

A G E N D A

City Council Meeting

Monday, January 6, 2025 – 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

- **PC-11-24-1109 – Rezoning Request:** Receipt of public comment on a request by Roberts Civil Engineering for a rezoning to C-2 (currently split zoned R-A and R-2) at 4602 Old Louisville Road.
- **Alcoholic Beverage License Application:** Receipt of public comment on an alcoholic beverage license application made by Sunil Patel to sell spirituous liquors by the drink, wines, beer, and/or malt beverages at Prism Hospitality, LLC (D/B/A Dockside Bar & Restaurant) 174 Minus Avenue, 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 18th Pre-Agenda Session and City Council Meeting Minutes.

➤ **City Manager Updates**

➤ **ITEMS FOR CONSIDERATION**

- **Resolution – CenterPoint Fawcett Property:** A resolution authorizing Garden City, Georgia to enter into a first amendment to development agreement with CenterPoint Fawcett Tract, LLC for the development as a 68.556-acre tract located Southwest of the Anderson Street Extension off U.S. Highway 80; to authorize the City Manager to execute the amendment; and for other purposes.
- **Resolution – Graham Settlement Release Agreement:** A resolution authorizing Mayor and Council to approve a settlement release agreement resolve between Garden City Georgia and Graham Outdoor Advertising, LLC.
- **Resolution – Amendment to City Council Meeting Schedule:** A resolution to amend the regular meeting schedule of the Garden City Council; to eliminate the January 20, 2025, regular City Council meeting due to the Martin Luther King, Jr. holiday; and to establish a meeting of the City Council on January 21, 2025.
- **Resolution – Terracon Proposal Service Agreement:** A resolution authorizing the City Manager to execute and the Clerk of Council to attest to a professional services agreement with Terracon Consultants, Inc. for material testing and special inspection services associated with the new city Gymnasium complex project; authorizing payment by Garden City in an amount not to exceed sixty-five thousand (\$65,000) dollars for such services plus an additional amount not to exceed twenty thousand (\$20,000) dollars for optional inspection services related to erosion, sedimentation, and pollution control.
- **Resolution - Associate Judge Agreement (Wilson):** A resolution by the City Council to authorize the Mayor to execute an agreement between the City and Ty Wilson, which sets forth the terms of Mr. Wilson's appointment as the Associate Judge of the Garden City Municipal Court.
- **Resolution - Judge Pro-tem Agreement (Tomlinson):** A resolution by the City Council to authorize the Mayor to execute an agreement between the City and Billy Tomlinson, which sets forth the terms of Mr. Tomlinson's appointment as the Judge Pro-tem of the Garden City Municipal Court.
- **Resolution - Judge Pro-tem Agreement (Call):** A resolution by the City Council to authorize the Mayor to execute an agreement between the City and Craig Call, which sets forth the terms of Mr. Call's appointment as the Judge Pro-tem of the Garden City Municipal Court.
- **Resolution - Prosecuting Attorney Agreement (Bradley):** A resolution by the City Council to authorize the Mayor to execute an agreement between the City and Caroline Bradley, which sets forth the terms of Ms. Bradley's appointment as the City's Prosecuting Attorney.

- **Resolution - Pro-Tem Prosecuting Attorney Appointment (Beard):** A resolution to appoint Ashley Beard to serve as the City's Pro-tem Prosecuting Attorney.
- **Resolution - Public Defender Agreement (Montgomery):** A resolution by the City Council to authorize the Mayor to execute an agreement between the City and Gage Montgomery, which sets forth the terms of Mr. Montgomery's appointment as the City's Public Defender.
- **Resolution - Pro-Tem Public Defender Appointment (Tell):** A resolution by the Mayor and Council to appoint Lawrence Tell to serve as Public Defender if Public Defender Gage Montgomery is unavailable to perform his duties for court.
- **Resolution - EOM Master Services Agreement:** A resolution authorizing the execution of a master services agreement and task order by and between Garden City, Georgia and EOM Operations for site plan review for residential subdivisions, commercial sites, and industrial sites within the City.
- **Resolution – Pumper Truck (Fire Dept. FY2025 Budget):** A resolution by Mayor and Council authorizing a commitment to purchase a Pierce-Custom Fire Pumper Truck in the amount of \$899,500.00 including related equipment and service guarantees from Ten-8 Fire & Safety, LLC through the State of Georgia Cooperative Purchasing program; to provide for an effective date; and for other purposes.
- **Alcoholic Beverage License Application:** Consideration by the Mayor and Council of an alcoholic beverage license application made by Sunil Patel to sell spirituous liquors by the drink, wines, beer, and/or malt beverages at Prism Hospitality, LLC (D/B/A Dockside Bar & Restaurant) 174 Minus Avenue, Garden City, Georgia.

➤ **ADJOURN**