

A G E N D A
City Council Meeting
Monday, March 7, 2022 – 6:00 p.m.

➤ **OPENING**

- **Call to Order**
- **Invocation: Rabbi Haas from Congregation Mickve Israel Synagogue**
- **Pledge of Allegiance**
- **Roll Call**

➤ **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. 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

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?

➤ **Public Hearings**

- **PC2126, Rezoning Request:** Receipt of public comment on a request by Chad Zittrouer, Kern & Company, LLC to rezone 4713 Old Louisville Road, 4711 Old Louisville Road and US Highway 80 from R-1 to I-1.
- **PC2127, Rezoning Request:** Receipt of public comment on a request by Chad Zittrouer, Kern & Company, LLC to rezone 4709 Old Louisville Road from R-1 to I-1.

➤ **Approval of City Council Minutes**

- Consideration of the February 16, 2022 City Council Retreat Minutes and the minutes from the February 21, 2022 Pre-Agenda Session and Council Meeting.

City Manager's Report

- Updates and/or announcements

➤ **ITEMS FOR CONSIDERATION**

- **Resolution, City Manager Appointment:** A resolution to appoint C. Scott Robider as the City Manager exercising all of the authority delegated to that position by State law, the City Charter and the City Code, and as otherwise delegated to that position by the Mayor and Council.
- **Resolution, Emergency Service Procurement for the WWTP:** A resolution to ratify emergency service procurement for the City's Waste Water Treatment Plant.
- **Resolution, Amendment to PTO Sell Back Policy:** A resolution amending the City's personnel policy and procedure employment manual to permit certain city employees to convert paid time off hours to cash at the end of each calendar year subject to certain conditions, and implementation of such policy for fiscal year 2022.
- **Resolution, Amendment to Fire Department's Staffing Level:** A resolution amending the fiscal year 2022 staffing level chart of the City of Garden City, Georgia, to provide for two (1) additional full-time firefighter positions in the fire department through the elimination of two (2) part-time firefighter positions and one (1) full-time administrative position in the fire department.
- **Resolution, Surplus Property (Fire Department's E-One Pumper):** A resolution to classify the Fire Department's E-One Pumper as surplus property and to authorize the disposal of it by the Fire Department.

➤ 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

Ms. Debbie Ruiz
521 Griffin Avenue
Garden City, Georgia

February 28, 2022

Mayor and Council of Garden City, GA
Garden City City Hall
100 Central Avenue
Garden City, GA 31405

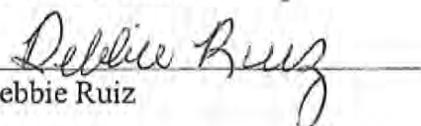
Re: Conflict of interest concerning:
(1) PC2126, Application to Rezone 4713 Old Louisville Road
(P.I.N. 60925 02008), 4711 Old Louisville Road (P.I.N. 60925
02007A) and adjacent US Hwy 80 property (P.I.N. 60926 05017
from R-1 to I-1
(2) PC2127, Application to Rezone 4709 Old Louisville Road
(P.I.N. 60925 02011) from R-1 to I-1

Dear Mayor and Council:

Please be advised that inasmuch as I own property at 521 Griffin Avenue which would be affected by the above-referenced rezoning applications, I am disqualifying myself from taking any official action as a Councilmember on behalf of myself or any other person to influence consideration of the applications. Even though I am disqualifying myself from discussing the rezoning issue as a councilmember and from voting on the rezoning measure, I still may wish to comment on the rezoning matter as a private citizen. Accordingly, during all discussions by Mayor and Council on these re-zoning matters, I shall not be sitting at my normal Council seat, but rather will be sitting in the gallery from where I may choose to voice my personal opinions as a private citizen about the matters.

If you have any questions, please let me know.

Very truly yours,


Debbie Ruiz

JPG/jw



MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Scott Robider – Deputy City Manager
Date: December 10, 2021
Re: PC2126- Kern & Co, LLC

The petitioner Chad Zittrouer, with Kern & Company, is seeking to develop a commercial warehouse for a logistics operation on 10 +/- AC located at 4713, 4711 and 0 Old Louisville Road. The purpose of this petition is to rezone several parcels that are currently zoned R-1 to I-1. The proposed development is to be located adjacent to Griffin Avenue (Woodlawn) which is zoned R-1.

The proposed request has been evaluated against the standards governing the exercise of the Board of Zoning Appeals/Planning Commission powers of Garden City which are as follows;

- 1) Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
Yes. The current zoning posture of the area is a mixture of R-1, I-1 and I-2 and the proposed development will be a reflection of the general area.
- 2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
No. The property is located within a cluster of existing properties currently zoned I-1 and I-2.
- 3) Could traffic be 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?
Yes. Based on the review by the City Staff the location currently has an elevated commercial traffic volume and based on the location of the adjacent neighborhood minor streets will very likely experience a higher incursion of commercial traffic. The proposed warehouse does produce operational noise but it is typically lower than a truck yard or trucking terminal.
- 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?
Yes. The property is currently zoned R-1 which may be used for further residential development and other approved uses permitted within the R-1 zoning classification. Although the requested rezoning to I-1 is reflective of the Future Land Use Map (FLUM) the zoning change may have negative



implications for the adjacent neighborhood resulting in quality-of-life issues for the community at this present time.

- 5) Is there an imminent need for the rezoning and is the property likely to be used for the use requested?

Yes. The development and the rezoning request are compatible with the existing uses in the area. The rezoning is also necessary so that the proposed warehouse can be built if approved.

- 6) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

Yes. The proposed rezoning and development of this property by the petitioner for commercial warehousing will likely create an adverse impact in the immediate area. This plan will likely generate operational noise, truck traffic and significant related safety concerns above that which currently exist.

City Staff Position: The proposed rezoning request is reflective of the Future Land Use Map (FLUM) which shows this property as I-1.

The City Staff has reviewed the above criteria and would recommend further consideration of this request by the Planning Commission.

The Planning Commission's approval of the site plan only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval of the detailed engineering plans for the project through the City's standard process and a Land Disturbance Activity (LDA) Permit must be issued prior to construction. The Petitioner should also note that final approval of the site architectural plans will require City staff approval via its standard process and a building permit must be issued before vertical construction shall commence.

Rezoning Narrative-

The rezoning applications for PIN #'s 6-0925-02-008, 6-0925-02-007A, 6-0926-05-017 & 6-0925-02-011 are a combined 14.1 Acres located off of Old Louisville Road. 3 of the parcels are currently owned by Nick and Rose Sanders and the 4th parcel is owned by Mark and Wendy Backiel. The specific use for the property is unknown at this time, however, the general use is a logistics operation to support the supply chain needs of the area. The property is bordered to the North by Old Louisville Road, to the west by Snider Fleet Solutions (Industrial Use), the property to the south is a planned multi-purpose recreation center and the property to the east is residential. The intent is to provide fencing and security measures in order to protect the development from the proposed recreation use to the south as well as provide a 50' buffer to the adjacent residential properties to the east. It should be noted the Garden City Comprehensive Plan and associated Future Land Use Plan Identify all 4 of the parcels as Industrial.

City of Garden City Rezoning Application



Development Information

Development Name (if applicable)

To Be Determined

Property Address

4713 Old Louisville Rd & 4711 Old Louisville Rd & Rear Parcel

| Current Zoning | Proposed Zoning |
|---|---|
| R-1 | I-1 |
| Current Use | Proposed Use |
| Residential | Logistics Operation |
| Parcel ID | Total Site Acreage |
| 60925 02008 & 60925 02007A & 60926 05017 | 10.5 acres |
| Proposed Water Supply | Proposed Sewage Disposal |
| <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private | <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private |

Describe the current use of the property you wish to rezone, including property characteristics (developed, wooded, cleared, etc.)

Residential structures with remaining areas wooded/undeveloped- one home is in disrepair

Describe the use that you propose to make of the land after rezoning

Logistics Operations - Subject to site plan approval by the Planning Commission

Describe the uses of the other property in the vicinity of the property you wish to rezone

Adjacent property to the West is zoned I-1 with an active transportation facility in operation at this time and the adjacent property to the East is zoned R-1 and is primarily wooded

Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property

The property adjacent to the west is zoned I-1 with additional I-1 and I-2 present in further towards Dean Forest Rd which makes the proposed Sanders property rezoning a logical extension of the industrial zoning for this area. Additionally the future land use plan adopted by the City identifies the various Sanders parcels as "Industrial". The future site operations and traffic patterns will be designed for western access to and from Dean Forest Rd

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? Describe the proposed access.

