

MINUTES

City Council Meeting Monday, August 19, 2024 – 6:00 p.m.

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

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

Roll Call

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

Staff Members: Rhonda Ferrell-Bowles City Manager; James P. Gerard, City Attorney; Gil Ballard, Chief of Police; Laureen Boles, Planning and Economic Development Director, Katie Draeger; Finance Director, Cliff Ducey; Parks and Recreation Director, Tonya Roper; Clerk of Council and Andrew Guzman, IT Technician.

Formal Public Comment: Savannah Pet Cemetery: Mr. Phil Phillips; owner requests to address the City Council about the requirement to identify the need and resolve the issue for cleaning drainage canals.

Phil Phillips, 7 Salt Creek Road, stated he would like to present a handout to Council along with a video showing a drainage canal with vegetation with hardly any ditch. Mr. Phillips expressed his concern for his son that lives next door at 9 Salt Creek Road and has had flooding and believes it would not have occurred if the ditch had been cleaned. The ditch is backing up and flooding all through out. Mr. Phillips stated the ditch has always been an issue even when it was maintained by the County. He then inquired about and cited the responsibility of maintenance from the Floodplain Management/Stormwater manual. Mr. Phillips continued by saying it appears there are concerns regarding maintenance and private property; he expressed his suggestions with regards to maintenance, cost, complaints, equipment, and cleaning of ditches to the Public Works Department. He also discussed being open to the involvement of an engineer to assist with the resolve of any issues. Mr. Phillips conveyed his concerns regarding placing the cleaning on a schedule and said if the larger ones are cleaned it may help with relief of the smaller ditches even if this schedule is six months out from the work being done.

Councilmember Tice inquired whether the issue backs into Little Ogeechee.

Mr. Phillips replied no, the issue goes into Salt Creek, but Salt Creek may flow into Little Ogeechee. He said there were other resident concerns about the Corp of Engineers involvement, but we have expressed to the County about the possibilities of digging out with a barge and further into the marsh for more of a flow.

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

Deidrick Cody, Chairman of Chatham Area Transit, stated that he wanted to give an update about what we have going on with Chatham Area Transit; we are looking for a location for our paratransit to build a facility for new buses, we have a meeting on the 27th of August and that he will provide further details once received. Mr. Cody said we recently received a grant to enhance our bus system, we have a new interim CEO with the former taking a job with the City of Savannah. He said we have a new Board member who is an educator within the City of Savannah and the Board along with our newest member will be traveling to Washington DC to attend seminars. Mr. Cody stated he would be happy to bring in the new member to meet the City Council.

Councilmember Morris asked if the new member is replacing a former member or a new member that has been added to the board.

Mr. Cody stated that the new member is replacing a former member that is no longer with us.

Michael Sheppard, 312 B Salt Creek Road stated that Mr. Phillips addressed several drainage issues, and we are also having the same issues, and that he wants to bring up the monthly stormwater fee incurred but doesn't get the service. He said there is ditch in the area where the property owner is not allowing access and if the property owner were to allow access it would help with some of the existing drainage problems and improve the drain off. Mr. Sheppard expressed his concerns about the maintenance and the need for an assessment to find a solution.

Nathaniel Smalls Jr, said he is here to discuss 0 Heidt Avenue, he has been taking care of the property by paying the taxes and ensuring the grass is cut. Mr. Smalls said he spoke with Staff regarding the rezoning and changing it for the use for a business.

The City Attorney said this item has had a Public Hearing which is a separate hearing from the informal public comment section and the item on for the agenda for Consideration tonight.

Mayor Campbell confirmed Mr. Smalls' item had previously been heard for a Public Hearing. Given no other speakers, Mayor Campbell closed the public comment portion of the meeting.

City Council Minutes: Councilmember Lassiter motioned to approve the minutes from the July 15th, Pre-Agenda Session and City Council Meeting Minutes, and the August 12th workshop. The motion was seconded by Mayor Pro-Tem Daniel and passed with Councilmember Ruiz stating she attended the August 12th workshop via zoom.

Items for Consideration

First Reading - Ordinance – Zoning Text Amendment (EV Charging Station): The Clerk of Council read the heading of an ordinance to amend the Code of Ordinances for Garden City, Georgia, as amended, by amending Chapter 22 of the said Code to define and regulate the operation of electric vehicle charging stations as businesses within the City; by amending zoning Chapter 90, Articles I & II, to add electric vehicle charging stations to the permitted uses listed in Code Section 90-47(b).

