

A G E N D A
City Council Meeting
Monday, June 3, 2024 – 6:00 p.m.

➤ **OPENING**

- **Call to Order**
- **Invocation**
- **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.

➤ 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 May 20th Pre-Agenda Session, City Council Meeting, and Executive Session.

➤ **City Manager Updates**

➤ **ITEMS FOR CONSIDERATION**

- **Ordinance – Zoning Map Amendment (1580 Dean Forest Road):** An ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended, to rezone from a zoning classification of “P-C2A” to a zoning classification of “P-I-1” the easternmost two hundred fifty (250’) feet of a 3.84-acre parcel of land currently owned by Colonial Fuel & Lubricant Services, Inc., more commonly known 1580 Dean Forest Road.
- **Resolution – Extension of Outdoor Advertising Moratorium:** A resolution to extend the moratorium barring the issuance of permits for new outdoor advertising or separate use signs within the city limits of Garden City from June 3, 2024 to July 2, 2024, in order to allow the City Council sufficient time to consider the proposed amendments to the City’s Code of Ordinances relating to outdoor advertising and separate use signs.
- **Resolution – 2024 LMIG Engineering Services:** A resolution authorizing the City Manager to apply to the Georgia Department of Transportation for a 2024 Local Maintenance Improvements Grant to assist with funding for the resurfacing of Chatham Villa Drive, Byck Avenue, and Salt Creek Road (to the dead end) and to further authorize the City Manager to accept and execute a work order of Brennan Jones Engineering Associates, LLC, for the preparation of the grant application, and the performance of the design, geotechnical testing, bid solicitation, and construction administration associated with the road work.
- **Resolution – Emergency Sewer Main Line Repair Work:** A resolution to ratify emergency service procurement for the City’s sewer line on Smith Avenue.
- **Resolution – Staffing Level Amendment (Public Works & Utilities Department):** A resolution by the Mayor and Council to amend the FY2024 adopted budget staffing level of the General Fund to provide for a full-time Public Works & Utilities Department Administrator for the City’s Public Works & Utilities Department.
- **Resolution – Interim Clerk of Council Appointment:** A resolution to appoint Veronica Enoch, Executive Assistant to the City Manager, as the Interim Clerk of Council.

➤ **ADJOURN**

SYNOPSIS

Pre-Agenda Session

Monday, May 20, 2024 - 5:30 p.m.

Call to Order: Mayor Campbell opened the session at approximately 5:30 p.m., and gave the invocation.

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

Staff Present: James P. Gerard, City Attorney (came late); Chief Gilbert Ballard, Garden City Police Department; Chief Mike Dick, Garden City Fire Department; Carlos Nevarez, Fire Marshall; Robert Wellmaker, Building Inspector; Virgil Moore, Director of Public Works; Dagny Pariana, Director of Wastewater/Water Treatment; Marth Vallada, Director of Water Operations; Benjamin Brengman, Director of Information Technology; Katie Draeger, Director of Finance; Yolanda Irizarry, HR Director; Cliff Ducey, Director of Parks and Recreation Department; and Veronica Enoch, Executive Assistant to the City Manager.

Staff Absent: Rhonda Ferrell-Bowles, City Manager

1. Review of Council Agenda.
 - (a) The Mayor stated that three public hearings had been scheduled to be conducted at the meeting. The first scheduled public hearing concerns a zoning map amendment request to re-zone 5231 Ogeechee Road (PIN 60991 06004 from R-A to I-1; PIN 60991 06003 from C-2 to I-1; and PIN 60990D 01006 from C-2 to I-1). The second scheduled public hearing concerns a zoning text amendment to the City's sign ordinance relating to billboards. The third scheduled public hearing concerns a zoning map amendment request to re-zone 1580 Dean Forest Road from a P-C-2A zoning classification to an I-1 zoning classification to enable the zoning petitioner to construct a fleet maintenance facility on the property.
 - (b) The Mayor asked if there were any questions or comments on any of the minutes, staff reports, or updates and announcements in the agenda package. There were none.
 - (c) The Mayor stated that the only item for consideration was a resolution accepting the proposal from APS Recycle, Inc., to perform an inventory of the City's water service lines installed prior to June 1, 1990, at the price of \$425,424.70, and to authorize the City Manager to negotiate and execute on behalf of the City, a contract with APS Recycle, Inc., to perform the contract work.

2. Mayor's Updates and Items. There were no updates and items raised by the Mayor during the pre-agenda session.

3. City Council's Updates & Items. There were no updates and items raised by the City Council members.

4. City Attorney Updates & Items.

(a) The City Attorney provided a background for the introduction of the zoning text amendment to the City's sign ordinance, stating that it was intended to address complaints and concerns over the recent proliferation of billboards all over the City, including residential areas, and to provide criteria for the Planning Commission to consider when passing on sign development plans. Michael Bruner questioned the need for the ordinance, stating that the City does not even enforce its current billboard ordinance.