Proposed use of the property will limit the impact on City streets and adjacent areas to the East by designing site traffic and operations to the west towards Dean Forest Rd

Please provide any additional information that you deem relevant.

The developer is agreeable to provide enhanced measures to the properties east of the Sanders parcels via earthen berm with vegetation to screen and buffer these areas to address any potential visual or noise concerns. Further, the two R-1 properties adjacent to the east provide approximately 150ft of undisturbed wooded buffer between the cluster of homes on Griffin Avenue.

City of Garden City Rezoning Application



Applicant Information

| Owner | |
|-----------------------|--------------------------------------|
| Name | Address |
| Nick and Rose Sanders | 4713 Old Louisville Rd., Garden City |
| Phone | Email |
| 912-657-5847 | roseandnick45@yahoo.com |

Nature of Ownership Interest

Is the Owner an: Individual Partnership Sole Proprietor Firm Corporation Association

Note: If a corporation, submit a list of officers, directors & major stockholders with name, address and title.

If a partnership: Submit list of all partners with name, address and title.

| Engineer/Surveyor | <input type="checkbox"/> Same as authorized agent <input type="checkbox"/> Check here to receive staff review comments via email |
|---|--|
| Company Name | Contact (Individual Name) |
| Kern & Co., LLC | Chad Zittrouer |
| Phone | Email |
| 912-547-5894 | czittrouer@kernengineering.com |
| Authorized Agent (Requires Authorized Agent Form) | <input type="checkbox"/> Check here to receive staff review comments via email |
| Company Name | Contact (Individual Name) |
| Kern & Co., LLC | Chad Zittrouer |
| Phone | Email |
| 912-547-5894 | czittrouer@kernengineering.com |

Campaign Contribution

List below the names of local government officials, Garden City City Council, to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

| Elected Official's Name | Amount or Description of Gift |
|-------------------------|-------------------------------|
|-------------------------|-------------------------------|

I understand that I will need to attend or be represented by a duly authorized agent at the meeting of the Planning Commission and City Council and that my application cannot be approved unless I am represented.

Chad Zittrouer

Print Name



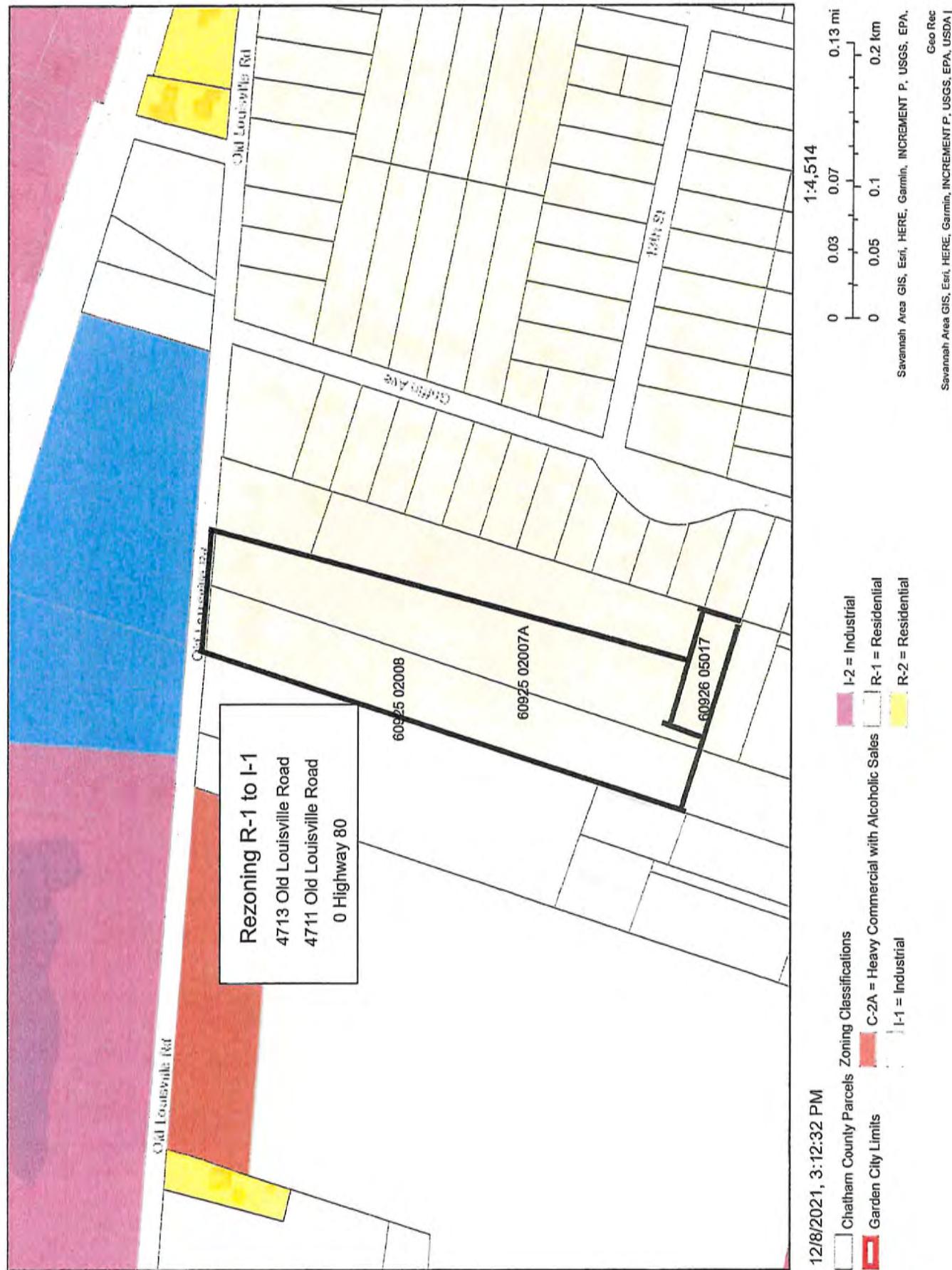
11/1/21

Date

| OFFICE USE ONLY | | | |
|--|-----------------|----------------|--------|
| Received By | Date Received | Case Number | |
| Submittal Format | Fee Amount Paid | Invoice Number | PC2126 |
| <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both | | | |

- (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?

PC2126



PC2126





MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Scott Robider – Deputy City Manager
Date: December 10, 2021
Re: PC2127 - Kern & Co, LLC

The petitioner Chad Zittrouer, with Kern & Company, is seeking to develop a commercial warehouse for a logistics operation on 4 +/- AC located at 47089-B Old Louisville Road. The purpose of this petition is to rezone several parcels that are currently zoned R-1 to I-1. The proposed development is to be located adjacent to Griffin Avenue (Woodlawn) which is zoned R-1.

The proposed request has been evaluated against the standards governing the exercise of the Board of Zoning Appeals/Planning Commission powers of Garden City which are as follows;

- 1) Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
Yes. The current zoning posture of the area is a mixture of R-1, I-1 and I-2 and the proposed development will be a reflection of the general area.
- 2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
No. The property is located within a cluster of existing properties currently zoned I-1 and I-2.
- 3) Could traffic be 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?
Yes. Based on the review by the City Staff the location currently has an elevated commercial traffic volume and based on the location of the adjacent neighborhood minor streets will very likely experience a higher incursion of commercial traffic. The proposed warehouse does produce operational noise but it is typically lower than a truck yard or trucking terminal.
- 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?
Yes. The property is currently zoned R-1 which may be used for further residential development and other approved uses permitted within the R-1 zoning classification. Although the requested rezoning to I-1 is reflective of the Future Land Use Map (FLUM) the zoning change may have negative



implications for the adjacent neighborhood resulting in quality-of-life issues for the community at this present time.

- 5) Is there an imminent need for the rezoning and is the property likely to be used for the use requested?

Yes. The development and the rezoning request are compatible with the existing uses in the area. The rezoning is also necessary so that the proposed warehouse can be built if approved.

