

## ***Pre-Agenda Session @ 5:30 p.m.***

### **A G E N D A**

***City Council Meeting***

***Monday, August 19, 2024 – 6:00 p.m.***

#### **➤ OPENING**

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**

#### **➤ FORMAL PUBLIC COMMENT**

**Savannah Pet Cemetery** — Mr. Phil Phillips; owner, requests to address the City Council about the requirement to identify the need and resolve the issue for cleaning drainage canals.

#### **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.

## ➤ 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.

## ➤ PUBLIC HEARINGS

### ***Speaking to a Public Hearing Item Protocol***

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

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

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

**Procedures for Conducting Public Hearings on Proposed Zoning Decisions:**

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

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

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

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

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

➤ **Approval of City Council Minutes**

- Consideration of the minutes from the July 15<sup>th</sup> Pre-Agenda Session, City Council Meeting Minutes, and the August 12<sup>th</sup> workshop.

➤ **City Manager Updates**

- Staff reports are included with the agenda packet.

➤ **ITEMS FOR CONSIDERATION**

- **Ordinance – Zoning Text Amendment (EV Charging Station):** An Ordinance To Amend The Code Of Ordinances Of Garden City, Georgia As Amended, By Amending Chapter 22 Of The Said Code To Define And Regulate Add An Ordinance For The Regulation Of Electric Vehicle Charging Stations As Businesses Within The City; By Amending Zoning Chapter 90, Articles I & II, To Add Electric Vehicle Charging Stations To The Permitted Uses Listed In Code Section 90-47(B); To Repeal All Ordinances In Conflict Herewith; To Provide An Effective Date; And For Other Purposes.
- **Ordinance – Zoning Text Amendment(Short-Term Rentals/Bed and Breakfast Establishments):** An Ordinance To Amend The Code Of Ordinances Of Garden City, Georgia, As Amended, By Amending Chapter 22 Of The Said Code To Define And Regulate The Operation Of Short-Term Rentals And Bed And Breakfast Establishments As Businesses Through A Licensing Application Process Establishing Requirements Relating To Management, Minimum Building And Safety Standards, Occupancy Limits, And Parking And Through An Enforcement Process Establishing Penalties For Non-Compliance And An Appeal Process For Contesting Same; By Amending Zoning Chapter 90, Articles I & II, To Define And Add Short-Term Rentals And Bed And Breakfast Establishments To The Permitted Uses Listed In Code Section 90-47(B) Which Uses Shall Be Permitted In "R-A", "R-1 (B)" , "R-2" , "R-I-N" , And "M" Zoning Districts In Garden City, Georgia; To Repeal All Ordinances In Conflict Herewith; To Provide An Effective Date; And For Other Purposes.
- **Ordinance – Zoning Map Amendment(Nathaniel Smalls/0 Heidt Avenue):** An Ordinance To Amend The Zoning Ordinance, And Map Of Garden City Georgia, As Amended, To Rezone From A Zoning Classification Of "R-2" To A Zoning Classification Of "C-2A" The Northern Half Of Lot 132 And The Southern Half Of Lot 131, Central Junction Heights Subdivision, Garden City, Chatham County, Georgia, Currently Owned By Nathaniel Smalls, Jr., As Administrator Of The Estate Of Gussie Mae Small Pursuant To Letters Of Administration Issued On May 16, 2024, By The Probate Court Of Chatham County, Georgia In The Gussie Mae Small Estate File NO. P23-1061-PB, With A Chatham County, Georgia Property Identification Number Of 60801 03004; To Repeal All Ordinances In Conflict Herewith; To Provide An Effective Date; And For Other Purposes.
- **Ordinance – Zoning Map Amendment(2779 U.S. Highway 80):** An Ordinance To Amend The Zoning Ordinance And Map Of Garden City, Georgia, As Amended, To Rezone From A Zoning Classification Of "R-1" To A Zoning Classification Of "R-2" Portions Of Lot 3 And Lot 4 Of The Burdette Tract In Garden City, Chatham County, Georgia, Having An Address Of 2779 U.S. Highway 80, Garden City, Georgia 31408 And Currently Owned By The City Of Garden City(As To Property Identification Numbers 60926-05016, 60926-05018, 60926-05019 & 60926-05020) And By All In One Car Export, LLC (As To Property Identification

Number 60926-05017); To Repeal All Ordinances In Conflict Herewith; To Provide An Effective Date; And For Other Purposes.

- **Resolution – New Gym Complex:** A Resolution Approving An Amendment To The AIA AI33 Agreement For Construction Management Services With Lavender & Associates, Inc. For The Construction Of A Gymnasium And Multi-Purpose Recreational Complex On The City-Owned Haynes Elementary School Site With A Guaranteed Maximum Price Of \$17,381,438.00; Approving The Updated Project Design Plans And Technical Specifications Upon Which The Guaranteed Maximum Price Is Based; Authorizing The City Manager To Finalize And Execute The Amendment, Subject To Approval As To Form And Legal Sufficiency By The City Attorney; To Amend The City's Budget For The Project; To Expend Budgeted Funds In Furtherance Hereof; Providing For Implementation And Providing For An Effective Date.
- **Resolution – Traffic Calming Devices Recommendations and Policy:** A Resolution Of Mayor And Council To Adopt The Recommendations Of The Traffic Calming Study Conducted By Thunderbolt Consultants, LLC Relating To The Use Of Speed Bumps And Speed Humps As Traffic Calming Devices In The Residential Areas Of Garden City, Georgia; To Adopt A Traffic Calming Policy For The City; To Authorize The City Manager To Implement Such Adoptions; To Provide An Effective Date; And For Other Purposes.
- **Resolution – Garden City Fire Department – AFG Radio Grant:** A Resolution Approving The Award Of Federal Emergency Management Agency("FEMA") FY 2023 Assistance To Firefighters Grant For The Purchase Of Twenty-Eight (28) Mobile Radios For The Garden City Fire Department; Authorizing The City Manager To Take All Necessary Steps To Finalize And Implement The Terms And Conditions Of The Grant Agreement; Authorizing The City Manager To Execute The Grant Agreement Authorizing The Grant Cost Share; And Providing An Effective Date.
- **Resolution – Simcoe Water & Sewer Agreement:** A Resolution Authorizing Garden City, Georgia, To Enter Into An Agreement For Furnishing Water And Sewer Service To A 17.69 Acre Tract Owned By Simcoe At Mosswood, LLC, Near The Intersection Of Constantine Road And Town Center Drive (Chatham County, Georgia, Property Identification No. 60989-01062), For Development As A Residential Townhome Community; To Authorize The City Manager To Execute The Agreement; And For Other Purposes.
- **Resolution – Sales Contract and Development Agreement for 2779 Highway 80:** A Resolution Authorizing Garden City, Georgia, To Enter Into A Sales Contract For Konter To Purchase Property Measuring Approximately 10.596 Acres Located Along The Northern Side Of U.S. Highway 80, Just West Of Griffin Avenue, At 2779 U.S. Highway 80, Garden City, Georgia, To Develop As A Residential Apartment Community, And To Approve The Development Agreement.
- **Resolution – Savannah Housing Authority Revenue Bonds for Pines Acquisition Partners:** A Resolution Providing For The Approval Of The Issuance Of Tax-Exempt Multifamily Housing Revenue Bonds By The Housing Authority Of The City Of Savannah For The Benefit Of Pines Acquisition Partners, LP; And For Other Purposes.

- **ADJOURN**