

A G E N D A

City Council Meeting

Monday, November 18, 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

- **Alcoholic Beverage License Manager's Application:** Receipt of public comment on a manager's alcoholic beverage license application made by Jontae Sandria to sell wines, beer, and/or malt beverages at Food Lion LLC. (D/B/A Food Lion #811) 109 Minus Avenue, Garden City, Georgia.
- **Alcoholic Beverage License Application:** Receipt of public comment on an alcoholic beverage license application made by Walgreen Co. to sell wines, beer, and/or malt beverages at Walgreen Co. (D/B/A Walgreens #11538) 4210 Augusta Road, Garden City, Georgia.
- **Alcoholic Beverage License Application:** Receipt of public comment on an alcoholic beverage license application made by Payal V. Shah to sell wines, beer, and/or malt beverages at Sai Shiv 1912 LLC (D/B/A Mini Mart) 403 US Hwy 80 W Suite M, Garden City, Georgia.
- **Alcoholic Beverage License Application:** Receipt of public comment on an alcoholic beverage license application made by Angel U. Lares to sell wines, beer, and/or malt beverages at EL Fogon Katracho LLC, 1550 Dean Forest Road, Suite C, 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 November 4th Pre-Agenda Session and City Council Meeting Minutes.

➤ **City Manager Updates**

- Staff reports are included with the agenda packet.

➤ **ITEMS FOR CONSIDERATION**

- **Second Reading - Ordinance – De-Annexation (Ogeechee Road Property):** An ordinance to de-annex five (5) lots or certain parcels of land owned by Kevin Beckwith, Belinda Lee LLC, John Kimker III, Eric Kimker and Joseph Kimker, and Ogeechee Intermodal, LLC from the existing corporate limits of Garden City, Georgia.
- **Resolution – Georgia Ports Authority Lease Agreement (Fire Department):** A resolution to approve the terms of an updated lease agreement with Georgia Ports Authority for the use and occupancy of a 0.39-acre parcel located at 160 Main Street in Garden City, Georgia for use as a fire station facility; authorizing the City Manager to execute the agreement on behalf of the City, and for other purposes.
- **Resolution – Chatham County Automatic Aid Agreement (Fire Department):** A resolution approving an agreement with Chatham County, Georgia for fire service automatic aid, and for other purposes.
- **Resolution – Hotel/Motel Authorization to Transfer Tax Funds:** A resolution authorizing the City's execution of an agreement with the Garden City Area Convention and Visitor Bureau Authority memorializing the winding down and termination of their contractual relationship with respect to the handling of Hotel/Motel occupancy tax monies.
- **FY2025 Fee Schedule:** Consideration by the Mayor and City Council to approve the updated schedule of fees for the fiscal year 2025.
- **Resolution – FY2025 Budget Adoption:** A resolution to adopt the FY2025 operating and capital budgets; to provide appropriation of funds for operating and capital expenditures; and to appropriate funding for specific operating and capital funds of the Garden City Government.
- **Visit Savannah Marketing FY2025 Budget:** Consideration by the Mayor and City Council to approve the FY2025 Budget submitted by Visit Savannah to provide services for the marketing and promotion of tourism for the City of Garden City.
- **Resolution – FY2025 Alcoholic Beverage License Renewals:** A resolution to authorize the renewal of Garden City alcohol licenses for the 2025 calendar year; to provide for review and limited investigation of said license holders and for other purposes.

- **Resolution – City Council Meeting Schedule Amendment (December 2, 2024 – December 16, 2024):** A resolution to amend the regular meeting schedule of the Garden City Council; to eliminate the December 2, 2024, and December 16, 2024, regular City Council meetings in observance of Christmas.
- **Resolution – GIRMA First Responder PTSD Agreement:** A resolution to add membership in a fund of the Georgia Interlocal Risk Management Agency by executing the application and participation agreement for such fund.
- **Alcoholic Beverage License Manager's Application:** Consideration by the Mayor and Council of a manager's alcoholic beverage license application made by Jontae Sandria to sell wines, beer, and/or malt beverages at Food Lion LLC. (D/B/A Food Lion #811) 109 Minus Avenue, Garden City, Georgia.
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- **Executive Session - Pending Litigation/Personnel Matters**

➤ **ADJOURN**