- 6) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

Yes. The proposed rezoning and development of this property by the petitioner for commercial warehousing will likely create an adverse impact in the immediate area. This plan will likely generate operational noise, truck traffic and significant related safety concerns above that which currently exist.

City Staff Position: The proposed rezoning request is reflective of the Future Land Use Map (FLUM) which shows this property as I-1.

The City Staff has reviewed the above criteria and would recommend further consideration of this request by the Planning Commission.

The Planning Commission's approval of the site plan only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval of the detailed engineering plans for the project through the City's standard process and a Land Disturbance Activity (LDA) Permit must be issued prior to construction. The Petitioner should also note that final approval of the site architectural plans will require City staff approval via its standard process and a building permit must be issued before vertical construction shall commence.

City of Garden City Rezoning Application



Development Information

Development Name (if applicable)

To Be Determined

Property Address

4709 Old Louisville Rd

(4709 B) B

| Current Zoning | Proposed Zoning |
|---|---|
| R-1 | I-1 |
| Current Use | Proposed Use |
| Residential | Logistics Operation |
| Parcel ID | Total Site Acreage |
| 60925 02011 | 3.62 acres 3.99 acres B |
| Proposed Water Supply | Proposed Sewage Disposal |
| <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private | <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private |

Describe the current use of the property you wish to rezone, including property characteristics (developed, wooded, cleared, etc.)

Residential structure with remaining areas wooded/undeveloped

Describe the use that you propose to make of the land after rezoning

Logistics Operations - Subject to site plan approval by the Planning Commission

Describe the uses of the other property in the vicinity of the property you wish to rezone

Adjacent property to the West of the project is zoned I-1 with an active transportation facility in operation at this time

and the adjacent property to the East is zoned R-1 and is primarily wooded

Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property

The property adjacent to the west is zoned I-1 with additional I-1 and I-2 present in further towards Dean Forest Rd which makes the proposed Backiel property rezoning a logical extension of the industrial zoning for this area. Additionally the future land use plan adopted by the City identifies the various Backiel parcels as "Industrial". The future site operations and traffic patterns will be designed for western access to and from Dean Forest Rd

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? Describe the proposed access.

Proposed use of the property will limit the impact on City streets and adjacent areas to the East by designing site traffic and operations to the west towards Dean Forest Rd

Please provide any additional information that you deem relevant.

The Developer is agreeable to provide enhanced measures to buffer the properties east of the Backiel parcels via an earthen

berm with vegetation specifically designed to screen and buffer these residential areas

Rezoning Narrative-

The rezoning applications for PIN #'s 6-0925-02-008, 6-0925-02-007A, 6-0926-05-017 & 6-0925-02-011 are a combined 14.1 Acres located off of Old Louisville Road. 3 of the parcels are currently owned by Nick and Rose Sanders and the 4th parcel is owned by Mark and Wendy Backiel. The specific use for the property is unknown at this time, however, the general use is a logistics operation to support the supply chain needs of the area. The property is bordered to the North by Old Louisville Road, to the west by Snider Fleet Solutions (Industrial Use), the property to the south is a planned multi-purpose recreation center and the property to the east is residential. The intent is to provide fencing and security measures in order to protect the development from the proposed recreation use to the south as well as provide a 50' buffer to the adjacent residential properties to the east. It should be noted the Garden City Comprehensive Plan and associated Future Land Use Plan Identify all 4 of the parcels as Industrial.

City of Garden City Rezoning Application



Applicant Information

| | |
|------------------------|---|
| Owner Name | Address |
| Mark and Wendy Backiel | 4709 Old Louisville Rd <i>(4709 B)</i> |
| Phone | Email |
| 912-655-4259 | markid0890@aol.com |

Nature of Ownership interest

Is the Owner an: Individual Partnership Sole Proprietor Firm Corporation Association

Note: If a corporation, submit a list of officers, directors & major stockholders with name, address and title.

If a partnership: Submit list of all partners with name, address and title.

| | |
|--|--|
| Engineer/Surveyor Company Name | <input type="checkbox"/> Same as authorized agent <input type="checkbox"/> Check here to receive staff review comments via email |
| Kern & Co, LLC | Contact (Individual Name) Chad Zittrouer |
| Phone | Email czittrouer@kernengineering.com |
| 912-547-5894 | |
| Authorized Agent (Requires Authorized Agent Form) | |
| Company Name | <input type="checkbox"/> Check here to receive staff review comments via email |
| Kern & Co, LLC | Contact (Individual Name) Chad Zittrouer |
| Phone | Email czittrouer@kernengineering.com |
| 912-547-5894 | |

Campaign Contribution

List below the names of local government officials, Garden City City Council, to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

| Elected Official's Name | Amount or Description of Gift |
|-------------------------|-------------------------------|
|-------------------------|-------------------------------|

I understand that I will need to attend or be represented by a duly authorized agent at the meeting of the Planning Commission and City Council and that my application cannot be approved unless I am represented.

Chad Zittrouer
Print Name

Signature

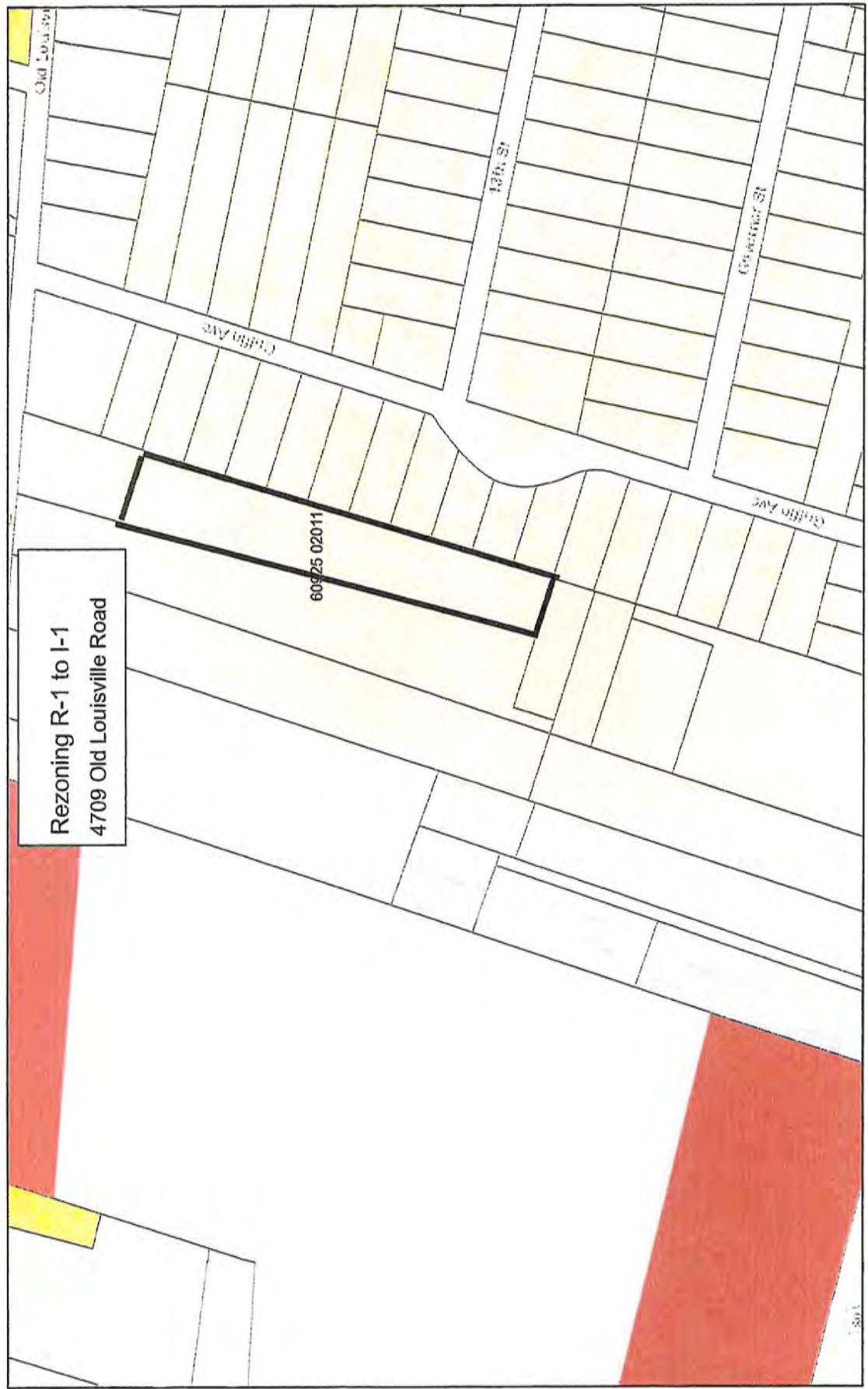
11/24/12
Date

| OFFICE USE ONLY | | | |
|--|-----------------|---------------|----------------|
| Received By | Date Received | Case Number | Invoice Number |
| Submittal Format | Fee Amount Paid | <i>PC-127</i> | |
| <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both | | | |

(e) *Criteria for enactment.* 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?