(b) The City Attorney distributed a new draft version of an ordinance regulating the operation and location of electric vehicle charging stations in the City. The proposed regulations are based on whether the charging station is classified as an accessory or a principal use, whether it is public or private, and whether it is either a Level 1, 2, or 3 charging station.

At 5:50 p.m., the Pre-Agenda Session of City Council was closed.

MINUTES

City Council Meeting

Monday, May 20, 2024 - 6:00 p.m.

Call to Order: Mayor Campbell welcomed everyone and called the meeting to order at 6:00 p.m.

Opening: Mayor Bruce Campbell, Pastor of the Oak Grove Missionary Baptist Church gave the invocation and invited everyone to join in the pledge of allegiance to the flag.

Roll Call: The roll call was conducted by James P. Gerard, substituting for the absent Clerk of Council, reflected the following:

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

Council Members Absent: None.

Staff Present: James P. Gerard, City Attorney; Gil Ballard, Police Chief; and, Katie Draeger, Finance Director

Staff Absent: Rhonda Ferrell Bowles, Clerk of Council, and all department heads other than Gil Ballard and Katie Draeger.

Formal Public Comments: Mayor Campbell announced that even though there had been made a formal request made by Shawnessey Cargile, the Family Engagement & Activities Coordinator for the Front Porch, to address City Council about the free services which the Front Porch makes available for youth's physical, mental, social, and educational needs, no one was present from the organization to make a presentation.

Informal Public Comments: Mayor Campbell then gave an opportunity for informal comments by anyone who wanted to speak informally about a subject concerning the City. No one came forth to speak.

Public Hearings:

- (a) PC-3-24-1077 – Zoning Map Amendment Request to Rezone 5231 Ogeechee Road (PIN 60991 06004 from R-A to I-1; PIN 60991 06003 from C-2 to I-1; and PIN 60990D 01006 from C-2 to I-1).

The City Attorney announced that the zoning map amendment request to rezone

the subject property for the purpose of using the property as a general office/warehouse and cross-dock facility for SAIA LTL Freight with ancillary truck and trailer storage had been withdrawn by the rezoning petitioner (Robert L. McCorkle, III, Esq.) before the matter was to be considered by the Planning Commission on May 14, 2024.

- (b) PC-3-24-1078 – Zoning Text Amendment Request of Garden City to amend Chapter 90, Article VI, of the City Code pertaining to signs for the purpose of revising the provisions thereof regarding the limitations, safeguards, and controls for the location of outdoor advertising or separate use signs.

Upon the Mayor asking who was in favor of the text amendment, a representative from Lamar Advertising appeared stating that most of the existing signs within the City would be nonconforming with the new sign size and location requirements set forth in the ordinance. He did report that his company had been working with the City Attorney on making mutually acceptable changes to the text amendment including, but not limited to, the deletion of a cap on the number of billboards signs in the City. He stated that his company just wanted the new ordinance to conform with ordinances of neighboring cities as well as industry standards.

A representative of Renfroe Outdoor advertising also appeared requesting that the City leave the required spacing between billboards at 1,000 feet on federal and state highways and implement the newly proposed 1,500 feet spacing requirement on only city roads and streets. If the City were to increase the spacing requirement to 1,500 feet on federal and state highways, he requested that all billboard applications that had been in process since before the moratorium be exempted from such requirement. He indicated that his company had submitted development plans for three signs on one tract of land owned by William Grainger on Salt Creek Road prior to the implementation of the moratorium, but that only one of the applications had been accepted as complete prior to the implementation of the moratorium due to the City's requirement that only one sign could be placed on one lot. Even though the tract was subsequently subdivided to create three lots (one lot for each sign), the subdivision was approved after the implementation of the moratorium. The City's Planning and Zoning Department had informed the company that the applications for the second and third sign were not complete and acceptable until the property was subdivided which was after the implementation of the moratorium.

Councilperson Lassiter was sympathetic to the position of Renfroe Advertising and asked that it be addressed in the text amendment.

After going over most of the changes in the ordinance, the City Attorney provided a background for the introduction of the zoning text amendment to the City's sign ordinance, stating that it was intended to address several complaints and concerns over the recent proliferation of billboards all over the City, including residential areas, and that it was also intended to provide criteria for the Planning Commission to consider when passing on sign development plans. He indicated that the location and spacing

requirements in the ordinance were less strict than the ordinances of several municipalities in Chatham and Effingham Counties.

There being no questions or comments about the zoning text amendment, the public hearing thereon was closed by Mayor Campbell.

- (c) P-C-5-24-1084 – Zoning Map Amendment Request to Rezone 1580 Dean Forest Road (PIN 60988 02018) from P-C-2A to I-1 for the proposed development by Colonial Fuel & Lubricant Services, Inc., of a fueling station, office, and fleet maintenance facility.

