

A G E N D A

City Council Meeting

Monday, September 16, 2024 – 6:00 p.m.

➤ **OPENING**

- Call to Order
- Invocation
- Pledge of Allegiance
- Roll Call
- Proclamation to designate the week of September 15th as “National Hispanic Heritage Week”.
- Proclamation to designate September 30, 2024, as “Garden City Reads Day”.

➤ **FORMAL PUBLIC COMMENT**

- Mr. Carl Lee: owner, requests to address the City Council concerning the completion of paving for Briarwood Drive to accommodate lot at the end of the street.

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.

➤ 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

- **Alcoholic Beverage License Application:** Receipt of public comment on an alcoholic beverage license application made by Nikolai Semenchine to sell wines, beer, and/or malt beverages at Drivers Food Market, LLC 25 Main Street, Garden City, Georgia.

Speaking to a Public Hearing Item Protocol

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

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

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

Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

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

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

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

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

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

➤ **Approval of City Council Minutes**

- Consideration of the minutes from the August 19th Pre-Agenda Session, City Council Meeting Minutes, and the September 9th workshop.

➤ **City Manager Updates**

- Staff reports are included with the agenda packet.

➤ **ITEMS FOR CONSIDERATION**

- **Second Reading - 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 the operation 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).
- **Second Reading - 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 letter of administration issued on May, 16, 2024 by the Probate Court of Chatham County, Georgia in the Gussie Mae Small estate.
- **Second Reading - 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 and by All In One Car Export, LLC.
- **Resolution – Surplus Fire Engine:** A resolution to classify as surplus property the Fire Department’s 2000 E-One Pumper and 1995 E-One Pumper and to authorize the Fire Department to dispose of the equipment by having it auctioned at public sale pursuant to State law.
- **Resolution – Conversion of Part-time Positions to Full-Time Positions – Fire Department:** A resolution of the Mayor and Council to approve the elimination of four (4) part-time Firefighter positions and the addition of one (1) full-time Firefighter position; to amend the Fiscal Year 2024 budget to make changes to appropriations within the Fire Department for salaries and wages paid to full-time and part-time Firefighter positions.
- **Resolution – Chatham County Fire Department Mutual Aid Agreement:** A resolution authorizing the City of Garden City, Georgia, to enter into an agreement for Fire service mutual aid with Chatham County, Georgia for the provision of emergency services upon request for a five year term with renewals upon written consent of both parties; designating representatives to serve as a point of contact for the coordination of mutual aid and assistance; authorizing the City Manager to execute the agreement.

- **Resolution – Hiring Bonus Incentive for Newly Hired Post-Certified Police Officers:** A resolution of Mayor and Council implementing a program funded with currently appropriated Police budgeted salary and benefit savings for a “Signing Bonus” incentive of \$5000.00 for newly hired Post-certified police officers of the Garden City Police Department.
- **Resolution – Right-of-Way Maintenance Agreement – Flock License Plate Readers:** A resolution approving that certain right-of-way maintenance agreement by and between Garden City, Georgia, and the Georgia Department of Transportation requiring the City to perform maintenance services in connection with the City’s installation of automated license plate readers along the State’s Rights-of-Way; and for other purposes.
- **Resolution – Bank of America Signatories:** A resolution designating signatories of the City’s bank accounts with Bank of America; superseding any previous resolutions; and providing an effective date.
- **Resolution – CenterPoint Lift Station Procurement:** A resolution to ratify emergency service procurement for damaged pipe and valves for the City’s CenterPoint Lift Station.
- **Alcoholic Beverage License Application:** Consideration by the Mayor and Council of an alcoholic beverage license application made by Nikolai Semenchine to sell wines, beer, and/or malt beverages at Drivers Food Market, LLC 25 Main Street, Garden City, Georgia.

➤ **ADJOURN**