PC2127

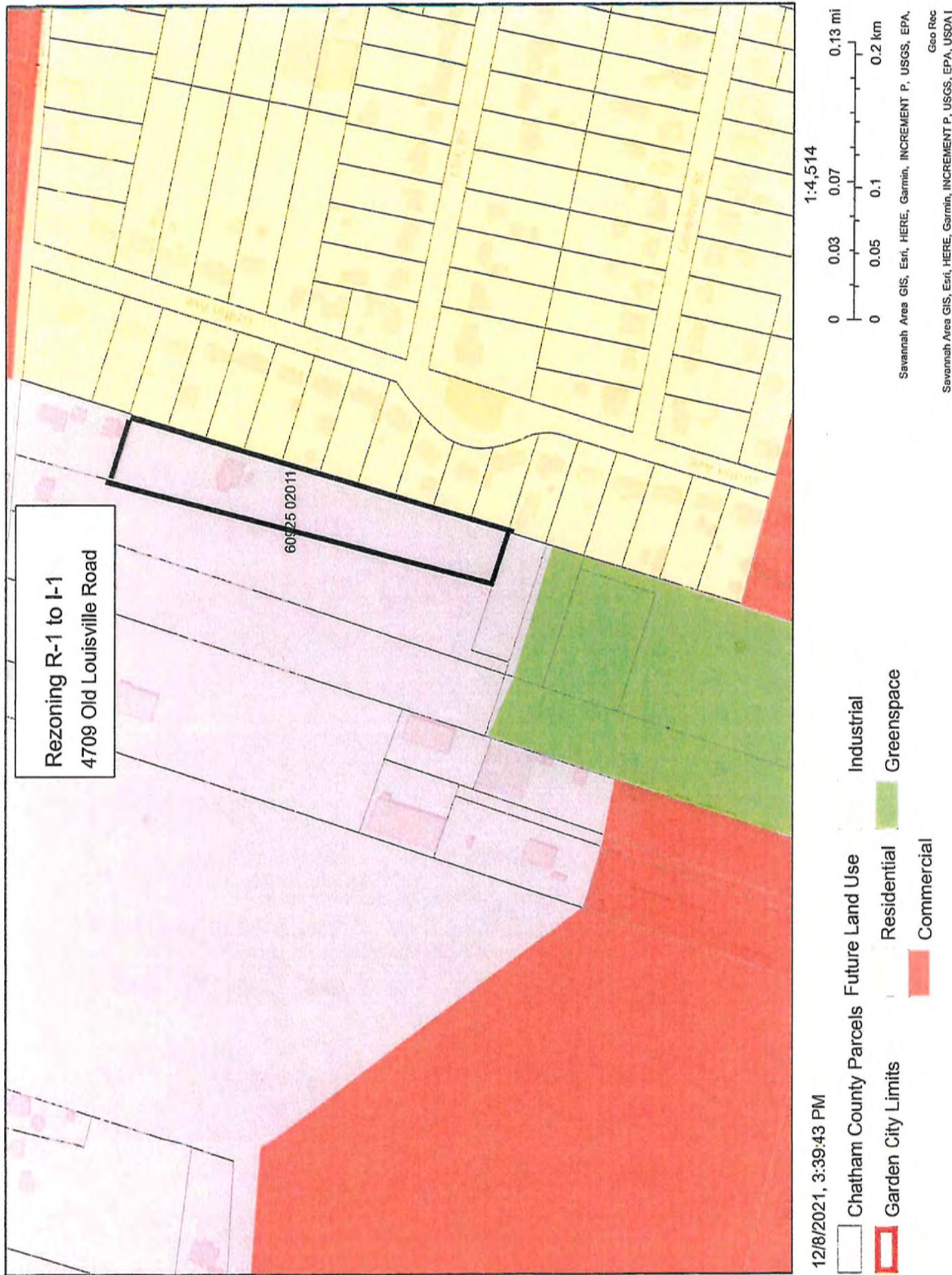


12/8/2021, 3:41:23 PM

- Chatham County Parcels Zoning Classifications
- Garden City Limits
- C-2A = Heavy Commercial with Alcoholic Sales
- R-1 = Industrial
- R-2 = Residential
- R-A = Residential - Agricultural
- Geo Rec

Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA
Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

PC2127



SYNOPSIS
City Council Retreat
Wednesday, February 16, 2022 – 8:30 a.m.
Mighty Eighth Air Force Museum

Call to Order: Mayor Bethune called the city council retreat to order at approximately 8:30 a.m.

Attendees

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

New Gym - Partnership with the County: Dennis Jones, CEMA Director and Jonathan Hart, County Attorney discuss the potential partnership between the County and Garden City on the building of the new gym, which could also serve as an emergency shelter facility in the event of a hurricane etc.

Jonathan Hart stated that the County's Recreation Authority did a countywide recreation study and they are looking for sites to build two court and four court facilities. He stated that the County has SPLOST money for recreation. He stated that it is hard to find sites and you all have a site that the County would be interested in partnering with you on. He stated that we are not interested in managing the day-to-day operations of the facility. He stated that the County Manager is behind exploring a partnership and I feel the Commission would be behind it too.

Dennis Jones stated that we are committed to exploring a partnership. He stated that we would like to look at this being a full disaster center with a full-service kitchen and ample parking.

Jonathan Hart said that the County is looking at gym concepts. Mayor Bethune stated that we already have a concept and we are not looking at dragging this out.

City Attorney asked if the County had any arrangements of this type with other cities. Mr. Hart stated that we are currently doing something with HUD and have a use agreement with them. Mr. Jones stated that we are looking at a similar partnership with the Airport for their police.

Mr. Hart asked if the city owned any property contiguous to the gym site. City Attorney stated that the city owns the property adjacent to the gym. He stated that we haven't reached an agreement with the school board yet.

City Manager stated that we are just scratching the surface on this project. We have to discuss our options.

New Gym Financing: Tom Gray, Attorney and William Camp with Raymond James gave an overview of the financing process for the new gym. He stated that the payments can be structured on how you want to pay.

Mayor Bethune stated that you have provided us with a lot of good information for us to consider.

Georgia Ports Authority Update: Brandy Blige with GPA Governmental Affairs gave a presentation on the Georgia Ports growth.

Mayor and City Council posed questions pertaining to truck traffic and trains. Ms. Blige stated that Port Police only have jurisdiction on the Port's terminal. She stated that we have legislation being considered during this session that would allow the Port's Police to work with the truck traffic outside our terminal.

City Attorney stated if they are enforcing outside the gates don't you have to have a joint agreement in place. Ms. Blige stated that she wasn't aware of having to have an agreement.

Councilmember Tice stated that is hard to see the traffic signals when you are behind the semi-trucks. She asked if the Ports could look into having extra lights installed to the side of the original traffic signals so they can be seen. Ms. Blige stated that GDOT would have to do a study.

City Manager stated that the Ports has the power and leverage with the Railroads to make things better with the train traffic. He stated that GPA realizes that the faster they can move traffic the better it is for them and the city. He stated that they have done a study on overpasses to help alleviate the truck traffic.

Councilmember Lassiter stated that we used to have a commercial traffic unit that worked with the trucks. Mayor Bethune stated the Chief is working to see what has to be done to re-establish the unit.

Mayor Bethune stated that he would like to have Ms. Blige attend the next neighborhood association meeting. Ms. Blige stated that she would be happy to attend the next neighborhood association meeting to provide information to the residents.

