

MAYOR
Allen Brown

CITY MANAGER
Kenneth Howard

CITY CLERK
Lia Jones

CITY ATTORNEY
Linnie Darden III



**MAYOR AND COUNCIL
REGULAR MEETING
AGENDA
3:00 PM
April 7, 2022
Council Chamber**

MAYOR PRO TEM
Keith Jenkins

COUNCIL MEMBERS
Diana Reid
Vicky Nelson
Jason R. Floyd
Karl A. Riles

1. INVOCATION

Superintendent Julian Jones of Mount Carmel Holiness Church.

2. MINUTES

Approve the Minutes of the March 17, 2022 Council Meeting.

3. UNFINISHED BUSINESS

3.1. CITIZENS SIGN APPEALS BOARD

To Present for Mayor and Council Consideration, Citizens Sign Appeals Board Appointments will Expire on April 15, 2022. Mayor Pro Tem Jenkins (Patricia Harris) and Councilmember Riles (Larry Boggs).

Action Item

4. PRESENTATIONS

4.1. 2ND ANNUAL WOMENHEART "ALICIA'S RIDE" ON APRIL 16, 2022 AT 10:00 AM.

To Present for Mayor and Council Consideration, 2nd Annual Womenheart "Alicia's Ride" on April 16, 2022 at 10:00 am.

Informational Item

4.2. RECOMMENDATION TO RENAME THE VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC IN HINESVILLE

To Present for Mayor and Council Consideration, Update to the Request to Join with Other Municipalities in Support of Renaming the VA Community Based Outpatient Clinic in Hinesville to the Gibson, James, Sapp, Smiley Veterans Affairs Community Based Outpatient Clinic.

Informational Item

4.3. HINESVILLE HOUSING AUTHORITY

To Present for Mayor and Council Consideration, Hinesville Housing Authority to Address Mayor and Council Questions and Concerns.

Informational Item

"Home for a Day or a Lifetime"

5. PLANNING AND ZONING

5.1. LOT COVERAGE VARIANCE #2022-017-H

To Present for Mayor and Council Consideration, Lot Coverage Variance Request for 312 Wexford Drive, Further Described as LCTM-Parcel 058D-064. (District #5)

Action Item

5.2. LOT COVERAGE VARIANCE #2022-022-H

To Present for Mayor and Council Consideration, Lot Coverage Variance Request for 1125 Montclair Drive, Further Described as LCTM-Parcel 059C-150. (District #5)

Action Item

6. PUBLIC HEARING - none

7. NEW BUSINESS

7.1. ESG BID OPENING FOR JV ROAD DEBRIS SCREENING SERVICES

To Present for Mayor and Council Consideration, JV Road Debris Screening Services Bid Opening.

Action Item

7.2. HPD BID OPENING FOR PURCHASING NEW VEHICLES

To Present for Mayor and Council Consideration, Hinesville Police Department Bid Opening for Purchasing New Vehicles.

Action Item

7.3. HINESVILLE DOWNTOWN DEVELOPMENT AUTHORITY

To Present for Mayor and Council Consideration, Hinesville Downtown Development Authority Board Appointments will Expire on May 6, 2022. Councilmember Reid (Sabrina Newby), Councilmember Floyd (Thomas Ratcliffe), Councilmember Nelson (Shonda Mikel) and Mayor Pro Tem Jenkins (John Baker).

Informational Item

7.4. HINESVILLE HOUSING AUTHORITY BOARD

To Present for Mayor and Council Consideration, Hinesville Housing Authority Board Appointment will Expire on May 11, 2022. Mayor and Council (Denise Deigh).

Informational Item

7.5. PROPOSED MOBILE FOOD SERVICE ESTABLISHMENT ORDINANCE #2022-01

To Present for Mayor and Council Consideration, Adopt Ordinance to Amend the Code of the City of Hinesville, Georgia, Appendix A. Zoning, Article Vi. Additional Regulations, to Add Section 626. Mobile Food Service Establishment Regulations; to Regulate Food Trucks in The City of Hinesville; to Provide an Adoption Date; to Provide an Effective Date; and for Other Purposes Allowed by Law.

Informational Item

"Home for a Day or a Lifetime"

8. BUSINESS LICENSE - none
9. PUBLIC COMMENT
 - 9.1. PUBLIC COMMENT
10. MAYOR ALLEN BROWN
 - 10.1. MAYOR BROWN'S REPORT
11. COUNCILMEMBER RILES - DISTRICT 5
 - 11.1. COUNCILMEMBER RILES REPORT
12. MAYOR PRO TEM JENKINS - DISTRICT 4
 - 12.1. MAYOR PRO TEM JENKIN'S REPORT
13. COUNCILMEMBER NELSON - DISTRICT 3
 - 13.1. COUNCILMEMBER NELSON'S REPORT
14. COUNCILMEMBER FLOYD - DISTRICT 2
 - 14.1. COUNCILMEMBER FLOYD'S REPORT
15. COUNCILMEMBER REID - DISTRICT 1
 - 15.1. COUNCILMEMBER REID'S REPORT
16. CITY MANAGER KENNETH HOWARD
 - 16.1. CITY MANAGER'S REPORT
17. ADJOURN

"Home for a Day or a Lifetime"



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Citizens Sign Appeals Board
Prepared by: Rose Kenner
Presented by: Kenneth Howard

PURPOSE: For Mayor Pro Tem Jenkins and Councilmember Riles to make appointments to the Citizen Sign Appeals Board. Appointments will expire on April 15, 2022.

BACKGROUND: According to City of Hinesville Code of Ordinances, **Appendix A. Zoning, Article VII. Sign Regulations, Section 822. Citizens Sign Appels Board (b)** - The Board shall consist of six (6) members appointed by the Mayor and Council, with each such elected official responsible for the selection of one (1) Board Member. The term of office shall be for a three (3) year term.

FUNDING: N/A

RECOMMENDATION: N/A

ATTACHMENTS:

1. Board Appointment Spreadsheet - Citizens Sign Appeals Board
2. Code Section 822 Citizens Sign Appeals Board

PREVIOUS COUNCIL DISCUSSION: March 3, 2022 and March 17, 2022

STANDING
BOARDS/COMMISSIONS/AUTHORITIES
APPOINTEES

Citizens Sign Appeals Board						
APPOINTED BY	CURRENT APPOINTEES	RESIDES IN DISTRICT	TERMS SERVED	LENGTH OF TERM	TERM BEGAN	TERM EXPIRES
Mayor Brown	Randy Branch	N/A		3 Years	07/16/2020	04/15/2023
CM Reid	Yvonne Woods	1	4	3 Years	04/15/2011	04/15/2023
CM Floyd	Barbara Martin-VanDuser	2	4	3 Years	04/15/2011	04/15/2024
CM Nelson	Minnie Stafford	3		3 Years	05/06/2021	04/15/2024
CM Jenkins	Patricia Harris	4		3 Years	04/15/2019	04/15/2022
CM Riles	Larry Boggs	5	3	3 Years	04/15/2013	04/15/2022

Zoning Ordinance, City Code Section 822 (b)

Sec. 822. Citizens Sign Appeals Board.