Councilmember Ruiz motioned to approve the ordinance on first reading. Mayor Pro-tem Daniel seconded the motion. Councilmember Tice questioned the changes to the ordinance with the City Manager stating that the recommended changes by the Planning Commission were incorporated into the ordinance.

Motion passes with Councilmember Lassiter and Councilmember Morris voting in opposition. Mayor Campbell stated that the motion carries on the first reading.

First Reading – Ordinance – Zoning Text Amendment(Short-Term Rentals/Bed and Breakfast Establishments): The Clerk of Council read the heading of an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by amending Chapter 22 of the said Code to define and regulate the operation of Short-Term Rentals and Bed and Breakfast Establishments as businesses through a licensing application process establishing requirements relating to management, minimum building and safety standards, occupancy limits, and parking and through an enforcement process establishing penalties for non-compliance and an appeal process for contesting same; by amending zoning Chapter 90, Articles I & II, to define and add Short-Term Rentals and Bed and Breakfast Establishments to the permitted uses listed in Code Section 90-47(B) which uses shall be permitted in “R-A”, “R-1(B)”, “R-2”, “R-I-N”, and “M” zoning districts in Garden City, Georgia.

Councilmember Daniel motioned to approve the ordinance on first reading. Councilmember Ruiz seconded and all approved.

Motion to Suspend the Rules of Council: Councilmember Lassiter motioned to suspend the rules of Council to hold the second reading of the ordinance. The motion was seconded by Councilmember Morris and passed without opposition.

Second Reading – Ordinance – Zoning Text Amendment(Short-Term Rentals/Bed and Breakfast Establishments): The Clerk of Council read the second reading of the heading of an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, by amending Chapter 22 of the said Code to define and regulate the operation of Short-Term Rentals and Bed and Breakfast Establishments as businesses through a licensing application process establishing requirements relating to management, minimum building and safety standards, occupancy limits, and parking and through an enforcement process establishing penalties for non-compliance and an appeal process for contesting same; by amending zoning Chapter 90, Articles I & II, to define and add Short-Term Rentals and Bed and Breakfast Establishments to the permitted uses listed in Code Section 90-47(B) which uses shall be permitted in “R-A”, “R-1(B)”, “R-2”, “R-I-N”, and “M” zoning districts in Garden City, Georgia.

Councilmember Ruiz made a motion to adopt, and Councilmember Daniel seconded. With no opposition, the motion was carried on the second reading.

First Reading - Ordinance – Zoning Map Amendment(Nathaniel Smalls/0 Heidt Avenue): The Clerk of Council read the heading of an ordinance to amend the zoning ordinance, and map of Garden City Georgia, as amended, to rezone from a zoning classification of “R-2” to a zoning classification of “C-2A” the northern half of lot 132 and the southern half of lot 131, Central Junction Heights subdivision, Garden City, Chatham County, Georgia, currently owned by Nathaniel Smalls, Jr., as Administrator of the Estate of Gussie Mae Small pursuant to letters of administration issued on May 16, 2024, by the Probate Court of Chatham County, Georgia in the Gussie Mae Small Estate.

Councilmember Lassiter motioned to approve the ordinance on the first reading. Councilmember Morris seconded the motion. The motion passed with Councilmember Ruiz voting in opposition.

First Reading - Ordinance – Zoning Map Amendment(2779 U.S. Highway 80): The Clerk of Council read the heading of an Ordinance to amend the zoning ordinance and map of Garden City, Georgia, as amended, to rezone from a zoning classification of “R-1” to a zoning classification of “R-2” portions of Lot 3 and lot 4 of the Burdette Tract in Garden City, Chatham County, Georgia, having an address of 2779 U.S. Highway 80, Garden City, Georgia 31408 and currently owned by the City of Garden City and by All In One Car Export, LLC.

Councilmember Daniel motioned to approve the ordinance on the first reading. Councilmember Tice seconded the motion. The motion passes with Councilmember Morris voting in opposition.