The petitioner, Scott Allison of Coleman Company, Inc., described the subject property as a 3.85 acre tract located at 1580 Dean Forest Road which is currently zoned P-C-2A for use as a fleet fueling and office space. The property is bounded as follows: to the North by property zoned P-C-2A and used as a motorcycle repair shop and sign business; to the South by property zoned P-C-2A and used as an office, and by a parcel zoned I-1 and used as a shipping container storage yard; to the East by property zoned I-1 and used as a mobile home park; and to the West across Dean Forest Road by parcels zoned I-2 and C-2, and yet to be developed.

The petitioner indicated the purpose of the re-zoning request is to allow the property owner to provide maintenance services to its truck fleet while continuing to provide corporate fueling and maintain an on-site office on the western half of the property. He indicated that such a purpose could be accomplished by re-zoning to I-1 just the easternmost 250 feet of the property where the maintenance work will be performed. He stated that the split zoning of the property would blend well with the surrounding land uses and zoning, and that there was no indication that such rezoning would inhibit traffic and create congestion within the area. He argued that there was an imminent need for the rezoning to accommodate the property owner's business functionality, and that using the eastern half of the property for truck maintenance would not create an acceleration of a variety of adverse land use changes in the neighborhood.

Acknowledging that mobile home residents are located to the immediate East of the portion of the property being re-zoned to I-1, he agreed to condition the partial re-zoning of the property upon the property owner's maintenance of a fenced-in tree buffer running along and within the property's eastern boundary line, and further agreed to have the property rezoned to P-I-1 thereby requiring the property owner to submit to the Planning Commission a site development plan for the project.

There being no questions or comments about the zoning map amendment, the public hearing thereon was closed by Mayor Campbell.

City Council Minutes:

Upon a motion by Councilmember Lassiter, and seconded by Councilmember Ruiz, City Council voted unanimously by roll call to approve (1) the May 6, 2024, Pre-Agenda Session Minutes, (2) the May 6, 2024, City Council Minutes (with Councilmember Tice abstaining due to her absence at the meeting), (3) the May 9, 2024, Special Called City Council Minutes, and (4) the May 13, 2024, City Council Workshop Minutes.

City Manager Updates:

In the absence of the City Manager, the Mayor indicated that staff reports were being included with the agenda packet.

Items for Consideration:

1. Resolution – Water Service Line Potholing & Inventory Services Proposal: A Resolution to accept the proposal from APS Recycle, Inc., for the amount of \$425,424.70 to perform an inventory of the City's water service lines installed prior to June 1, 1990, in conjunction with the implementation of the Lead and Copper Revision Compliance Rules of the Lead Service Line Inventory and Replacement Program associated with the revised United States Environmental Protection Agency Lead and Copper Rules, and to authorize the City Manager to negotiate and execute on behalf of the City, a contract with APS Recycle, Inc., to perform the contract work.

Upon Councilmember Lassiter making a motion for the adoption of the resolution and Councilmember Tice seconding the motion, the resolution was offered for discussion and then voted on by roll call which resulted in the unanimous approval of same.

Closed Executive Session:

Upon motion made by Councilmember Lassiter, and seconded by Councilmember Morris, for City Council to go into closed executive session to discuss pending and potential litigation, the motion was unanimously approved by roll call vote and the City Council proceeded to go into Council Chambers for the closed session.

Adjournment: Upon the return of the Mayor and Council from closed executive session, and there being no further business before Council, Mayor Campbell asked for a motion to adjourn the meeting. Upon motion being made by Councilmember Lassiter and seconded by Councilmember Daniel, City Council adjourned the meeting at 6:50 p.m. o'clock.

GARDEN CITY, GEORGIA AFFIDAVIT AS TO OPEN MEETING LAW

The undersigned Mayor, under oath, certifies that at a meeting of the Mayor and Council of Garden City Georgia, held on the date identified below being the date of this document, the Mayor and Council closed their meeting as permitted by the Chapter 14 of Title 50 of the Georgia Code and pursuant to advice by the City Attorney. The only matters considered or discussed during the closed session or executive session of the meeting is as checked below:

