

A G E N D A

City Council Meeting

Monday, November 6, 2023 – 6:00 p.m.

➤ **OPENING**

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**
- **Presentation: Proclamation proclaiming November 5, 2023, as Retired Educators Day**

➤ **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.

➤ 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

- **FY2024 Budget:** The City Manager will present the FY2024 Budget for public comment.
- **Alcoholic Beverage License Manager's Application:** Receipt of public comment on an alcoholic beverage license manager's application made by Cynthia Rena Conner to sell wines, beer, and/or malt beverages at Food Lion #811, 109 Minus Avenue, Garden City.

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 October 16th Pre-Agenda Session and City Council Minutes.

City Manager's Report

- Updates and announcements

➤ **ITEMS FOR CONSIDERATION**

- **Resolution – City of Ethics Re-Certification:** A resolution by the Mayor and City Council to re-certify the City of Garden City, Georgia, as a Certified City of Ethics under the Georgia Municipal Association Program.
- **Resolution – Surplus Police Department Equipment:** A resolution to provide for the disposition of surplus police equipment through transfer to Savannah Technical College Police Academy.
- **Resolution – Surplus Fire Department Equipment:** A resolution to declare certain fire department equipment as surplus and to provide for the disposition of such surplus equipment through sale to Wayne County, Georgia.
- **Alcoholic Beverage License Manager's Application:** Consideration of an alcoholic beverage license manager's application made by Cynthia Rena Conner to sell wines, beer, and/or malt beverages at Food Lion #811, 109 Minus Avenue, Garden City.

➤ **ADJOURN**



PROCLAMATION

RETIRED EDUCATORS DAY

WHEREAS: The Governor of the State of Georgia has proclaimed the day of November 5, 2023, as Retired Educators Day in Georgia; and

WHEREAS: There are more than 142,000 retired educators in Georgia, 32,000 plus of whom are members of the Georgia Retired Educators Association; and

WHEREAS: The retired educators of Georgia donate thousands of hours of volunteer service and make invaluable contributions to the welfare of their respective communities across the state; and

WHEREAS: It is appropriate that a day be designated for citizens to express their appreciation for the contributions that retired educators have made and continue to make for the betterment of human lives and society; and

WHEREAS: Citizens of Garden City, Georgia, are grateful for the work done by retired educators in this community; now

THEREFORE: I, Bruce Campbell, Mayor of Garden City, Georgia, do hereby proclaim the day of November 5, 2023, as ***“RETIRED EDUCATORS DAY”*** in Garden City, Georgia, and I call upon the citizens of Garden City, Georgia, to observe that day in an appropriate manner honoring the retired educators.

Given unto my hand and seal at the Garden City, Georgia, Council Meeting on this 6th day of November, in the year of our Lord, 2023.

Bruce Campbell, Mayor
City of Garden City, Georgia

ATTEST

Rhonda Ferrell Bowles, Clerk of Council
City of Garden City, Georgia



City of Garden City

100 Central Avenue, Garden City, Georgia 31405

Phone: 912.966.7777 Fax: 912.966.2735

Email: Occtax@gardencity-ga.gov

MANAGER APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

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

Date Filed: October 19, 2023

For the Year: 2024

☒ Advertising Cost \$95.00

Expires at December 31 of the above year.

Business Information

Business Name: Food Lion, LLC

D/B/A/ (if applicable): Food Lion #811

Business Address: 109 Minus Avenue, Garden City, GA 31408

Manager Information

Full Name: Cynthia Rena Conner

Home Address: 633 Demere Street

Phone: 912-966-0524

City: Hinesville

State: GA

Zip Code: 31313

SSN: XXX-XX-9563

Date of Birth: 03-03-1979

Age: 44

Ever held a similar license: N/A

Year: _____

Brief personal history of applicant:

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

Please see attached Exhibit "A"

Criminal History of Applicant (if any): N/A

Fingerprints of applicant shall be required with the initial application.

List five character references that will vouch for the applicant:

Name	Address
<u>Valerie Haiungs</u>	<u>301 Maupas Court Hinesville, Ga 31313</u>
<u>Brandon Tillman</u>	<u>903 W Pine St Hinesville, Ga 31313</u>
<u>Cory Tuck</u>	<u>401 Buckeye Dr Richmond Hill, Ga 31324</u>
<u>Rasharn Ware</u>	<u>98 Winslow Cir Savannah, Ga 31419</u>
<u>Louise Johnson</u>	<u>111 Bell Court Hinesville, Ga 31313</u>

THIS PAGE FOR OFFICE USE ONLY

Application received by: Kimberly Petet Date: 10/23/23

POLICE DEPARTMENT REVIEW

Fingerprinted by: OK for license KP Date: 10/24/23

Separate report submitted to the City Administrator:

[Signature] Date: 10/24/23
Police Chief

Public Hearing held on: _____

Date advertised in Savannah Morning News: _____

Action of Council: ☐ Approval ☐ Denial

License(s) Issued: _____ Date: _____

MINUTES

Pre-Agenda Session Monday, October 16, 2023 – 6:00 p.m.