Railroad Updates

CSX: Craig Camuso, CSX Governmental Relations gave an update on the growth of CSX railroad. He stated that the mega rail will allow us to get the trains out quicker.

A discussion ensued on trains blocking the crossings on Wheathill Road and Big Hill Road. Mr. Camuso stated that we are continuing to work on not blocking the crossings. He stated that during the first week in April we will be closing the crossings on Wheathill Road and Big Hill Road for a two-day period to replace the tracks, because they are in bad condition. He stated that we will work with Scott to get the residents in and out during this period. He stated we have about six weeks to get a plan in place before the work is to be done.

Mayor Bethune ask Mr. Camuso if he could get a commitment from him and CSX to meet with the Georgia Ports Authority, Norfolk, and the City to see how some issues can be handled. Mr. Camuso stated that they would be to meet.

Mayor Bethune asked when will Highway 21 stop being block at major rush hours. Mr. Camuso stated the track on Highway 21 has been a challenge and I will have to get back to you. Mayor Bethune stated that we need more coordination with the railroad on their part.

Councilmember Tice stated that she represents District 5 where the main crossings are located. She stated that residents are complaining about the trains blowing their horns at midnight and in the wee hours of the morning. She stated that we had this problem before and things got better, but now they are starting to blow the horns again. Mr. Camuso stated that there are federal requirements on how train horns are being blown. He stated that he would look into it.

Norfolk Railroad: Connor Poe with Norfolk Southern gave an update on the growth of Norfolk railroad. He stated that we do not expect the train traffic to decrease.

Mayor Bethune stated that you all have been telling us for years to be patient that things would get better once the mega rail is finished. Now you are telling us that nothing is going to change. He stated we need to have a meeting with CSX, Norfolk, and GPA to discuss the train traffic.

Fire Fee Industrial / Commercial: Ed DiTommaso with GMC provide an overview of the fire fee rate structure changes and potential revenue impacts. He stated we would look at the fire fee structure to see how much of the cost could be shifted to industrial / commercial instead of residential. He stated that in 2009 when the fire rate structure was implemented the city didn't want to take development away from the area.

City Manager stated that industrial is required to have a sprinkler system and under the current policy they are getting a credit. He stated that if its new construction of a church they would receive a credit for installing a sprinkler system, but industrial is required to have a sprinkler system so they shouldn't receive the credit.

City Attorney stated that any increase in the fee would have to be supported by showing the relationship between the fee and service value. He stated if you change the fee it will have to be comprehensive not just to raise revenue. If you all decide to move forward with doing a study then you will have to show a reason for the increase. He stated that citizens are challenging fire fees, because we are supposed to provide fire protection service.

Special Tax Districts / CID's / Other: City Attorney gave a brief overview of special tax districts and CID's. He stated that special tax districts require you to have a CIP plan submitted to the state and you would be obligated to construct new systems. He stated that you could put in a new road, but not redo an existing road. A citizens advisory committee would have to be appointed and public hearings would have to be held. He stated that the way we have been accomplishing improvements to our infrastructure through the use of development agreements is the way to do it.

City Attorney stated that in community investment districts each subdivision is like a mini government. He stated in order to get them implemented over half of the district would have to petition the city.

Haynes School Property Development: Richard Bell, with Bell Realty stated that we received fifteen offers. He stated that your packet includes the top four offers. He stated that we have a May 20th deadline for the federal program. He stated that the 9% program consists of creating a private / public partnership and is designed to get government out of the program. He stated that they would be looking at doing seventy – two units on approximately five acres which leaves the other acres for recreation.

Mayor Bethune stated that we have got to put this out for bid. City Attorney stated that you would weigh each bidder based on the criteria that Mr. Bell has. Mayor Bethune stated that we need to decide quickly on what we want to do, because May 20th is the deadline for the program.

City Attorney stated that he wasn't sure if there was enough time to meet the deadline. He stated that what you will need to do is contract for a site plan and market study to be done. He stated that the bid process and rezoning would need to be done by the city.

Mr. Bell stated that workforce housing and senior housing are more palatable to the area. He stated that workforce housing is more in demand.

Mayor Bethune stated that the back half of the property could be used for the construction of a community center, walking trails, etc.

City Manager stated that we would take a portion of the sale proceeds and put it back into the recreation portion of the development. Mr. Bell stated that the developer is going to want to see the city's plan.

Mr. Bell stated that he recommends going with the highest bidder who has the most experience in this type of program. City Manager stated that the city will have to decide how much property to offer. Mr. Bell stated that instead of thinking how many acres, start thinking of how many units you want. Seventy-two units is the norm. He stated that the unit count will drive the price.

Mr. Bell stated that the next steps are to get the rezoning process started, select a developer, and start the community engagement.

Mayor Bethune asked how can we pick a developer before going through the bidding process. City Attorney stated that we need to go through the bidding process first. He stated that we need a scope to bid on.

Mayor Bethune stated that we need to start with the rezoning and write the scope. He stated that Mr. Bell can work with Scott on the scope. City Attorney stated that you need to determine what goes on the property. Mayor Bethune stated that we need to get input from Council.

Mayor Bethune stated that this is a lot of work to get done by the deadline.

City Attorney asked Mr. Bell if he thought we had enough points. Mr. Bell replied yes, that is why we got fifteen offers.

City Manager stated that we get points, because of the housing team component. Mr. Bell stated that you get two points toward the scoring process.

City Attorney asked how many points do you have to have. Mr. Bell replied, 70 – 72 points. He stated that points fluctuate from year to year. He stated that he has scored sites throughout the state of Georgia and has pretty good idea of what the score needs to be.

City Attorney asked what does it require to get points. Is it required that you have a housing team?

Mr. Bell stated that it is good to have a letter from the housing team supporting the application. Mayor Bethune stated that the letter can come from the Mayor in support of the application. It doesn't have to be signed by the housing team it can be signed by the Mayor

Mayor Bethune stated that Scott, Jim, and Mr. Bell need to meet to discuss the scope and bidding process. City Manager stated that we will need to use an engineer to draft the scope and handle the bidding process.

After a brief discussion, City Council's consensus was to look at doing the application next year due to time constraints for applying this year.

Proposed New Gym: Denise Grabowski, with CHA stated that we had numerous community meetings to find out what the citizens wanted in a new gym. The entire development was designed by the community. Dual courts are proposed for the new gym and the grass fields have been changed to synthetic fields to allow for the fields to be used for sports other than football.

City Manager stated that we will be able to stay open while the new gym is being built.

Councilmember Tice asked about how the new bleachers would be done. Ms. Grabowski stated that the bleachers would be ADA complaint. She stated that the bleachers can be discussed in more detail during the site plan process.

Mayor Bethune stated that we will solicit bids for an Architect for the proposed new gym. He stated that we went back and added in the master estimated the cost to furnish the gym along with the cost to install artificial turf. Recreation Director stated that everyone building soccer fields, etc., is installing artificial turf.

Ms. Grabowski stated that the design would take approximately six months and permitting about three months. She stated that the bid / build process is a longer process. She stated that if you consider this project as a construction manager at risk project then it allows you to be able to package certain areas while working on other areas. She stated that it would take about two months to get a construction manager on board. She stated that construction would be approximately ten months. She stated that you are looking at approximately twenty months or just shy of two years from start to finish.

Mayor Bethune stated that he asked Ms. Grabowski to look at the city for areas to put pocket parks and a band shell. Ms. Grabowski stated that you would have to identify the intended purpose of how the band shell would be used.

Mayor Bethune stated that I also asked her to look at how the County facility off Highway 17 by the Progressive Center could be used. He stated there is an opportunity for us to be involved with this area through a memorandum of understanding with the County. City Manager stated that this could be a worthwhile investment, because that area of town has a large population. He stated that we need to make sure that District 1 and District 2 are represented with recreation.

Mayor Bethune stated that GPA can help with funding some of our recreation needs. Councilmember Tice stated that we can look at asking businesses to pitch in to donate playground equipment.

City Manager stated that we can look at doing a pavilion at the new gym for gatherings outside the gym.

Mayor Bethune stated that I've also asked Ms. Grabowski to look at putting together a site plan for the GDOT property next to Sharon Park. He stated that we have reached out to GDOT and expressed our interest in acquiring the property.