| Check √ | Subject Matter | As provided in O.C.G.A. Section |
|------------|--|---|
| | Meeting to discuss or vote to authorize the settlement of a matter covered by the attorney-client privilege. <i>The subject discussed was _____ (identify the case or claim discussed, but not the substance of the attorney-client discussion)</i> | 50-14-2 (1) 50-14-3 (b)(1)(A) |
| | Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property. | 50-14-3(b)(1)(B) |
| | Meeting to discuss or vote to authorize the ordering of an appraisal related to the acquisition or disposal of real estate. | 50-14-3(b)(1)(C) |
| | Meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote. | 50-14-3(b)(1)(D) |
| | Meeting to discuss or vote to enter into an option to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote. | 50-14-3(b)(1)(E) |
| | Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee. | 50-14-3(b)(2) |
| | Meeting to interview one or more applicants for the position of executive head of an agency. | 50-14-3(b)(2) |
| √ | Pursuant to the attorney-client privilege, a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, and the matter discussed was _____ <i>(identify the matter but not the substance of the discussion)</i> | 50-14-2(1) |
| | Staff meeting held for investigative purposes under duties or responsibilities imposed by law. | 50-14-3(a)(1) |
| | Meeting to consider records or portions of records exempt from public inspection or disclosure because there are no reasonable means to consider the record without disclosing the exempt portions. | Article 4, Chapter 18 of Title 50 |

This Affidavit is executed for the purpose of complying with the mandate of O.C.G.A 50-14-4(b) and is to be filed with the official minutes of the aforementioned meeting.

This the _____ day of _____.

By: _____
Mayor, City of Garden City, Georgia

Sworn to and subscribed before me on the
above indicated date:

Notary Public, State of Georgia
Commission expires: _____

(Although the same is not mandatory, the following participants concur with the accuracy of this Affidavit.)

ORDINANCE 2024-__

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF GARDEN CITY, GEORGIA, AS AMENDED, TO REZONE FROM A ZONING CLASSIFICATION OF “P-C2A” TO A ZONING CLASSIFICATION OF “P-I-1” THE EASTERNMOST TWO HUNDRED FIFTY (250’) FEET OF A 3.84-ACRE PARCEL OF LAND CURRENTLY OWNED BY COLONIAL FUEL & LUBRICANT SERVICES, INC., MORE COMMONLY KNOWN 1580 DEAN FOREST ROAD, GARDEN CITY, GEORGIA, WITH A CHATHAM COUNTY, GEORGIA, PROPERTY IDENTIFICATION NUMBER OF 60988 02018), SUBJECT TO CERTAIN CONDITIONS; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Be it ordained by the Mayor and Council of Garden City, Georgia, and it is hereby ordained by the authority thereof that:

Section 1. The Zoning Ordinance and Zoning Map of Garden City, Georgia, as amended, is amended so that the easternmost two hundred fifty (250’) feet of the following described 3.84-acre parcel of land presently owned by Colonial Fuel & Lubricant Services, Inc., at 1580 Dean Forest Road in Garden City, Georgia (Property Identification No. 60988 02018), be rezoned from its present “P-C2A” zoning classification to a zoning classification of “P-I-1” with the remaining western portion of said property retaining its present zoning classification of “P-C2A”:

All that certain lot, tract, or parcel of land situate, lying, and being in Garden City, the 7th G.M. District, Chatham County, Georgia, containing 3.837 acres, more or less, shown and designated as Lot 1, McGahan Park Subdivision, and the Proposed Addition to Lot 1, McGahan Park Subdivision, a subdivision of a portion of the Lovell Tract, on a subdivision map dated Marcy 26, 1980, prepared by Vincent Helmly, Georgia Registered Land Survey No. 1882, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Book 3-P, Page 28, and on a plat dated January 13, 1997, prepared by James Whitley Reynolds, Georgia Registered Land Surveyor Number 2249, and recorded in the aforesaid Clerk’s Office in Plat Book 14-P, Page 162, said plats being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses and distances of the property of which the easternmost two hundred fifty (250’) feet is being re-zoned herein to a I-1 zoning classification.

The above-described property has been assigned a Tax Parcel Identification Number of 60988 02018 by the Chatham County, Georgia, Board of Assessors.

The rezoning effected by this Ordinance shall be conditioned upon the existing tree buffer running along and within the property's eastern boundary line remaining intact and being fenced in.

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

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

Adopted, received, and approved this _____ day of June, 2024.

BRUCE CAMPBELL
Mayor

Read the first time:

Read the second time and passed:

RESOLUTION

WHEREAS, the Mayor and Council enacted a moratorium for a period of six (6) months at its September 18, 2023, meeting to bar the issuance of permits for new outdoor advertising or separate use signs within the city limits of Garden City, Georgia; and,

WHEREAS, the Mayor and Council enacted the moratorium in order to provide the City's planning staff and consultants an opportunity to review the City's Code of Ordinances relating to outdoor advertising or separate use signs and make any necessary revisions thereto; and,

WHEREAS, on February 19, 2024, the moratorium was extended until April 15, 2024, so that the Planning Commission as well as City Council could hold workshops and public forums on the proposed revisions to the City's sign ordinance as to outdoor advertising and separate use signs; and,

WHEREAS, on April 15, 2024, the moratorium was re-extended until June 3, 2024, to allow Planning Commission and City Council sufficient time to consider the proposed amendments; and,

