHEREAS, Garden City, Georgia, desires to order five (5) 2023 Dodge Durango vehicles (together with associated equipment) to be used as police patrol cars for the total purchase price of \$207,820.00 in order to meet the public safety needs of its police department; and,

WHEREAS, funding for the patrol vehicles is available from the FY2023 budget for the City's Police Department for the purchase of the above-mentioned vehicles which has been allocated as a capital outlay item in the City's FY2023 SPLOST Fund Budget in the amount of \$300,000.00; 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 2023 Dodge Durango vehicles at \$41,564.00 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 2023 Dodge Durango vehicles (together with associated equipment) at the unit price of \$41,564.00 be accepted for the purpose of ordering five (5) such vehicles for a total price of \$207,820.00, and that the City Manager be authorized to sign a purchase order for \$207,820.00 for the purchase of the five (5) vehicles as well as all other documents associated therewith in the name of the City.

BE IT FURTHER RESOLVED that the purchase shall be funded from the City's SPLOST Fund revenue as provided for in the City's FY 2023 budget for the City's Police Department.

ADOPTED AND APPROVED this 3<sup>rd</sup> day of October 2022.

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RHONDA FERRELL-BOWLES, Clerk of council

Received and approved this 3<sup>rd</sup> day of October 2022.

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BRUCE CAMPBELL, Mayor

# BUTLER CHRYSLER DODGE JEEP RAM



188 ROBERT SMALLS PKWY, BEAUFORT, SC 29906

843-522-9696

9/21/2022

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

<b>Cell:</b>	
<b>Phone:</b>	
<b>Fax:</b>	

<b>Make:</b>	Dodge
<b>Model:</b>	Durango Pursuit Vehicle AWD
<b>Year:</b>	2023
<b>Color:</b>	DB Black
<b>VIN:</b>	t/b/d
<b>Stock #:</b>	t/b/d
<b>Mileage:</b>	10

<b>Make:</b>	
<b>Model:</b>	
<b>Year:</b>	
<b>Color:</b>	
<b>VIN:</b>	
<b>Stock #:</b>	
<b>Mileage:</b>	
<b>ACV:</b>	

<b>MSRP</b>	\$46,315.00
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<b>Sale Price</b>	\$41,564.00
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Options Included		
5.7L V8 HEMI MDS VVT Engine	8-Speed Auto 8HP70 Transmission	included in price
Cloth Front Bucket & Rear Seats	Vinyl Flooring Throughout	included in price
Black Steel Wheels w/Chrome Cap	Full Size Spare	included in price
Security Alarm	Remote Keyless Entry	included in price
Blind Spot & Cross Path Protection		included in price
Options Total		\$0.00

<b>Sub Total</b>	\$41,564.00
DOC	
Tag	
5% IMF/Tax (SC)	
<b>Balance Due</b>	\$41,564.00

Manager Tina Neill

Customer \_\_\_\_\_



I, **Gwyn Hall**, do solemnly swear that I will faithfully perform the duties of **City Council Member of The City of Garden City, Georgia**, and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America. I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of Georgia. I have been a resident of the City of Garden City for the time required by the Constitution and laws of this State and by the municipal charter. I will perform the duties of my office in the best interest of the City of Garden City to the best of my ability without fear, favor, affection, reward, or expectation thereof.

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**Gwyn Hall, City Council Member (At-Large)**  
**Garden City, Georgia**

Sworn to and subscribed before  
me this 3rd day of October 2022

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James P. Gerard, Esquire  
Pro-tem Judge, Municipal Court of Garden City, Georgia  
NOTARY PUBLIC, Chatham County, Georgia