- (a) Establishment of the Board. There is hereby established a commission which shall be called the "City of Hinesville Citizens Sign Appeals Board."
- (b) Board members—Appointment, terms of office, election of officers, and compensation. The Board shall consist of six members appointed by the Mayor and City Council, with each such elected official responsible for the selection of one Board member. The terms of office of Board members shall be for three-year staggered terms. The Board shall elect from its membership a chairperson and such other officers as may be desired. Officers shall be elected on a calendar year basis, but may be reelected for succeeding terms. All members of the Board shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.
- (c) Vacancies. Any vacancy in membership of the Board shall be filled for the unexpired term by the elected official responsible for the initial selection of the departing Board member. The Mayor and City Council shall have the authority to remove any member for cause, on written charges, after a public hearing.
- (d) Powers. The Citizens Sign Appeals Board shall be authorized:
 - (1) To hear and make recommendations to the Mayor and City Council in all hardship and other common sense appeals.
 - (2) To hear any and all challenges to the enforcement of any provision or requirement of the City's sign ordinance as set forth herein or later amended.
 - (3) To hear any and all challenges to any decision, determination, or order made by the City's Director of Inspections in enforcing the provisions of this Article and any amendments thereto.
- (e) In exercising the above powers, the Mayor and City Council may reverse, affirm, or modify the Board's recommendations, and to that end shall have the powers of the Director of Inspections from whom the appeal is taken and may issue the necessary permit.
- (f) Procedures of the Citizens Appeals Board.
 - (1) Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the procedures of this Code. The board shall meet on call of the chairman. The board shall meet within 30 days after notice of appeal has been received.
 - (2) Decisions. The Citizens Appeals Board shall, in every case, reach a decision and make a recommendation to the Mayor and Council without unreasonable or unnecessary delay. Each board recommendation shall be in writing and shall include the reasons for the decision. A certified copy of the recommendation shall be promptly forwarded to the Mayor and Council.

(Ord. No. 2010-01, § I, 3-4-2010)



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022

Agenda Item: 2nd Annual Womenheart "Alicia's Ride" on April 16, 2022 at 10:00 am.

Prepared by: Christy Deloach

Presented by: Sandy Wells

PURPOSE: To Present for Mayor and Council Consideration, 2nd Annual Womenheart "Alicia's Ride" on April 16, 2022 at 10:00 am.

BACKGROUND: N/A

FUNDING: N/A

RECOMMENDATION: N/A

ATTACHMENTS:

1. 2nd Annual Womenheart "Alicia's Ride"

PREVIOUS COUNCIL DISCUSSION: N/A



2nd ANNUAL WOMENHEART "ALICIA'S RIDE"



We Ride in honor of Alicia Roberts, a former patient of Liberty Regional Medical Cardiac Rehab Center. WomenHeart Hinesville was established in 2018 by Alicia Roberts and Sandra Wells, a Cardiac Rehab nurse. We strive to continue Alicia's vision of a Heart Healthy Liberty County and the state of Georgia. Join Us!



APRIL 16, 2022 @ 10AM

ENTRY \$10 FEE

DONATIONS ACCEPTED

CashApp \$AliciasRide

Registration at 8am. Ride starts at 10 am./Kickstands Up!

Riceboro Pavilion located at

5649 S Coastal Hwy

Riceboro, Ga 31323

Please contact Shirley Howard (912) 463-2020 or Bennie Hines (912) 655-6378



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022

Agenda Item: Recommendation to Rename the Veterans Affairs Community Based Outpatient Clinic in Hinesville

Prepared by: Christy Deloach

Presented by: Bruce McCartney

PURPOSE: To Present for Mayor and Council Consideration, Update to the Request to Join with Other Municipalities in Support of Renaming the VA Community Based Outpatient Clinic in Hinesville to the Gibson, James, Sapp, Smiley Veterans Affairs Community Based Outpatient Clinic.

BACKGROUND: N/A

FUNDING: None

RECOMMENDATION:

ATTACHMENTS:

PREVIOUS COUNCIL DISCUSSION: The item was reviewed at the March 03, 2022 City Council meeting.



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Hinesville Housing Authority
Prepared by: Lia Jones
Presented by: Melanie Thompson

PURPOSE: To Present for Mayor and Council Consideration, Hinesville Housing Authority to Address Mayor and Council Questions and Concerns.

BACKGROUND: N/A

FUNDING: N/A

RECOMMENDATION: N/A

ATTACHMENTS:

PREVIOUS COUNCIL DISCUSSION:



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Lot Coverage Variance #2022-017-H
Prepared by: Gabby Hartage
Presented by: Jeff Ricketson

PURPOSE: Property is located at 312 Wexford Drive and zoned R-3 (Single-Family Dwelling District) which allows a maximum lot coverage of 20 %. With the location of a 16 ft. x 35 ft. accessory structure, lot coverage would increase to 24 %.

BACKGROUND: Property owner is David L. McIntosh.

FUNDING: N/A

RECOMMENDATION: March 15, 2022. LCPC Commissioners recommended APPROVAL with standard conditions.

ATTACHMENTS:

1. 2022-017-H presentation

PREVIOUS COUNCIL DISCUSSION: N/A

Variance 2022-017-H

A petition was submitted by David L. McIntosh, owner, for a lot coverage variance at 312 Wexford Drive, further described as LCTM-Parcel 058D-064. This parcel is a corner lot – the short side street is Thames Drive. The accessory structure would be facing Thames Drive.

Property is zoned R-3 (Single-Family Dwelling District) which allows lot coverage up to 20 %. The residence alone has a 20.4 % lot coverage. There is no other accessory building on the property.

Property owner would like to install a 16 ft. x 35 ft. pre-fabricated metal building which would increase lot coverage to about 24.7 %.

Public Notification

HS PUBLIC HEARINGS

VARIANCE 2022-017-H

A PETITION WAS SUBMITTED BY DAVID L. MCINTOSH, PROPERTY OWNER, FOR A LOT COVERAGE VARIANCE AT 312 WEXFORD DRIVE, FURTHER DESCRIBED AS LCTM-PARCEL 058D-064. PROPERTY OWNER WOULD LIKE TO INSTALL A 16 FT. X 35 FT. PREFABRICATED METAL BUILDING BEHIND THE RESIDENCE FACING THAMES DRIVE. PROPERTY IS ZONED R-3 (SINGLE FAMILY DWELLING DISTRICT) WHICH ALLOWS A 20 % LOT COVERAGE PER ORDINANCE; WITH THE ADDITION OF THE METAL BUILDING, THE LOT COVERAGE WOULD INCREASE TO 24%.

PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH BY THAMES DRIVE; EAST BY WEXFORD DRIVE; WEST BY LANDS OF ROBERTY K. BELL INVESTMENTS, INC. AND SOUTH BY LANDS OF RAYMOND E. AND KATHLEEN M. EGAN.

REZONING PETITION 2022-018-FL AND CONDITIONAL USE 2022-019-FL

A PETITION WAS SUBMITTED BY OLD SAVANNAH OAKS, LLC, PROPERTY OWNER, TO REZONE 2.65 ACRES OF LAND, MORE OR LESS, FROM A-1 (AGRICULTURAL DISTRICT) TO AR-1 (AGRICULTURAL RESIDENTIAL DISTRICT). IN CONJUNCTION WITH REZONING, A CONDITIONAL USE HAS BEEN APPLIED

REZONING PETITION 2022-021-LC

A PETITION WAS SUBMITTED BY AARON K. DUNCAN AND ALANA B. DUNCAN, PROPERTY OWNERS, TO REZONE 9.6 ACRES OF LAND, MORE OR LESS, FROM R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT) AND B-1 (NEIGHBORHOOD COMMERCIAL DISTRICT) TO AR-1 (AGRICULTURAL RESIDENTIAL DISTRICT). PROPERTY IS LOCATED ON LEWIS FRASIER ROAD, FURTHER DESCRIBED AS LCTM-PARCEL 142-064.

PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH AND WEST BY LAN GE DUNCAN LLC; EAST BY LEWIS FRASIER ROAD; AND SOUTH BY LANDS OF GF DUNCAN, LLC, AND SOLOMON TEMPLE CHURCH OF CHRIST.

FOR TO BE PERMITTED TO HAVE A BED AND BREAKFAST INN. OWNER WOULD ALSO LIKE TO HAVE SPECIAL EVENTS, AND HAVE VENUES LIKE TEA PARTIES, COOKING EVENTS AND SEASONAL EVENTS. PROPERTY IS LOCATED AT 318 OLD SAVANNAH ROAD AND FURTHER DESCRIBED AS LCTM-PARCEL 067-011. PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS:

NORTH BY LANDS OF RAINOLD AND ANA MOREL MARTINEZ; EAST BY OLD SAVANNAH ROAD; SOUTH BY LANDS OF EDDIE S. LATSON, JR., TWANA R. AND CARY W. LANDRY, CHARLES AND PATRICIA A. BAKER, JOSHUA D. MARTINEZ, AND ARNOLD V. AND SONIA F. ADAMS; AND WEST BY LANDS OF DUNTRAIL D. KELLY.

VARIANCE 2022-022-H

A PETITION WAS SUBMITTED BY ROBERT DALBO, PROPERTY OWNER, FOR A LOT COVERAGE VARIANCE AT 1125 MONTCLAIR DRIVE, FURTHER DESCRIBED AS LCTM-PARCEL 059C-150. PROPERTY OWNER WOULD LIKE TO INSTALL A 18 FT. X 20 FT. ENCLOSED ACCESSORY BUILDING. PROPERTY IS ZONED R-3 (SINGLE FAMILY DWELLING DISTRICT) WHICH ALLOWS A 20 % LOT COVERAGE PER ORDINANCE; WITH THE ADDITION OF THE ACCESSORY BUILDING, THE LOT COVERAGE WOULD INCREASE TO 23%.

PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH BY MONTCLAIR DRIVE; EAST BY LANDS OF ADRIENNE M. ARTIS; WEST BY LANDS OF TRICIA A. AGEE; AND SOUTH BY LANDS OF CLEVELAND J. AND ANGEL T. DARGAN.

CONDITIONAL USE 2022-023-M

A CONDITIONAL USE WAS SUBMITTED BY DCCJ PROPERTIES, LLC, OWNER, TO BE PERMITTED TO BUILD A RETAIL SPACE CONSISTING OF APPROXIMATELY 18,639 SQ. FT. PROPERTY IS ZONED I-C (INTERSTATE COMMERCIAL CORRIDOR) IN MIDWAY AND CONSISTS OF 4.55 ACRES OF LAND, MORE OR LESS. PROPERTY IS LOCATED OFF EAST OGLETHORPE HWY AND FURTHER DESCRIBED AS LCTM-PARCEL 242B-004.

PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH BY EAST OGLETHORPE HWY; EAST BY LANDS OF COASTAL UTILITIES; WEST AND SOUTH BY LANDS OF CITY OF MIDWAY.

PUBLIC HEARINGS

The Liberty Consolidated Planning Commission will hold a public meeting MARCH 15, 2022, at 4:30 pm; at the Liberty County Historic Courthouse, 100 Main Street, 2nd floor, in Hinesville.

PUBLIC HEARINGS TO BE HELD BY THE APPLICABLE GOVERNING AUTHORITY:

TUESDAY, APRIL 5, 2022, 6:00 PM – LC Board of Commissioners will

meet in the Courthouse Annex, 2nd floor, 112 N Main St, Hinesville.

THURSDAY, APRIL 7, 2022, 3:00 PM – Hinesville Mayor and Council will meet at Hinesville City Hall, 115 E ML King, Jr Drive, Hinesville.

MONDAY, APRIL 11, 2022, 6:00 PM – Midway Mayor and Council will meet at Midway City Hall, 41 Charlie Butler Road, Midway.

TUESDAY, APRIL 12, 2022, 4:30 PM – Flemington Mayor and Council will meet at Flemington City Hall, 156 Old Sunbury Road, Flemington.

TUESDAY, APRIL 12, 2022, 6:00 PM – Walhournville Mayor and Council will meet at Walhournville Police Department Building, 192-B Talmadge Road in Walhournville.