Call to Order: Mayor Campbell called the meeting to order at approximately 5:30 p.m. Mayor Pro-tem Daniel gave the opening prayer.

Attendees

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

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell-Bowles, Finance Director/Clerk of Council; Mike Dick, Fire Chief; Virgil Moore, Public Works Director; Cliff Ducey, Recreation Director; Marth Vallade, Water Operations Director; Gill Ballard, Police Chief; Yolanda Irizzary, HR Director; Andrew Guzman, IT Administrator, and Veronica Enoch, Executive Assistant.

Mayor's Updates: No updates or announcements.

City Council's Updates: No updates or announcements.

City Manager's Updates: The City Manager stated that the bids for the construction manager for the new Gymnasium/Recreation Complex were due on Wednesday.

Review of the Council Agenda Items: The City Manager briefed the City Council on the items on the agenda for their consideration and action.

Adjournment: Given no other items to discuss, the Mayor and City Council adjourned the pre-agenda session at approximately 5:47 p.m.

Transcribed & submitted by: The Clerk of Council

Accepted & approved by: The City Council 11/6/23

MINUTES

City Council Meeting Monday, October 16, 2023 – 6:00 p.m.

Call to Order: Mayor Campbell called the meeting to order at approximately 6:05 p.m.

Opening: Councilmember Hall gave the invocation, and Mayor Campbell led the City Council in the pledge of allegiance to the flag.

Roll Call

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

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell-Bowles, Finance Director/Clerk of Council; Mike Dick, Fire Chief; Virgil Moore, Public Works Director; Cliff Ducey, Recreation Director; Marth Vallade, Water Operations Director; Gill Ballard, Police Chief; and Andrew Guzman, IT Administrator.

Informal Public Comment: Mayor Campbell opened the floor to receive public comment.

Dedrick Cody, Chairman of the Chatham Council Area Transit (CAT), reported on CAT's latest activities and events. He said they will install new bus stops and complete policy updates in the next few months. He said they are also looking at new ideas and invocations to improve the transit system.

Councilmember Morris asked if they would replace any existing bus stops with new ones because some of the bus stops in Garden City need replacing. He said that existing bus stops would be evaluated, and improvements would be made if required.

Since there were no other speakers, Mayor Campbell closed the informal public portion of the meeting.

City Council Minutes: Councilmember Lassiter motioned to approve the minutes from the October 2, 2023, pre-agenda session and city council meeting. The motion was seconded by Councilmember Tice and passed without opposition.

Items for Consideration

Resolution – Property Acquisition Contract (95 Main Street): The Clerk of Council read the heading of a resolution authorizing the City Manager to execute a sales contract on behalf of the City to purchase from Chapel-in-the-Gardens Presbyterian Church a certain parcel of land having an address of 95 Main Street for the intended future use of constructing a fire station.

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

Write-off of 2016 -2017 Utility Accounts Receivables Deemed Uncollectible: Consideration by the Mayor and City Council of authorizing the write-off of the 2016-2017 utility accounts (bad debt) totaling \$55,077.85 that staff has identified as outside of the statute of limitations of recovery (older than six years) and therefore deemed uncollectible.

Councilmember Morris motioned to approve the write-off of the 2016-2017 utility accounts receivable deemed uncollectible. The motion was seconded by Councilmember Lassiter and passed without opposition.

Adjournment: Given no other items to discuss, Mayor Campbell called for a motion to adjourn the meeting. Councilmember Lassiter motioned to adjourn the meeting at approximately 6:17 p.m. The motion was seconded by Councilmember Tice and passed without opposition.

Transcribed & submitted by: The Clerk of Council

Accepted & approved by: The City Council 11/6/23

RESOLUTION

WHEREAS, the Board of Directors of the Georgia Municipal Association (GMA) has established a Certified City of Ethics program; and,

WHEREAS, the City of Garden City wishes to be re-certified as a Certified City of Ethics under the GMA Program; and,

WHEREAS, part of the re-certification process requires the Mayor and Council to readopt the ethics principles approved by the GMA Board;

NOW, THEREFORE, BE IT RESOLVED by the governing authority of the City of Garden City, Georgia, that as a group and as individuals, the governing authority readopts the following ethics principles and pledges to conduct its affairs accordingly;

- ✓ Serve Others, Not Ourselves
- ✓ Use Resources with Efficiency and Economy
- ✓ Treat All People Fairly
- ✓ Use the Power of Our Position for the Well Being of Our Constituents
- ✓ Create an Environment of Honesty, Openness, and Integrity

RESOLVED this 6th day of November, 2023.