WHEREAS, the moratorium is set to again expire and City Council has determined that an additional work shop is needed before it can competently vote on the proposed ordinance changes;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, acting in its capacity as the governing authority of Garden City, that it does hereby extend the moratorium barring the issuance of permits for new outdoor advertising or separate use signs within the city limits of Garden City from **June 3, 2024, to July 2, 2024**, in order to allow City Council sufficient time to consider the proposed amendments to the City's Code of Ordinances relating to outdoor advertising or separate use signs. The moratorium may be shortened by action of Mayor and Council or by the passage of an ordinance establishing new regulations governing outdoor advertising or separate use signs, whichever first occurs. The extension shall not apply to nor affect the issuance of permits based on complete applications meeting the standards of the City's Code of Ordinances and submitted to the City prior to the effective date of the moratorium on September 18, 2023; nor shall it apply to or affect renovations or repairs to existing sign structures; nor shall it apply to or affect the replacement of sign panels on existing sign structures.

Except as provided herein, all zoning and development ordinances of the City shall remain in full force and effect.

Any person desiring to erect a new outdoor advertising or separate use sign in the City may make application under the standards of the existing ordinance and discuss the same with the City staff during the period of the moratorium provided such person recognizes that final approval of such sign shall only be given following expiration of the moratorium for signs in compliance with

the Garden City Code of Ordinances as modified by any newly enacted regulations resulting from said moratorium.

All resolutions and ordinances, or portions thereof in conflict with the foregoing are hereby suspended, but not repealed, by virtue of this moratorium.

ADOPTED AND APPROVED this _____ day of June, 2024.

BRUCE CAMPBELL, Mayor

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR A 2024 LOCAL MAINTENANCE IMPROVEMENT GRANT TO ASSIST WITH FUNDING FOR THE RESURFACING OF CHATHAM VILLA DRIVE, BYCK AVENUE, AND SALT CREEK ROAD (TO THE DEAD END) IN GARDEN CITY; TO FURTHER AUTHORIZE THE CITY MANAGER TO ACCEPT AND EXECUTE A WORK ORDER OF BRENNAN JONES ENGINEERING ASSOCIATES, LLC, FOR THE PREPARATION OF THE GRANT APPLICATION, AND THE PERFORMANCE OF THE DESIGN, GEOTECHNICAL TESTING, BID SOLICITATION, AND CONSTRUCTION ADMINISTRATION ASSOCIATED WITH THE ROAD WORK; AND FOR OTHER PURPOSES.

WHEREAS, a recent inspection of the existing pavement conditions on Chatham Villa Drive, Byck Avenue, and Salt Creek Drive (to the dead end) revealed that the roads have deteriorated over time and would greatly benefit from a new surface layer of asphalt; and,

WHEREAS, the City Manager has therefore recommended that the City apply to the Georgia Department of Transportation for the award of a 2024 Local Maintenance Improvement Grant to be used towards the milling, levelling, and resurfacing of Chatham Villa Drive, Byck Avenue, and Salt Creek Drive (to the dead end); and,

WHEREAS, if awarded, the 2024 Local Maintenance Improvement Grant would be an amount which would require the City to contribute a 30% match payment in order to complete the resurfacing project which has been estimated to cost between \$332,050.00 and \$432,050.00 (including estimated engineering fees of \$32,050.00 to be paid to the City's Engineer, Brennan Jones Engineering Associates, LLC, for preparing the grant application, and performing the designing, geotechnical investigatory testing, bid solicitation, and construction administration for the resurfacing project); and,

WHEREAS, the City Manager has indicated that sufficient funds are available in the City's 2024 SPLOST Fund to cover the City's portion of the road resurfacing costs;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF GARDEN CITY, GEORGIA, AND IT IS HEREBY RESOLVED that the City apply to the Georgia Department of Transportation for a 2024 Local Maintenance Improvement Grant to be used for resurfacing Chatham Villa Drive, Byck Avenue, and Salt Creek Road (to the dead end), and to represent in such application that the City is prepared to contribute its required 30% match payment to the resurfacing project together with whatever amount is required to fully fund the project costs which has been estimated at between \$332,050.00 and \$432,050.00.

BE IT FURTHER RESOLVED THAT, the City Manager accept and execute the work order attached hereto as Exhibit "A" prepared by Brennan Jones Engineering Associates, LLC, pursuant to the engineering company's Agreement for Services with the City dated July 20, 2020, setting forth fees not to exceed \$32,050.00 for preparing the grant application as well performing the design work, geotechnical investigative testing, bid solicitation, and construction administration associated with the road resurfacing project relating to the milling, levelling, and resurfacing of the Chatham Village Drive, Byck Avenue, and Salt Creek Drive (up to the dead end).

Adopted and approved this ____ day of June, 2024.