Resolution – New Gym Complex: The Clerk of Council read the heading of a resolution approving an amendment to the AIA AI33 Agreement for construction management services with Lavender & Associates, Inc. for the construction of a gymnasium and multi-purpose recreational complex on the city owned Hayne Elementary School site with a guaranteed maximum price of \$17,381,438.00; approving the updated project design plans and technical specifications upon which the guaranteed maximum price is based; authorizing the City Manager to finalize and execute the agreement; subject to approval as to form and legal sufficiency by the City Attorney; to amend the City’s Budget for the project; to expend budgeted funds in furtherance hereof and providing for implementation.

Councilmember Ruiz motioned to adopt the resolution, and Councilmember Danile seconded the motion. The motion passed with Councilmember Morris voting in opposition by sharing her reasoning for denial while expressing her excitement for the development while stating her concerns about the project resolution.

Resolution – Traffic Calming Devices Recommendation and Policy: The Clerk of Council read the heading of a resolution approving the recommendations of the Traffic Calming Study conducted by Thunderbolt Consultants relating to the use of speed bumps and speed humps as traffic calming devices in the residential areas of Garden City, Georgia; to adopt a Traffic Calming Policy for the City; and to authorize the City Manager to implement such adoptions.

Councilmember Tice motioned to adopt the resolution. Councilmember Ruiz seconded the motion; the motion passes with Councilmember Lassiter respectfully denying the motion and Councilmember Morris voting in opposition. Councilmember Lassiter, Councilmember Morris and Councilmember Ruiz all expressed their concerns regarding the timeframe of the traffic study.

Resolution – Garden City Fire Department – AFG Radio Grant: The Clerk of Council read the heading of a resolution approving the award of the Federal Emergency Management Agency (“FEMA”) Fiscal Year 2023 Assistance to Firefighters Grant for the purchase of twenty-eight(28) mobile radios for the Garden City Fire Department; authorizing the City Manager to take all necessary steps to finalize and implement the terms and conditions of the grant agreement; and authorizing the City Manager to execute the grant agreement authorizing the grant cost share.

Councilmember Lassiter motioned to adopt the resolution. Councilmember Tice seconded the motion and the motion passes without opposition.

Resolution – Simcoe Water & Sewer Agreement: The Clerk of Council read the heading of a resolution authorizing Garden City, Georgia to enter into an agreement for furnishing water and sewer service to a 17.69-acre tract owned by Simcoe At Mosswood, LLC near the intersection of Constantine Road and Town Center Drive for development as a residential townhome community; and to authorize the City Manager to execute the agreement.

Councilmember Ruiz motioned to adopt the resolution. Councilmember Daniel seconded the motion, the motion passes without opposition.

Resolution – Sales Contract and Development Agreement for 2779 Highway 80: The Clerk of Council read the heading of a resolution authorizing Garden City, Georgia to enter into a sales contract for Konter to purchase property measuring approximately 10.596 acres located along the Northern side of U.S. Highway 80 just West of Griffin Avenue, at 2779 U.S. Highway 80, Garden City, Georgia to develop as a residential apartment community, and to approve the development agreement.

Councilmember Lassiter motioned to adopt the resolution. Councilmember Morris seconded the motion; all voted approving the motion with the City Attorney stating there needs to be an amendment as the Sales Contract has been approved; a separate motion is needed for the Development Agreement only. Councilmember Lassiter motioned to adopt the resolution for the Development Agreement. Councilmember Morris seconded the motion, the motion passes without opposition.

Resolution – Savannah Housing Authority Revenue Bonds for Pines Acquisition Partners: The Clerk of Council read the heading of a resolution providing for the approval of the issuance of tax-exempt multifamily housing revenue bonds by The Housing Authority of the City of Savannah for the benefit of Pines Acquisition Partners.

Dana Brawn; attorney for The Housing Authority of Savannah gave an overview of the resolution request; he stated issuance of the bond makes it available for a lower interest rate; we need Garden City's approval in order to move forward.

Councilmember Lassiter stated that Garden City acquires no liability with the approval of this resolution.

Mr. Brawn replied that is correct; this is the owner's credit and the property itself secures the bond.

Councilmember Morris motioned to adopt the resolution. Councilmember Daniel seconded the motion; the motion passes without opposition.

Adjournment: Given no other items on the agenda to discuss, Mayor Campbell called for a motion to adjourn the meeting. Councilmember Lassiter motioned to adjourn the meeting at approximately 6:41 p.m. The motion was seconded by Councilmember Morris and passed without opposition.

Transcribed & submitted by: The Clerk of Council

Accepted & approved by: The City Council on 9/16/24