City Hall Media Sign: City Manager presented design options to Council. He stated the cost of the sign ranges from \$69,000 to \$150,000 depending on the design you select. He stated that the sign needs to be visible from both sides of the road.

Councilmember Lassiter stated that we need to wait on making a decision on the design since we don't have all of council here.

Mayor Bethune asked the City Manager to get bids in for the signs and put it on a workshop agenda for further discussion.

Property Tax: City Manager presented a presentation on different millage rate options. He stated that he was not telling council to raise the millage rate, but given that we keep rolling back the millage rate it may be time to open a discussion about millage rate.

Personnel: Mayor Bethune called for a motion to go into executive session to discuss personnel. Councilmember Lassiter made a motion to enter into an executive session at approximately 3:40 p.m. The motion was seconded by Councilmember Tice and passed without opposition.

Transcribed & submitted by: Clerk of Council

Accepted & approved by: City Council 3/7/22

Synopsis
City Council Pre-Agenda Session
Monday, February 21, 2022 – 5:30 p.m.

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

Attendees

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

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

Review of Council Agenda Items: City Manager provided an overview of the council agenda items.

City Manager stated that staff is preparing two resolutions to bring before you for consideration at the next council meeting. He stated that the first resolution is to amend the fire department's staffing level to reduce the part-time firefighter positions in order to increase the full-time fire fighter positions. The second resolution is to amend the PTO buy back policy to allow employees to sell back 40 hours or 80 hours of PTO during the month of December. He stated that we want to get the PTO resolution before you as soon as possible so employees can plan their time.

City Manager stated that council has decided that we will look at doing the Haynes property development next year due to the time constraints for submitting the application by May 20th.

City Manager stated that contractor is working on getting the clarifiers back operational at WWTP.

City Manager stated that the transit wagon on the agenda will be used for council travel to and from educational / training events. He stated that administration staff and other departments will be able to use the van for community events, etc. He stated that we budgeted for a vehicle in the FY22 budget for the planning, zoning and building department so we will have to transfer the funds to the executive department during the mid-year or year-end budget amendment process.

Councilmember Lassiter asked the City Manager if he received the results from the paving study. City Manager stated that the results should be back this week.

City Manager introduced Yolanda Irizarry as the new Human Resources Director. He stated that she comes to us from the City of Port Wentworth. He stated that she was not one of the employees who abruptly left Port Wentworth. He stated that she already gave her thirty-day notice.

Mayor Bethune stated that he appreciated all of the work staff did for the retreat. He stated that I feel we learned a lot in the retreat.

Mayor Bethune brief council on his conversation with Connor Poe with Norfolk Southern Railroad. He stated that Norfolk Southern will be taking up the tracks in old Garden City and will put grass down. He stated that Norfolk plans to apply for a Rails and Trails Grant in late 2023 after the tracks are removed. He stated that we are working to schedule a meeting with both railroad and GPA to discuss other train issues as well as Councilmember Morris' concerns.

Councilmember Morris stated that the train was blocking the track forty minutes yesterday. Mayor Bethune stated that it is going to take both railroads working together with GPA to resolve the train issues.

City Manager stated that we had someone from Champion Fire sign up for the informal public comment portion of the meeting.

Chief of Police briefed council on the two police chases that took place over the weekend. He stated that our police department was not involved in the chases. He stated that one of the chases started in Savannah and the other in Port Wentworth and ended in Garden City.

Adjournment: There being no further items to discuss, Mayor Bethune and City Council adjourned the pre-agenda session at approximately 6:50 p.m.

Transcribed & submitted by: Clerk of Council

Accepted & approved by: City Council 3/7/22

M I N U T E S
City Council Meeting
Monday, February 21, 2022 – 6:00 p.m.

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

Opening: Pastor Green from Everlasting Life Christian Church gave the invocation and Mayor Bethune led City Council in the pledge of allegiance to the flag.

Roll Call

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

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

Public Hearings:

PC2126, Rezoning Request: Mayor Bethune stated that we have a request by Chad Zittrouer, Kern & Company, LLC to rezone 4713 Old Louisville Road, 4711 Old Louisville Road and US Highway 80 from R-1 to I-1. He stated that the petitioner has requested a continuance until the next council meeting on 3/7/22.

Mayor Bethune stated that the petitioner has requested a continuance until the March 7th council meeting.

Councilmember Campbell made a motion to continue the public hearing until the March 7th council meeting. The motion was seconded by Councilmember Tice and passed without opposition.

PC2127, Rezoning Request: Mayor Bethune stated that we have a request by Chad Zittrouer, Kern & Company, LLC to rezone 4709 Old Louisville Road from R-1 to I-1. He stated that the petitioner has requested a continuance until the next council meeting on 3/7/22.

Mayor Bethune stated that the petitioner has requested a continuance until the March 7th council meeting.

Councilmember Lassiter made a motion to continue the public hearing until the March 7th council meeting. The motion was seconded by Councilmember Tice and passed without opposition.

City Council Minutes: Councilmember Campbell made a motion to approve the minutes from February 7, 2022 pre-agenda session and council meeting. The motion was seconded by Councilmember Tice and passed without opposition.

City Manager's Report: City Manager stated that the staff reports were included with the council agenda packet. He stated that we will have the PTO buy back resolution and fire department staffing level resolution ready for the next council meeting.

Mayor Bethune stated that he appreciated the job the City Manager and staff did on the retreat. He stated that representatives from CSX and Norfolk Southern Railroads participated in the retreat. He stated that Norfolk Southern will be taking up the railroad tracks from Highway 25 to the canal. He stated that Norfolk Southern plans to apply for a Rail & Trails Grant in late 2023 after the rails are removed. He stated I asked the City Manager to check with GPA and they conveyed the same thing to the City Manager that the tracks would be taken up. He stated that we are working on scheduling a meeting with GPA, CSX, and Norfolk Southern to discuss the issues expressed by Councilmember Morris regarding the railroad.

City Manager stated that the meeting the Mayor and I had with GPA was very successful and they are committed to working with us.

Items for Consideration:

Resolution, Final Subdivision Map (CenterPoint Kahn – Travis Field Road): Clerk of Council read the heading of a resolution approving the final subdivision map for the subdivision of a 72.81 acre tract located at 0 Travis Field Road into seven proposed lots owned by CenterPoint Kahn Garden City LLC.

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

Resolution, 2022 Transit Passenger Wagon Quote: Clerk of Council read the heading of a resolution authorizing the City of Garden City to enter into a purchase contract or purchase order with J.C. Lewis Ford for the price quote of \$34,371.78 for the purchase of a 2022 Ford Transit Connect XLT Passenger Wagon for use by the City's executive and administrative staff, as well by the Mayor and Council, in traveling for the conducting of City business and/or for training and/or educational purposes.

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

Emergency Authorization – The Oaks Street Repairs: Clerk of Council stated that we have for approval by Mayor and City Council emergency actions undertaken by the City staff with respect to the \$96,200.00 in expenses incurred by Savannah River Utilities as a result of performing the emergency procurement actions for the additional repair and replacement of the roadways in The Oaks Subdivision.

Councilmember Morris made a motion to approve the emergency authorization for street repairs in The Oaks Subdivision. The motion was seconded by Councilmember Lassiter and passed without opposition.

Informal Public Comment: Mayor Bethune stated that MonaLisa Monroe, President of the Garden City Housing Team signed up to address city council.

MonaLisa Monroe, President of the Garden City Housing Team requested a resolution to appoint the Garden City Housing Team as Garden City's Housing Authority. She gave an overview of the Housing Team's history. She stated that she felt since she took over in 2021 as President of the Housing Team that there has been a lack of support from the Mayor and City Council. She stated that we had several members resign since the change in leadership. She stated that I would like to request that the Mayor and Council renew their support for the Housing Team so we can carry forward the good work.

Gary Monroe, 46 Hawkinsville Road, reiterated the importance of the Housing Team to the community. He stated that appointing the Housing Team as the Housing Authority was consistent with the City's Urban

Redevelopment Plan and Comprehensive Plan. He stated that both documents identify the Housing Team as the entity to work with on housing projects. He stated that I would like to re-enforce MonaLisa's request for the City to appoint the Garden City Housing Team as Garden City's Housing Authority and also that the City give the Housing Team more support to mature from a team to an authority.