Bruce Campbell, Mayor

Work Order

Brennan Jones Engineering Associates, LLC

7513 Mason Falls Dr., Winston, Georgia 30187
(p) 770.688.5148 (f) 770.577.0300

| | | | |
|-----------------|---|---------------|------------------------|
| To: | Mrs. Rhonda Ferrell-Bowles, City Manager | Date: | May 20, 2024 |
| Company: | City of Garden City | From: | Brennan D. Jones, P.E. |
| Address: | 100 Central Avenue Garden City, GA 31405 | Copy: | |
| Project: | 2024 LMIG Road Improvements Garden City, Georgia | Ref. # | 10001.31 |
| | | WO # | 2024- |

SCOPE OF SERVICES

Background Information

Brennan Jones Engineering Associates, LLC (BJEA) has prepared this Work Order (WO) in accordance with our Agreement for Services dated July 20, 2020.

Project Description

BJEA will provide engineering services related to GDOT LMIG Application preparation, design, bidding and construction administration for GDOT LMIG road improvements. The project includes road improvements work located in the Chatham Villa subdivision and Salt Creek Road area street listed below:

- Chatham Villa Drive & Byck Avenue
- Slat Creek Road to the dead end

The estimated cost for the road improvements project will be in the range of \$300,000 - \$400,000.

BJEA has developed the scope of work based on our understanding of services required by the City. The following task outlines the services proposed by BJEa:

Task 1 – Geotechnical Investigation:

BJEA's subconsultant UES will perform a limited geotechnical investigation at each road location. The services will include core drilling of asphalt pavement and base to determine existing thickness and classification of the pavement structure. The geotechnical investigation will be used as a basis for design of pavement restoration improvements for each road.

Task 2 – Design and Bidding Documents:

BJEA will prepare plans and details, project location maps, contract documents, general and supplementary conditions, technical specifications and other documents, which will allow for procurement of the project through a public bidding process. In addition, BJEa will prepare Contract Documents and Technical Specifications for the project. These documents will be used to solicit competitive bids from contractors.

Work Order

Brennan Jones Engineering Associates, LLC

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(p) 770.688.5148 (f) 770.577.0300

Task 3 –Bid Phase Services:

BJEA proposes to perform bid phase services including the following activities:

- Preparation of construction contract documents for bidding
- Provide the advertisement to bid to Owner for local project advertisement
- Reproduce and distribute bid documents to plan advertisement companies and bidders
- Conduct pre-bid conference, if required
- Interpretation of bid documents and issue addenda as required
- Attend and conduct the bid opening
- Evaluate bids and provide recommendation for contract award
- Preparation of contract documents (Agreement, Performance Bond, Payment Bond, etc.) for execution by City and Contractor

Task 4 –Construction Phase Services:

BJEA proposes to perform bid phase services including the following activities:

- Conduct Preconstruction Conference
- Receive and review submittals
- Review of contractor payment applications and recommendations for payment to the Owner
- Provide periodic on-site construction observation (approximately once per month during construction phase)
- Conduct substantial completion inspection and construction deficiency list
- Conduct final completion inspection
- Provide a recommendation for final acceptance
- Preparation of Contract Close-out Documents including Release of Liens and other documents

For construction phase services, we understand that Garden City will engage the services of a local engineering company to perform inspections and construction administration.

DELIVERABLES

BJEA will provide deliverables appropriate for the assignment and as agreed to with the client. Design document will include plans and specification and bidding documents. Deliverables will be transmitted to the City in hard copy and electronic Adobe Acrobat “.pdf” formats.

SCHEDULE

The project will be advertised for bids on or before September 15, 2024 and Bids will be opened in October 2024. It is anticipated that after project award, construction of road improvements will require approximately 90 days to complete.

Work Order

Brennan Jones Engineering Associates, LLC

7513 Mason Falls Dr., Winston, Georgia 30187
(p) 770.688.5148 (f) 770.577.0300

ENGINEERING FEE

All services will be performed on a Lump Sum and Hourly basis as indicated in the Fee Schedule below. BJEa will submit a detailed invoice on a monthly basis for services completed during the previous monthly period.

| Task Description | Fee |
|--------------------------------------|------------------------|
| Task 1 –Geotechnical Investigation | \$8,500.00 (Lump Sum) |
| Task 2 –Design and Bidding Documents | \$14,750.00 (Lump Sum) |
| Task 3 – Bid-Phase Services | \$3,300.00 (Hourly) |
| Task 4 – Construction-Phase Services | \$5,500.00 (Hourly) |
| Total | \$32,050.00 |

The above fee schedule includes anticipated expenses for copies, travel, etc., associated with design and construction administration services.


If Garden City requires additional services, which are not outlined in the Scope of Services herein, BJEa will provide those services in accordance with the Agreement for Engineering Services and our 2024 Unit Rate Schedule. A scope and budget for additional services would be prepared and approved by Garden City prior to us performing additional services.