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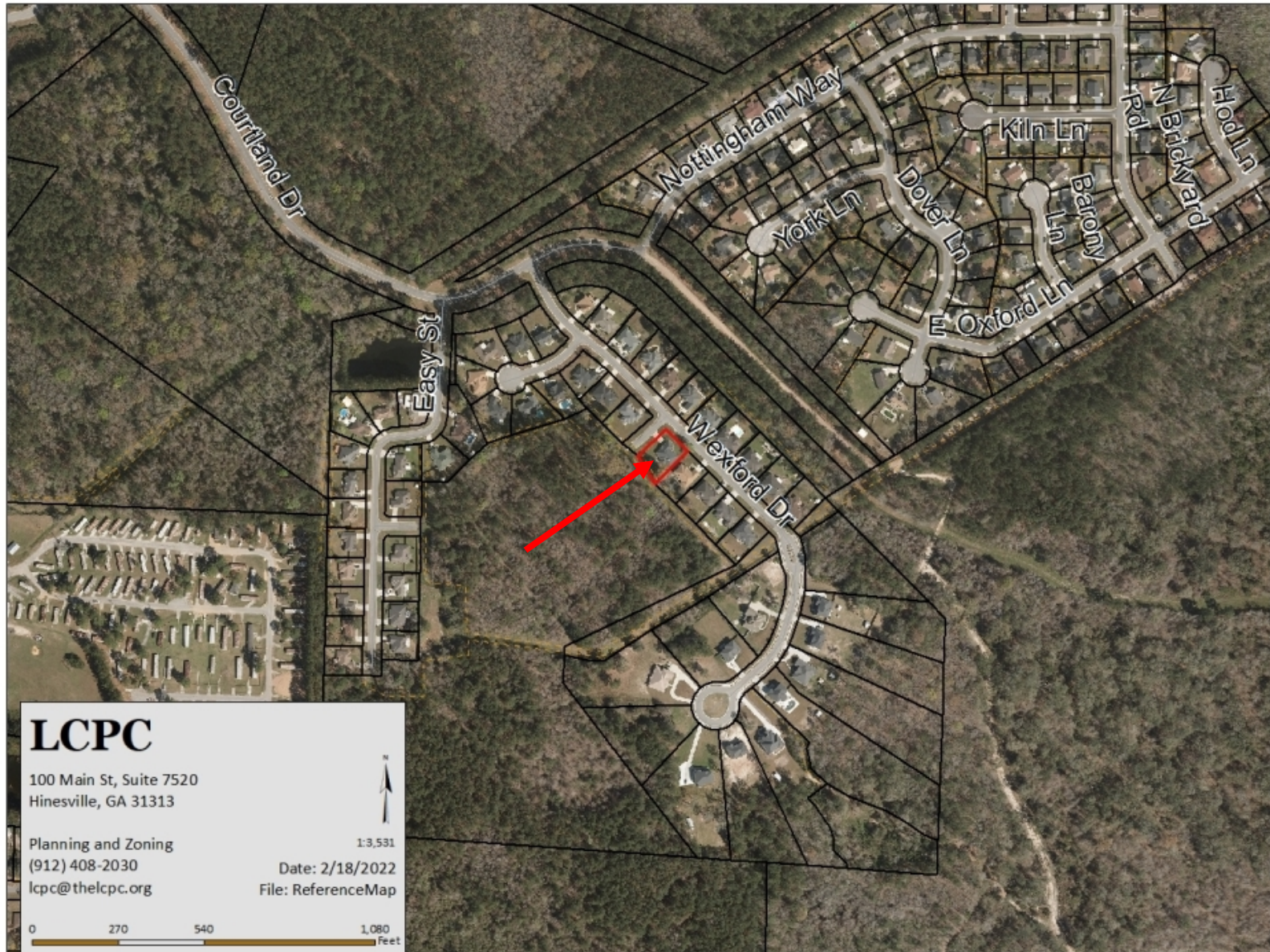
REZONING PETITION 2022-020-W

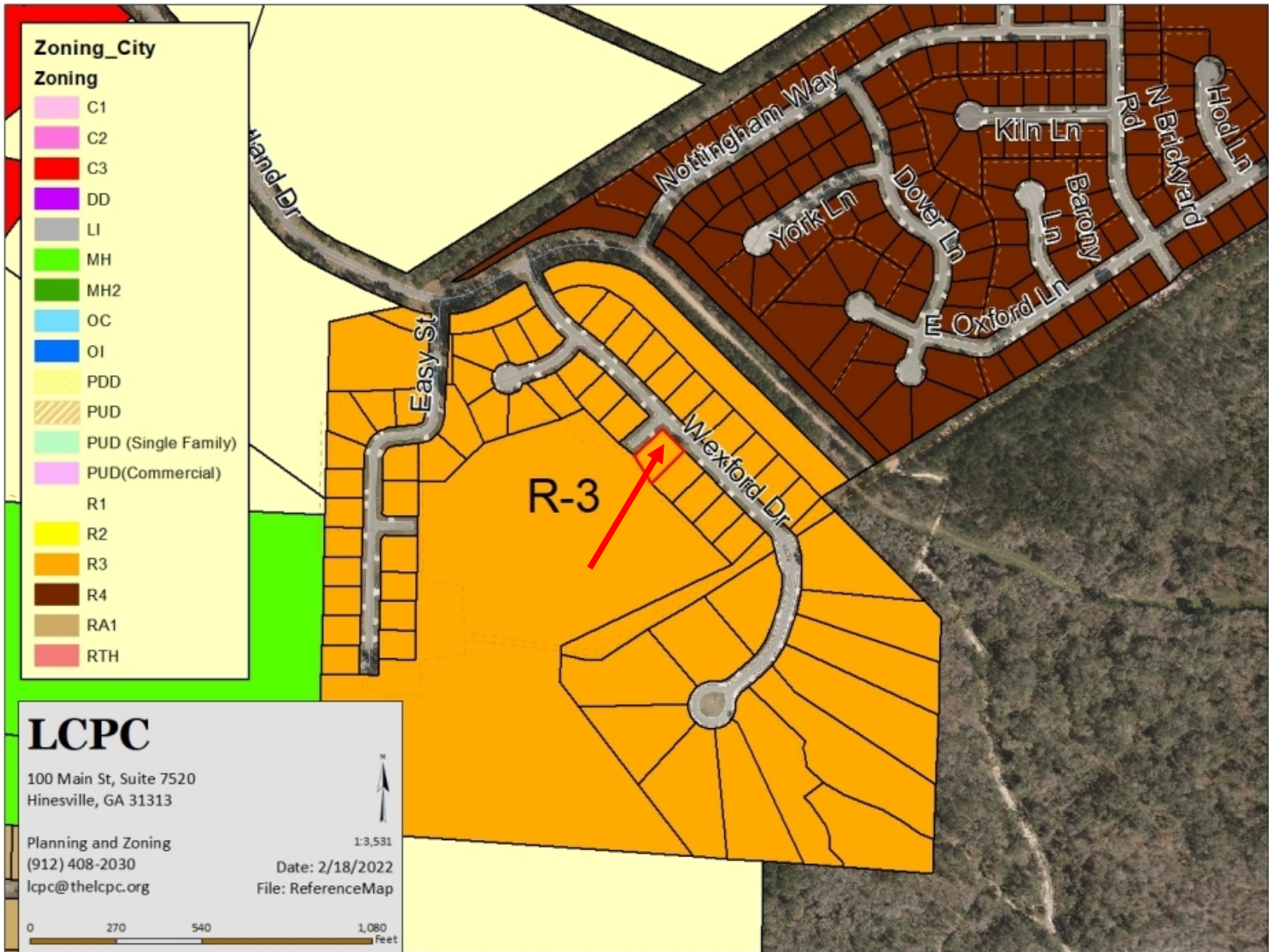
A PETITION WAS SUBMITTED BY DUSTIN L. CURTIS, APPLICANT, TO REZONE 1.08 ACRES OF LAND, MORE OR LESS, FROM A-1 (AGRICULTURAL DISTRICT) TO R-2A (SINGLE-FAMILY, TWO-FAMILY, AND MOBILE HOME RESIDENTIAL DISTRICT) IN ORDER TO SPLIT (SUBDIVIDE) PARCEL AT 441 ARNALL DRIVE, FURTHER DESCRIBED AS LCTM-PARCEL 041D-034. PROPERTY OWNER IS NOVELLA NORRIS. THE CURRENT PARCEL WILL BE LOCATED AT THE INTERSECTION OF THE FREIGHT CONNECTOR (BYPASS) AND ARNALL DRIVE. PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH BY LANDS OF DAVID N. SMILEY JR. AND JACKIE D. FARR JR.; EAST BY ARNALL DRIVE; SOUTH BY PROPOSED FREIGHT CONNECTOR BYPASS AND LANDS OF NELL FISCHETTE AS TRUSTEE FOR ACD LIVING TRUST; AND WEST BY LANDS OF NELL FISCHETTE AS TRUSTEE FOR ACD LIVING TRUST.