Adjournment: There being no further items to discuss, Mayor Bethune called for a motion to adjourn. Councilmember Campbell made a motion to adjourn the meeting at approximately 6:27 p.m. The motion was seconded by Councilmember Ruiz and passed without opposition.

*Transcribed & submitted by: Clerk of Council
Accepted & approved by: City Council 3/7/22*

GARDEN CITY RESOLUTION

BE IT RESOLVED by the Mayor and Council of Garden City, Georgia, in regular session assembled, that C. SCOTT ROBIDER be appointed to serve as the City's City Manager exercising all of the authority delegated to that position by State law, the City Charter and the City Code, and as otherwise delegated to that position by the Mayor and Council;

BE IT FURTHER RESOLVED that the Mayor execute, with the Clerk of Council's attestation, that certain employment agreement between the City and C. Scott Robider dated March 7, 2022, which is on file with the Clerk of Council and available for public inspection setting forth the terms of Mr. Robider's employment by the City as the City's City Manager.

IN OPEN SESSION this 7th day of March, 2022.

RHONDA FERRELL-BOWLES
Clerk of Council

Received and approved this 7th day of March, 2022.

DON BETHUNE, Mayor

**A RESOLUTION TO RATIFY EMERGENCY SERVICE PROCUREMENT
FOR CITY'S WASTE WATER TREATMENT PLANT**

WHEREAS, on February 18, 2022, the City Manager was compelled to make an emergency procurement of services from Southern Civil, LLC, totaling \$136,886.00 in order to repair and/or replace components of two (2) treatment clarifiers of the City's waste water treatment plant which had failed overnight, causing the plant to precariously operate with only one of its three clarifiers and placing the operating posture of the plant at severe risk; and,

WHEREAS, at the time of the emergency procurement, the City Manager, pursuant to Section 4.10 of the City's Purchasing Manual, Policies and Procedures, submitted to the Mayor and Council a record of same, explaining the basis for the emergency and his method for selecting the contractor which provided the services, and identifying the features of the procurement; and,

WHEREAS, the Mayor and Council presently wish to ratify and approve the above-mentioned emergency procurement, having determined from the City Manager's report that there was in fact an emergency threatening public health, welfare and safety, in that the procurement was required to (i) insure the continued operation of the City's waste treatment plant; and (ii) maintain compliance with the permits applicable to the plant;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF GARDEN CITY, GEORGIA, that the emergency procurement of services totaling \$136,866.00 made on February 18, 2022, by the City Manager from Southern Civil, LLC, be ratified and approved as being validly made pursuant to, and in compliance with, Section 4.10 of the City's Purchasing Manual.

ADOPTED AND APPROVED this 7th day of March, 2022.

RHONDA FERRELL-BOWLES
Clerk of Council

Received and approved this 7th day of March, 2022.

DON BETHUNE, Mayor



P.O. Box 9, Townsend, GA 31331

February 18, 2022

ClearWater Solutions
2 Bud Brown Drive
Garden City, GA 31408

ATTENTION: Larry Arnett

REFERENCE: Garden City WWTP 50' S&L Clarifier Drive Replacement Proposal

Dear Mr. Arnett,

We appreciate the opportunity and are pleased to provide scope and pricing for the above referenced project:

- **50 Foot Diameter Smith & Loveless Clarifier Drive Replacement**
 - Drain and Clean Clarifier
 - Remove and Reinstall Clarifier Bridge
 - Remove and Replace Clarifier Drive
 - Reconnect Electrical to Existing Disconnects
 - All Debris and Waste to Remain On-site (Clarifier Cleaning Materials)
 - Start Up Clarifier Equipment
- **Total Price \$136,886.00**

If you have any questions or comments, please feel free to contact me.

Thanks,

A handwritten signature in blue ink that reads "Matt Deal".

Matt Deal
Southern Civil, LLC
Phone: (912) 334-0540
Email: mdeal@southerncivilllc.com



MEMORANDUM

To: Mayor and City Council
From: Scott Robider – City Manager
CC: Jon Bayer Water Operations Director
Date: February 28, 2022
Re: Emergency Procurement – Clarifiers

The purpose of this memorandum is to provide an update regarding the referenced project and to secure authorization for emergency measures undertaken by the City staff in connection with this issue. On February 18, 2022 the City Staff was notified by Jon Bayer that two (2) treatment plant clarifiers and the associated components had failed overnight and were not able to be restored to service. The equipment failure of the two (2) clarifiers left only one (1) operational clarifier functioning which placed the operating posture of the plant at risk.

For those unfamiliar, Clarifiers (also referred to as sedimentation tanks or settlers) are an integral part of every wastewater treatment plant. At these treatment facilities, solids are removed from the wastewater by using gravity sedimentation in quiescent conditions. All clarifiers have two functional zones – a clarification zone, where the process of gravity sedimentation occurs, and a thickening zone, where the settled solids are accumulated forming a dense layer of sludge (sludge blanket). Clarifier effluent of low solids concentration is collected from the top of the clarification zone over overflow weirs and into collection channels where it is conveyed to the tank outlet. The sludge collected at the bottom of the clarifier is removed for further treatment at the wastewater treatment plant's solids handling facilities

In an effort to get the clarification system restored to an acceptable operational status, the City Staff requested the City Manager's Office to authorize an emergency procurement of services pursuant to Section 4.10 of the City's Purchasing Manual which defines and authorizes emergency procurements (attached). The company Southern Civil, which provided a quote totaling \$136,886.00, was authorized to make the emergency repairs. Prior to Southern Civil being formally engaged I notified City Council via email (see attached) on February 18, 2022.

Requested City Council Action: Ratify the emergency actions undertaken by the City staff with respect to the \$136,886.00 in expenses incurred by Southern Civil as a result of performing the emergency procurement actions for the WWTP clarifier replacement.

Section 4.0 General Purchasing Policies & Procedures

4.10 Emergency Purchases

City Manager may make or authorize others to make emergency procurement of equipment, supplies, services, general construction, or public works type construction services when there is a threat to public health, welfare, or safety, provided that such emergency procurement should be made with such competition as is practical under the circumstances. As soon as practicable, a record of each emergency procurement should be made and should set forth the contractor's name, the amount and type of the contract, a listing of the item(s) procured under the contract, and the identification number of the contract file. A written report explaining the determination of the basis for the emergency and for the selection of the particular contractor should be provided to City Council at their next regular meeting in the case of the public works contracts as defined by Georgia State Law.

RESOLUTION

A RESOLUTION OF THE MAYOR AND COUNCIL FOR GARDEN CITY, GEORGIA, TO AMEND THE FY2022 STAFFING LEVEL CHART OF THE CITY OF GARDEN CITY, GEORGIA, TO PROVIDE FOR TWO ADDITIONAL FULL-TIME FIREFIGHTER POSITIONS IN THE FIRE DEPARTMENT THROUGH THE ELIMINATION OF TWO PART-TIME FIREFIGHTER POSITIONS AND ONE FULL-TIME ADMINISTRATIVE POSITION IN THE FIRE DEPARTMENT.

WHEREAS, in its adoption of the FY2022 Budget the City Council approved a Staffing Level Chart for the City providing the staffing levels for each of the departments and divisions of the city; and,

WHEREAS, City Council wishes to amend said Staffing Level Chart of the Fire Protection Fund to add two (2) full-time firefighter positions and eliminate two (2) part-time firefighter positions and one (1) full-time administrative position as reflected in Exhibit "A"; and,

WHEREAS, the approximate total salary/benefit costs for the two (2) full-time firefighter positions are estimated to be \$82,680, which is to be offset by the elimination of two (2) part-time firefighter position (estimated at \$20,670 each) and one (1) full-time administrative position (estimated at \$35,808);

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garden City, Georgia:

- 1) That City Council does hereby amend the Staffing Chart of the Fire Protection Fund to eliminate two (2) part-time Firefighter positions to reduce the total number of authorized part-time positions for the Fire Department to four.
- 2) That City Council does hereby amend the Staffing Chart of the Fire Protection Fund to eliminate one (1) full-time administrative position to reduce the total number of authorized full-time positions for the Fire Department to twenty-two.
- 3) That City Council does hereby amend the FY2022 Staffing Level Chart of the Fire Protection Fund to add two (2) full-time Firefighter positions to bring the total number of authorized full-time positions for the Fire Department to twenty-four.
- 4) That City Council does hereby instruct the Finance Director to make increase / decrease adjustments to various certain funding levels in the FY2022 Fire Protection Fund's budget line items for salaries/benefits to reflect the changes in staffing level in order to balance the budget through the City's customary mid-year or end-of-the year budget amendment.