AUTHORIZATION

The scope of services outlined herein will be performed in accordance with the Terms and Conditions in our Agreement for Engineering Service dated July 20, 2020. As our authorization, please sign in the space provided below.

CONSULTANT
BRENNAN JONES ENGINEERING
ASSOCIATES, LLC

OWNER
CITY OF GARDEN CITY, GEORGIA

By 
Brennan D. Jones, P.E.
Title Principal
Date 5/20/24

By _____
Rhonda Ferrell-Bowles
Title City Manager
Date _____

**A RESOLUTION TO RATIFY EMERGENCY SERVICE PROCUREMENT
FOR CITY'S SEWER LINE ON SMITH AVENUE**

WHEREAS, on May 18, 2024, the City Manager was compelled to make an emergency procurement of services from Savannah River Utilities Co. totaling \$88,340.00 in order to repair and/or replace components of the City's eight (8") inch sewer main line on Smith Avenue which, because of its depth (17 feet) and positioning (beneath a high pressure gas line and force), could not be handled by the City's public works crews who lack the necessary training and equipment to handle such work; 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 her 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 insure the continued operation of the City's sewer system;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF GARDEN CITY, GEORGIA, that the emergency procurement of services totaling \$88,340.00 made on May 18, 2024, by the City Manager from Savannah River Utilities Co., as evidenced by Exhibit A attached hereto, 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 by City Council and the Mayor on this _____ day of June, 2024.

BRUCE CAMPBELL, Mayor

EXHIBIT A

Savannah River Utilities Co.
1992 Hwy 21 N
Springfield GA 31329

5/28/2024

Invoice to:

Garden City
100 Central Avenue
Garden City, GA 31405

Attn: Rhonda Ferrell-Bowles

Invoice # 24-237



Job Description: Emergency Sewer Repair Main Line

Job Location: 161 Smith Ave.

5/18 Saturday

Mobilization and traffic control crew – 9 hrs.

Set up road protection at Smith Ave. All detours around Azalea and Ronnie. Flagging both at Smith and Hwy 21 & Hwy 25. Dump truck began loading out dirt to expose intersecting utilities.

5/19 Sunday

Crew – 9 hrs.

Hand digging out dirt to expose all intersecting utilities. Exposed 3" high pressure gas main and found a 12" cast iron force main that wasn't marked.

5/20 Monday

Crew – 9 hrs.

Got with Marth about the 12" force main. There was a bell almost centered in the excavation. Crew hand dug out very carefully to expose any additional unknown utilities. Some workers were on site digging while others were loading special sheet piling onto lowboy trailer.

5/21 Tuesday

EXHIBIT A

Crew – 11 hrs.

Crew cutting and welding template for sheeting (Including a 20 x 20 w/ 10" I beam squared and welded together)

5/22 Wednesday

Crew – 9 hrs.

Crew placing template and welding together. Crew had to dig under 12" force main very carefully to install template and completely welded to hold the steel in place.

5/23 Thursday

Crew – 9 hrs.

The crew began digging down to install sheeting. Secured the 12" force main to hold once dirt was removed. The 8" sewer main is directly below the 3" high pressure gas main and force main. Crew had to take about 2 x 20 FT roadway to place sheeting.

5/24 Friday

Crew – 9 hrs.

Crews began hand digging out where street was to be placed around template and force main. The crew was able to place sheeting around template.

5/25 Saturday

Crew – 11 hrs.

Crew got the main line exposed. Crew was able to setup sewer bypass from manhole. Manhole crew dug out and installed approx. 18 LF. of 8" sewer. The crew installed and packed rock (57 stone) around the force main.

5/26 Sunday

Crew – 10 hrs.

Crew tied sewer lateral line to a clean out way up on proper line. Crew began removing all sheeting and template beams. Beams had to be cut out w/ torch. All sheeting/steel was stacked out of the way; ready to load out. Moved in mini excavator to clean in front of houses for any mud that was in ditch. The mini excavator has a 4" ditching bucket that cleans and shape ditches. Placed dirt back from excavation.

5/27 Monday

Memorial Day Holiday

EXHIBIT A

5/28 Tuesday

Crew – 8 hrs.