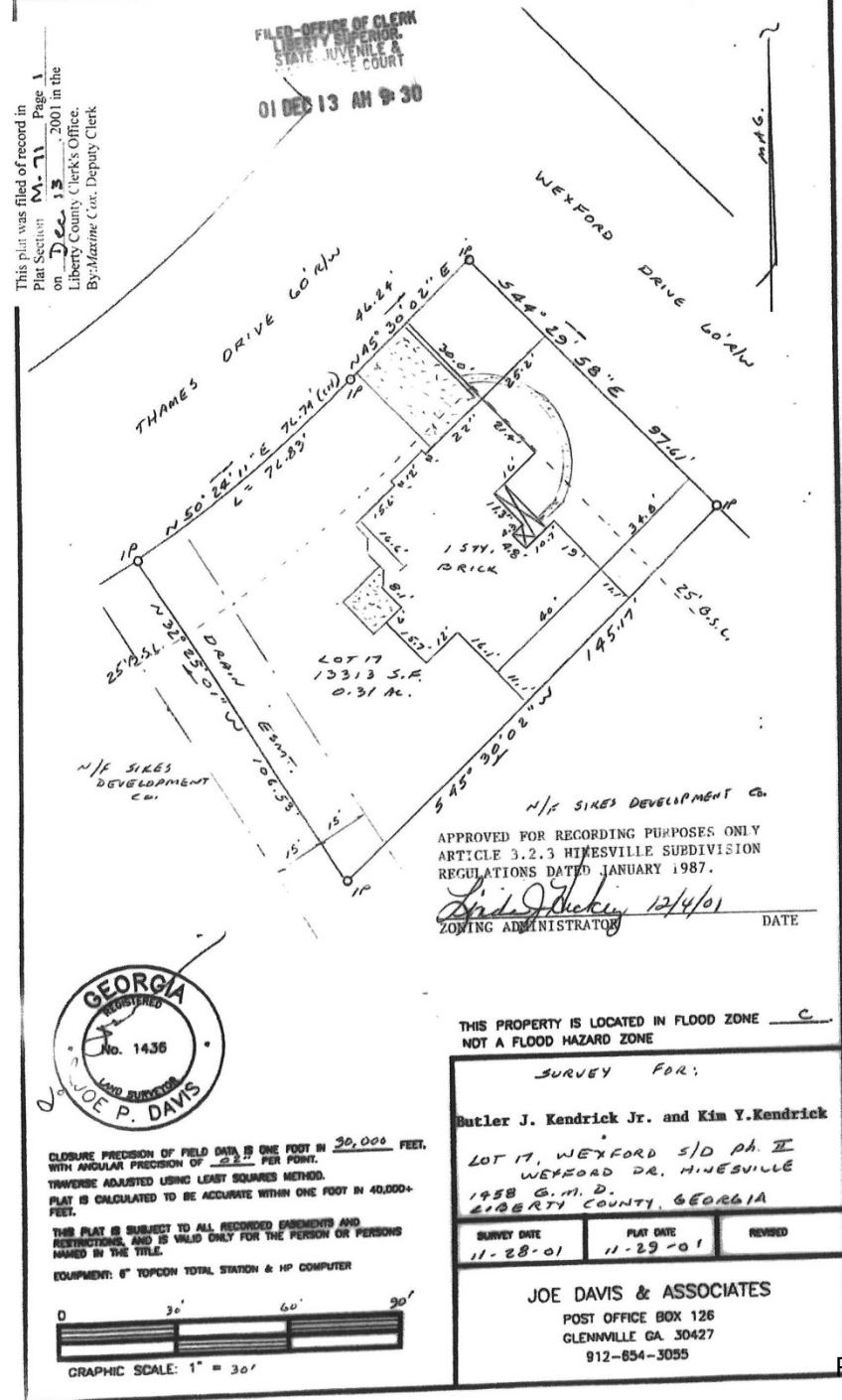
April 7, 2022

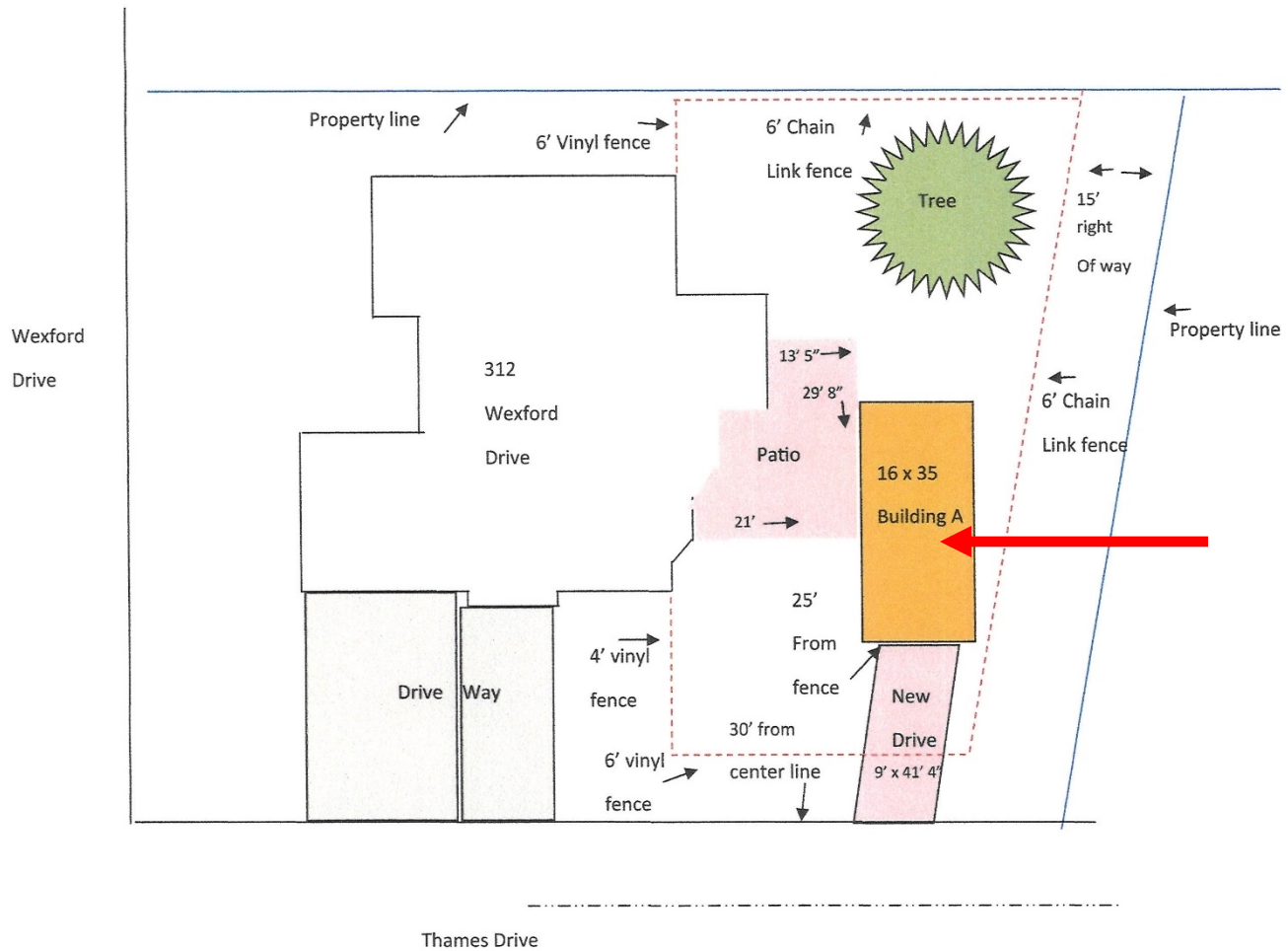
Vicinity Map





Lot 13,313 SF
Home 2,729 SF
Shed 560 SF





The conditions for granting the variance are as follows:

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

No.

The application of the appendix to this particular piece of property would create an unnecessary hardship; and

No.

Such conditions are peculiar to the particular piece of property involved;

No.

And Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the ordinance; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by the appendix.

No.

Lot Coverage Observation

Lot coverage restrictions were taken out in our proposed UDO (Unified Development Ordinance) as they treat PUD lots and conventionally zoned lots differently. In the PUD zoning districts, lot coverage is not restricted.

PUD lots in general are smaller than conventionally zoned lots and still have the advantage to not have to adhere to any lot coverage restrictions.

LCPC Recommendation

Approval

Variance 2022-017-H

Conditions
Standard

Standard Conditions

1. The applicant must obtain all required local, state and federal licenses and permits prior to commencement of any construction.
2. All plans, documents, materials, and statements contained or implied in this application are considered to be a condition of this action.
3. No change or deviation from the conditions of approval are allowed without prior notification and approval of the Director of the LCPC or the Planning Commission, and the approving governmental authority.

LCPC Recommendation

Approval

Rezoning Petition 2022-017-H

Conditions Standard





City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Lot Coverage Variance #2022-022-H
Prepared by: Gabby Hartage
Presented by: Jeff Ricketson

PURPOSE: Property is located at 1125 Montclair Drive. Property is zoned R-3 (Single-Family Dwelling District) which allows a maximum lot coverage of 20%. With location of a 18 ft. x 20 ft. accessory structure, lot coverage would increase to 23 %.