BRUCE CAMPBELL, Mayor

MARCIA DANIEL, Mayor Pro-tem

GWYN HALL, President of Council

RICHARD LASSITER, Councilmember

NATALYN MORRIS, Councilmember

DEBBIE RUIZ, Councilmember

KIM TICE, Councilmember

Attest: _____
RHONDA FERRELL BOWLES, City Clerk

GARDEN CITY RESOLUTION

A RESOLUTION TO PROVIDE FOR THE DISPOSITION OF SURPLUS POLICE EQUIPMENT THROUGH TRANSFER TO SAVANNAH TECHNICAL COLLEGE POLICE ACADEMY

WHEREAS, Mayor and Council have declared two (2) of the City's police department vehicles, to wit, Vehicle # 1420, 2014 Chevrolet Caprice (VIN 6G3NS5U23EL928063), and Vehicle # 1441, 2014 Chevrolet Caprice (VIN6G3NS5U22EL931147), as surplus property and available for disposition; and,

WHEREAS, said property has been determined to be of nominal value for police protection service in Garden City, Georgia, having been removed from active service as a result of obsolescence and new equipment acquisition; and,

WHEREAS, Mayor and Council desire to assist Savannah Technical College Police Academy in meeting academy's need for police equipment with which to train its students on providing law enforcement service to the public; and,

WHEREAS, Savannah Technical College Police Academy has expressed an interest in receiving the surplus Garden City police department cars for the enhancement of its students' education;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Garden City, Georgia, in regular session assembled, that they do hereby approve the transfer to Savannah Technical College Police Academy of two (2) of the City's surplus police department cars, to wit, Vehicle No. 1420, 2014 Chevrolet Caprice (VIN 6G3NS5U23EL928063), and Vehicle No. 1441, 2014 Chevrolet Caprice (VIN6G3NS5U22EL931147), for the consideration of \$100.00, and authorize the completion of all necessary documents sufficient for the transfer of the vehicles.

ADOPTED AND APPROVED this ____ day of November, 2023.

RHONDA FERRELL-BOWLES,
Clerk of Council

RECEIVED AND APPROVED this _____ day of November, 2023.

BRUCE CAMPBELL, Mayor

GARDEN CITY RESOLUTION

A RESOLUTION TO DECLARE CERTAIN FIRE DEPARTMENT EQUIPMENT AS SURPLUS AND TO PROVIDE FOR THE DISPOSITION OF SUCH SURPLUS EQUIPMENT THROUGH SALE TO WAYNE COUNTY, GEORGIA

WHEREAS, it is the intention of the Mayor and Council of Garden City, Georgia, to declare as surplus property twenty (20) Scott Air Packs formerly used by the City's fire department as self-contained breathing apparatus which have been replaced by new updated MSA Air Units recently purchased by the City and which, due to their age, outdated condition and incompatibility with the new units, have been removed from active service and carry only nominal value for fire protection service in the City; and,

WHEREAS, the Mayor and Council desire to assist Wayne County, Georgia, in meeting its need for fire protection service by selling the Scott Air Packs to the County for use among some of its newly opened volunteer fire stations which are in need of the equipment until they can obtain the necessary funding to purchase new units; and,

WHEREAS, the Wayne County Board of Commissioners has expressed an interest in purchasing the surplus Garden City twenty (20) surplus Scott Air Packs for the amount of Thirty Thousand and 00/100 Dollars (\$30,000.00) in their "as-is, where is" condition for the enhancement of public safety and service to Wayne County residents and others; and,

WHEREAS, the the price being offered by Wayne County for the twenty (20) surplus Scott Air Packs is both fair and reasonable considering the current condition of firefighting equipment;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Garden City, Georgia, in regular session assembled, that they do hereby declare the above-mentioned twenty (20) Scott Air Packs as surplus property and approve the sale of said equipment in its "as is, where is" condition to the Wayne County Board of Commissioners for the consideration of Thirty Thousand and 00/100's Dollars (\$30,000.00) and upon the completion of all necessary documents sufficient for the transfer of the property including, but not limited to, (1) a Bill of Sale in which the City disclaims making any representations or warranties with respect to the equipment, express or implied, including, but not limited to, any implied warranty of merchantability or fitness for a particular purpose, and (2) a Waiver and Release of Liability Form wherein Wayne County, to the extent permitted by State law, releases and indemnifies the City from any liability or claims resulting from, arising out of, or incurred in connection with, the present condition of the equipment and the County's ownership and use of same in the future.

ADOPTED AND APPROVED this ____ day of November, 2023.

RHONDA FERRELL-BOWLES,
Clerk of Council

RECEIVED AND APPROVED this ____ day of November, 2023.

BRUCE CAMPBELL, Mayor