Hauled in 6 loads of select sand and compacted w/ jack hammer around 12" fill and under the roadway patch. Hauled in approx. 10 tons of crusher run and packed in. Crew graded and paved roadway patch. The crew spread and compacted approx. 4 tons of asphalt.

| | | |
|---|--------------------------------------|-----------------------|
| Crew | | = \$ 43,500.00 |
| Mobilization | | = \$ 7,500.00 |
| Excavator #1 | 10 DAYS @ \$ 1,000.00 per DAY | = \$ 10,000.00 |
| Excavator #2 | 8 DAYS @ \$ 1,000.00 per DAY | = \$ 8,000.00 |
| Special Sheeting | | = \$ 12,000.00 |
| Shoring Welding Hauling In & Out | | = \$ 2,160.00 |
| Dump Truck | | = \$ 2,000.00 |
| Select Sand | | = \$ 1,200.00 |
| 57 Stone | | = \$ 450.00 |
| Crusher Run | | = \$ 800.00 |
| Asphalt Roller | | = \$ 730.00 |
| Total Amount Due | | = \$ 88,340.00 |

****10 % discount if paid in full by Friday, May 31st****

RESOLUTION

A RESOLUTION OF THE MAYOR AND COUNCIL FOR GARDEN CITY, GEORGIA, TO AMEND THE FY2024 ADOPTED BUDGET STAFFING LEVEL OF THE GENERAL FUND TO PROVIDE FOR A FULL-TIME PUBLIC WORKS & UTILITIES DEPARTMENT ADMINISTRATOR FOR THE CITY'S PUBLIC WORKS & UTILITIES DEPARTMENT.

WHEREAS, in its adoption of the FY2024 Budget, the City Council approved a Staffing Level Chart for the City providing the staffing levels for each of the funds and departments of the city; and,

WHEREAS, the City Council wishes to amend said Staffing Level Chart of the General Fund to add a full-time Public Works & Utilities Administrator position for the Public Works & Utilities Department as reflected in Exhibit "A"; and,

WHEREAS, the approximate total salary and benefits cost for the full-time Public Works & Utilities Administrator position is estimated at \$137,800.

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

- 1) That the City Council does hereby amend the FY2024 Budget Staffing Level of the General Fund to add a full-time Public Works & Utilities Administrator position to bring the total number of authorized full-time positions for the Public Works & Utilities Department to twelve.
- 2) That the City Council does hereby instruct the City Manager to make the increase adjustments to various certain funding levels in the FY2024 General Fund budget and Water/Sewer Fund line items for salaries and benefits to reflect the changes in staffing level to balance the budget through the City's customary mid-year or end-of-the-year budget amendment process.

ADOPTED by the Mayor and Council of Garden City, Georgia, this 3rd day of June 2024.

BRUCE CAMPBELL, Mayor

EXHIBIT "A"

**FY2024 Staffing Level Chart Amendment
General Fund (Public Works Department)**

| Public Works (<i>Includes Stormwater</i>) | 2022 Actual | 2023 Amended | 2024 Amended | Pay Status Budget |
|---|------------------------|-------------------------|-------------------------|------------------------------|
| Public Works & Utilities Department Administrator | 1 | 0 | 1 | Exempt |
| Director of Public Works | 0 | 1 | 1 | Exempt |
| Executive Assistant | 1 | 1 | 1 | Exempt |
| Public Works Supervisor | 1 | 1 | 1 | Exempt |
| Public Works Crew Leader | 3 | 3 | 3 | Non-Exempt |
| Public Works Technician | 3 | 2 | 2 | Non-Exempt |
| Heavy Equip. Operator | 3 | 3 | 3 | Non-Exempt |
| Total Public Works FTE Staffing | 12 | 11 | 12 | |

A RESOLUTION APPOINTING AN INTERIM CLERK OF COUNCIL

WHEREAS, the Mayor and Council of Garden City, Georgia (the "City Council"), pursuant to Georgia statute and the Garden City Charter, is vested with the authority of administering the affairs of Garden City, Georgia (the "City"); and,

WHEREAS, Section 2.08 of the Garden City, Georgia, Charter provides that the City Manager shall appoint, subject to confirmation by the City Council, an officer of the City who shall have the title of Clerk of Council;" and,

WHEREAS, the Rhonda Ferrell Bowles has recently been appointed City Manager, causing her to resign her title as Clerk of Council and resulting in a vacancy in such position; and,

WHEREAS, it is necessary for the City to appoint an Interim Clerk of Council; and,

WHEREAS, the City Manager has appointed Veronica Enoch, Executive Assistant to the City Manager, as the Interim Clerk of Council; and,

WHEREAS, the City Council desires to approve the appointment of Veronica Enoch as Interim Clerk of Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF GARDEN CITY, GEORGIA, AS FOLLOWS:

1. The Mayor and Council hereby approves the appointment of Veronica Enoch as the Interim Clerk of Council for the City, and confers upon her all the rights and responsibilities of the position of the Clerk of Council until such time as a replacement Clerk of Council is hired.
2. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all Resolutions or parts of Resolutions inconsistent with the provisions of this Resolution are hereby repealed.

ADOPTED AND APPROVED AT A REGULAR MEETING OF THE MAYOR AND COUNCIL OF GARDEN CITY, GEORGIA ON THIS ____ DAY OF JUNE, 2024.

CITY OF GARDEN CITY, GEORGIA

BY: _____
Bruce Campbell, Mayor