BACKGROUND: Property owner is Robert Dalbo.

FUNDING: N/A

RECOMMENDATION: March 15, 2022. LCPC Commissioners recommended APPROVAL with standard conditions.

ATTACHMENTS:

1. 2022-022-H presentation

PREVIOUS COUNCIL DISCUSSION:

Variance 2022-022-H

A petition was submitted by Robert Dalbo, owner, for a lot coverage variance at 1125 Montclair Drive, further described as LCTM-Parcel 059C-150.

Property is zoned R-3 (Single-Family Dwelling District) which allows a lot coverage to up to 20 %. Residence by itself is already at 20 %.

Property owner would like to install an 18 ft. x 20 ft. enclosed pole-style accessory building; placement of this building would increase lot coverage to about 23 %. No other accessory structure is located on this property.

The building plan reviewer in Hinesville has already approved the building plans for the accessory structure.

Public Notification

HS PUBLIC HEARINGS

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PUBLIC HEARINGS

The Liberty Consolidated Planning Commission will hold a public meeting MARCH 15, 2022, at 4:30 pm, at the Liberty County Historic Courthouse, 100 Main Street, 2nd floor, in Hinesville.

PUBLIC HEARINGS TO BE HELD BY THE APPLICABLE GOVERNING AUTHORITY:

TUESDAY, APRIL 5, 2022, 6:00 PM
- LC Board of Commissioners will

meet in the Courthouse Annex, 2nd floor, 112 N Main St, Hinesville.

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- Hinesville Mayor and Council will meet at Hinesville City Hall, 115 E ML King, Jr Drive, Hinesville.

MONDAY, APRIL 11, 2022, 6:00 PM
- Midway Mayor and Council will meet at Midway City Hall, 41 Charlie Butler Road, Midway.

TUESDAY, APRIL 12, 2022, 4:30 PM
- Flemington Mayor and Council will meet at Flemington City Hall, 156 Old Sunbury Road, Flemington.

TUESDAY, APRIL 12, 2022, 6:00 PM
- Walhournville Mayor and Council will meet at Walhournville Police Department Building, 192-B Talmadge Road in Walhournville.