ADOPTED by the Mayor and Council of Garden City, Georgia, this 7th day of March, 2022.

RHONDA FERRELL-BOWLES, Clerk of Council

Received and approved this 7th day of March, 2022.

DON BETHUNE, Mayor

EXHIBIT "A"

**Fire Protection Fund /Fire Department
FY2022 Budget Staffing Level Chart**

FY2022 Fire Protection Fund Budgeted Positions

| Fire | 2019 Actual | 2020 Actual | 2021 Budget | 2022 Adopted | 2022 Amended | Pay Status Budget |
|--|------------------------|------------------------|------------------------|-------------------------|-------------------------|------------------------------|
| Fire Chief | 1 | 1 | 1 | 1 | 1 | Exempt |
| Deputy Fire Chief | 1 | 1 | 1 | 1 | 1 | Exempt |
| Fire Captain | 1 | 3 | 3 | 3 | 3 | Exempt |
| Fire Marshal | 0 | 1 | 1 | 1 | 1 | Exempt |
| Deputy Fire Marshal | 0 | 0 | 1 | 1 | 1 | Exempt |
| Administration / Safety Coordinator | 1 | 1 | 1 | 1 | 0 | Non-Exempt |
| Firefighter | 14 | 12 | 13 | 13 | 17 | Non-Exempt |
| Total Fire FTE Budgeted Positions | 18 | 19 | 21 | 21 | 24 | |
| Total Fire PTE Budgeted Positions | 10 | 10 | 10 | 10 | 4 | |

Notes:

Full-time Employee (FTE)

Part-time Employee (PTE)

**A RESOLUTION AMENDING THE CITY'S PERSONNEL POLICY AND PROCEDURE
EMPLOYMENT MANUAL TO PERMIT CERTAIN CITY EMPLOYEES TO CONVERT PAID
TIME OFF HOURS TO CASH AT THE END OF EACH CALENDAR YEAR SUBJECT TO
CERTAIN CONDITIONS, AND IMPLEMENTING SUCH POLICY FOR FISCAL YEAR 2022.**

WHEREAS, the Mayor and Council of Garden City, Georgia, have determined that the adoption of the following amendment to the City's Personnel Policy and Procedure Employment Manual is necessary in order to retain a high-performing workforce in the City:

Amendment to Policy 8.2. Paid Time Off Leave Policy

Commencing Fiscal Year 2022, Paragraph 3 of Policy 8.2 entitled "Paid Time Off Leave Policy; Accumulation of PTO" shall be amended to add subparagraph (d) to the following Paragraph 3 for the purpose of giving the option to certain employees at the end of each calendar year of seeking payment from the City for accumulated Paid Time Off hours of either one (1) or two (2) standard workweeks:

"3. Accumulation of PTO. At the end of the calendar year, employees with any remaining PTO hours in their PTO account will be able to:

- a. Keep up to the maximum of eighty (80) hours in their PTO account for use in the calendar year; and
- b. Transfer over to their Paid Critical Leave Account remaining PTO hours (Paid Critical Leave is covered in the later section of this Policy); or
- c. Donate PTO or PCL hours to the City Donor Account (Donor Account is covered in a later section of this Policy); or,
- d. Seek payment of either one (1) or two (2) standard work weeks of accumulated PTO hours during the last pay period in November (unless designated otherwise by the Finance Department) so long as (A) the requesting employee is classified by the City as "full time" (B) at least one (1) standard work week would remain in the employee's PTO account after such reimbursement, (C) the employee's request is approved by the Human Resources Department and applicable Department Head, and (D) the Mayor and Council has included such PTO reimbursement within the City's annual budget. The receipt of such PTO reimbursement shall be considered taxable income and

shall be reported as such on the employee's IRS Form W-2 with deductions for only federal and state tax, Medicare, and retirement contributions (if applicable)."

WHEREAS, the City Manager and Director of Human Resources, with the aid of Department Heads, and the City Attorney, have prepared the above-mentioned amendment and are ready to incorporate it into the appropriate places in the City's Personnel Policy and Procedure Employment Manual; and,

WHEREAS, the Mayor and Council presently wish to place their seal of approval on the above-mentioned change and to approve the optional end-of-year reimbursement of accumulated PTO hours as provided above for Fiscal Year 2022 by virtue of its inclusion in the City's Fiscal Year 2022 annual budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Garden City, Georgia, as follows:

1. The above-mentioned amendment to the City's Personnel Policy and Procedure Employment Manual is hereby adopted and incorporated into the Manual, and shall remain in full force and effect until changed as specified in the Manual.
2. The Director of Human Resources shall distribute copies of the revised Manual containing such amendment to all City employees.
3. If any portion of the amendment is found to be invalid by any duly constituted authority, it shall not affect the validity of the balance of the amended policy.
4. All prior existing policies in conflict with the provisions of the amended policy are hereby repealed.
5. The end-of-year reimbursement of accumulated PTO hours as provided by the amendment is approved for Fiscal Year 2022 by virtue of its having been included within the City's Fiscal Year 2022 budget.

ADOPTED, this the 7th day of March, 2022.

RHONDA FERRELL- BOWLES,
Clerk of Council

RECEIVED AND APPROVED this the 7th day of March, 2022.

DON BETHUNE, Mayor



MEMORANDUM

To: Mayor and City Council
From: Scott Robider – City Manager
CC: Human Resources Director
Date: February 28, 2022
Re: Employee PTO “Sell Back” Request

The purpose of this memorandum is to provide an update regarding the PTO Sell Back Policy for FY2022, below is the information needed for implementation. The program is another great City benefit in order to provide employees with more flexibility in utilizing time-off benefits and this further change can benefit those who have an excessive number of hours currently in their critical care bank. I have suggested the that the payroll date for the sell back be moved to the last pay period in November to allow the employees and opportunity to plan for the holidays. The Human Resources Director will develop a revised policy that is reflective of all department's accrual cycle in order to determine the appropriate amount of PTO required to participate in the program.

Full-time eligible employees may choose to sell PTO hours back to the City in the amount of either one (1) or two (2) standard workweeks each year, so long as one (1) workweek of accrued PTO remains for the benefit of the employee. This request must be approved by the Human Resources Department and appropriate Department Head. Employees are allowed to sell back PTO the last pay period in November (unless designated otherwise by the Finance Department). The selling of PTO is considered taxable income, shall be reported on W-2's with required federal and state tax deductions including Medicare and retirement contributions (if applicable). Health, supplemental and other deductions not previously listed shall not be deducted.

Generally, the Sell Back Policy would be contingent upon the annual approval by Mayor and Council and be included within the City's annual budget. As previously discussed in the Workshop, the PTO program is already fully funded through the customary budgetary process.

GARDEN CITY RESOLUTION

WHEREAS, the Mayor and Council of Garden City, Georgia, are desirous of classifying as surplus property and disposing of its Fire Department's E-One Pumper (VIN 46JBAA8L003549) by reason of said vehicle no longer serving any public purpose by reason of its multiple mechanical issues which have taken it out of service and caused it to be beyond repair;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Garden City, Georgia, that its Fire Department's E-One Pumper (VIN 46JBAA8L003549) is hereby classified as surplus property by reason of its no longer serving any public purpose and because no future public use for the property can be reasonably anticipated.

BE IT FURTHER RESOLVED that since the above-described Pumper has been taken out of service and is beyond repair, the Fire Department is hereby authorized to dispose of it by using the same for spare parts on other fire equipment and selling the balance of the vehicle as scrap metal with the proceeds from such sale being placed in the City's general operating fund and earmarked for the Fire Department's vehicle maintenance and operations.

ADOPTED this 7th day of March, 2022.

RHONDA FERRELL-BOWLES,
Clerk of Council

Received and approved this 7th day of March, 2022.

DON BETHUNE, Mayor