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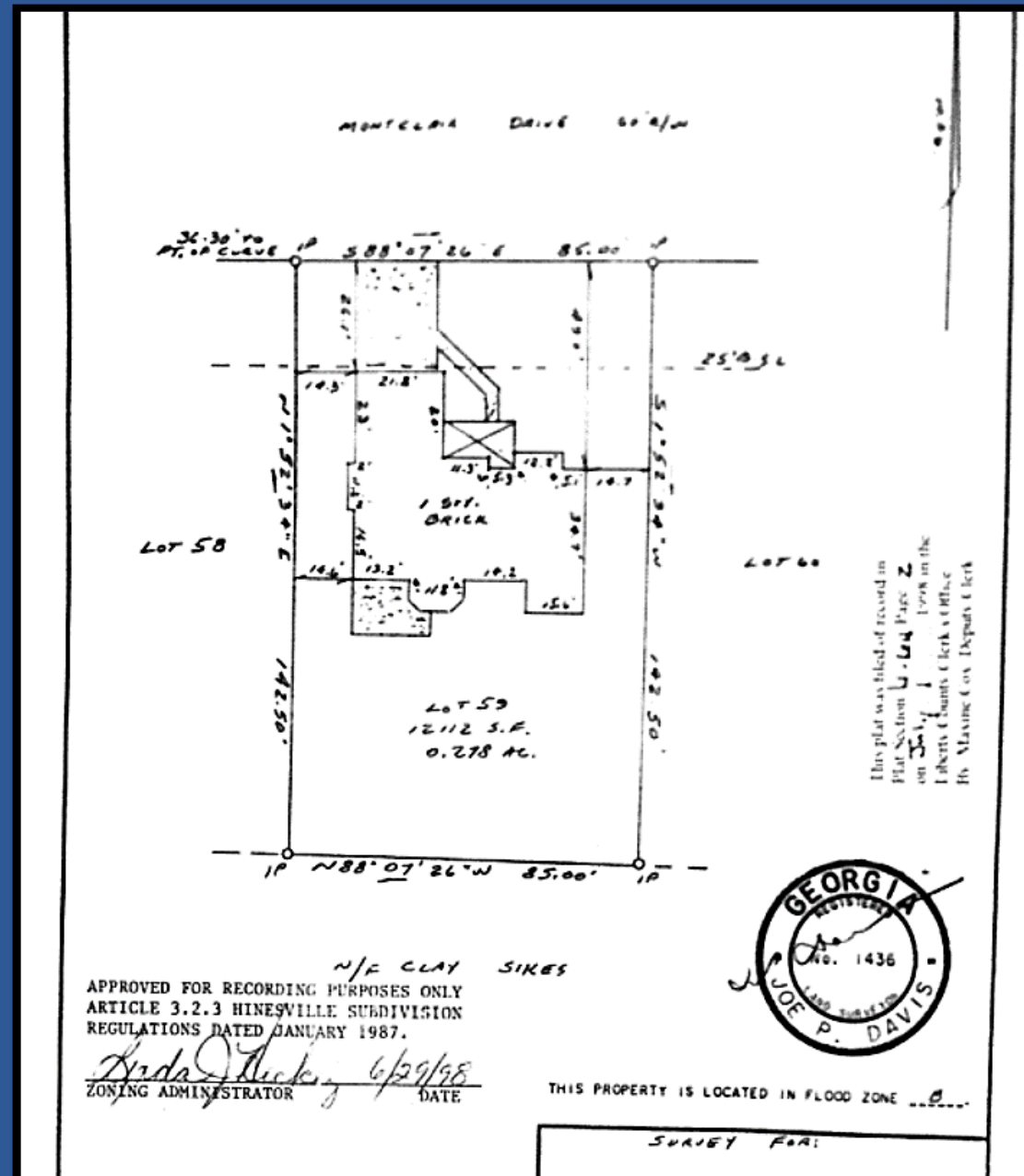
REZONING PETITION 2022-020-W

A PETITION WAS SUBMITTED BY DUSTIN L. CURTIS, APPLICANT, TO REZONE 1.08 ACRES OF LAND, MORE OR LESS, FROM A-1 (AGRICULTURAL DISTRICT) TO R-2A (SINGLE-FAMILY, TWO-FAMILY, AND MOBILE HOME RESIDENTIAL DISTRICT) IN ORDER TO SPLIT (SUBDIVIDE) PARCEL AT 441 ARNALL DRIVE, FURTHER DESCRIBED AS LCTM-PARCEL 041D-034. PROPERTY OWNER IS NOVELLA NORRIS. THE CURRENT PARCEL WILL BE LOCATED AT THE INTERSECTION OF THE FREIGHT CONNECTOR (BYPASS) AND ARNALL DRIVE. PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH BY LANDS OF DAVID N. SMILEY JR. AND JACKIE D. FARR JR.; EAST BY ARNALL DRIVE; SOUTH BY PROPOSED FREIGHT CONNECTOR BYPASS AND LANDS OF NELL FISCHETTE AS TRUSTEE FOR ACD LIVING TRUST; AND WEST BY LANDS OF LANDS OF NELL FISCHETTE AS TRUSTEE FOR ACD LIVING TRUST.

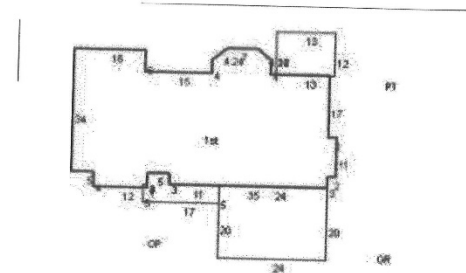
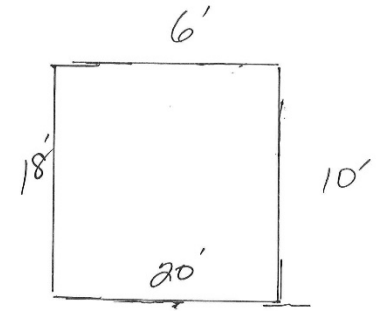


April 7, 2022

Lot 12,112 SF
House 2,429 SF
Access. Struc. 360 SF



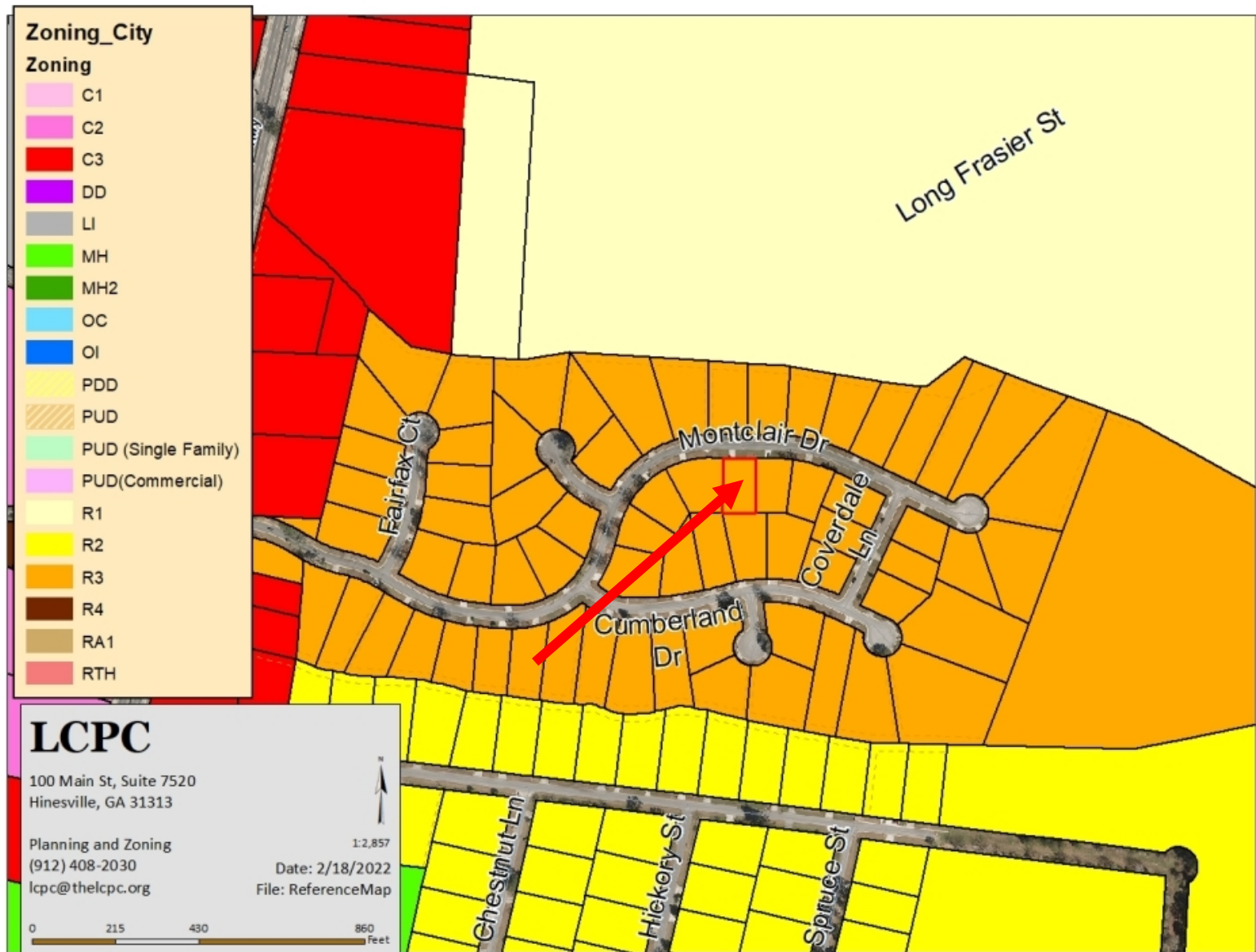
The accessory structure is proposed to be located six (6) feet off the rear property line and ten (10) feet off the side which meets ordinance Requirements.



NOTE: NOT TO SCALE

Vicinity Map





The conditions for granting the variance are as follows:

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and

No.

The application of the appendix to this particular piece of property would create an unnecessary hardship; and

No.

Such conditions are peculiar to the particular piece of property involved;

No.

And Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the ordinance; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by the appendix.

No.

Lot Coverage Observation

Lot coverage restrictions were taken out in our future UDO (Unified Development Ordinance) as it treats PUD lots and conventionally zoned lots differently. In the PUD zoning districts, lot coverage is not restricted.

PUD lots in general are smaller than conventionally zoned lots and still have the advantage to not have to adhere to any lot coverage restrictions.

LCPC Recommendation

Approval

Variance 2022-022-H

Conditions
Standard

Standard Conditions

1. The applicant must obtain all required local, state and federal licenses and permits prior to commencement of any construction.
2. All plans, documents, materials, and statements contained or implied in this application are considered to be a condition of this action.
3. No change or deviation from the conditions of approval are allowed without prior notification and approval of the Director of the LCPC or the Planning Commission, and the approving governmental authority.

LCPC Recommendation

Approval

Variance 2022-022-H

Conditions
Standard





City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: ESG Bid Opening for JV Road Debris Screening Services
Prepared by: Darlene Long
Presented by: Gary Gilliard

PURPOSE: To present for Mayor and Council Consideration Bid Opening for J.V. Road Debris Screening Services for Public Works

BACKGROUND: Bid opening was held on April 4, 2022 for the J.V. Road Debris Screening Services for Sanitation and Stormwater.

FUNDING: Budgeted amount is \$70,000.00 for Debris Screening for Sanitation and \$26,000.00 for Stormwater.

RECOMMENDATION: Recommend bid to M.W. Collins for JV Road Debris Screening Services

ATTACHMENTS:

1. Bid Tabulation Sheet for JV Road Debris Screening Services

PREVIOUS COUNCIL DISCUSSION:

BID TABULATION SHEET

DATE: 4/4/2022
FOR: J.V. Road Debris Screening Services
DEPARTMENT: Sanitation And Stormwater
AMOUNT BUDGETED: \$70,000.00 (Sanitation) and \$26,000.00 (Stormwater)

COMPANY NAME	PRODUCT OR TYPE	BID AMOUNT
S&W Farms 14167 Lanes Bridge Road Odum, GA 31555	Screening	Total Cost: \$102,762.00
M.W. Collins 95 Mark Collins Road Cobbtown, GA 30420	Screening	Total Cost: \$85,000.00

*Recommend purchase JV Road Screening Services from: M.W. Collins



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: HPD Bid Opening for Purchasing New Vehicles
Prepared by: Jean Marie Reynolds
Presented by: Lloyd Slater

PURPOSE: To Present for Mayor and Council Consideration, Bid Opening for Purchasing New Vehicles

BACKGROUND: Bid Opening was held on March 23, 2022 for the Purchase of New Vehicles.

FUNDING: Fiscal Year 2022 Budgetary Line Item

RECOMMENDATION: Purchase Seven (7) 2022 Ford Explorers from O.C. Welch Ford Lincoln, Inc. and One (1) 2022 Ford F-150 from J. C. Lewis Ford.

ATTACHMENTS:

1. HPD Bid Tabulation Sheet

PREVIOUS COUNCIL DISCUSSION:

BID TABULATION SHEET

DATE: March 23, 2022

FOR: Police Patrol Vehicles (7 Ford Explorers, 1 Ford F-150)

DEPARTMENT: Hinesville P.D.

AMOUNT BUDGETED: \$270,000.00

COMPANY	PRODUCT	BID AMOUNT
J.C. Lewis Ford	2022 Ford Explorer 2022 Ford F-150	(7@ \$32,317.51) \$226,222.57 \$ 31,482.00 Total: \$257,704.57
O.C. Welch Ford Lincoln, Inc.	2022 Ford Explorer	7 @ \$34,907.86 Total: \$244,355.02
Woody Folsom Auto Group	2021 Ford Explorer	7@ \$35,000.00 Total \$245,000.00

Note:

- J.C. Lewis Ford: bids are based on non-inventory items and are subject to availability.
- O.C. Welch bids reflect current inventory with (150) additional vehicles awaiting delivery.
- Woody Folsom bids are based on current inventory of 2021 vehicles.

Currently, two factors influence the new car market - price and availability. Current international issues such as a global computer chip shortage, increased labor and production costs, and supply chain delays, make it extremely difficult to conduct purchases within the budgetary year.

Due to this uncertainty, many potential car buyers and government agencies opt to buy what the dealer has on the lot now, rather than wait for an indefinite length of time for a new car order to arrive.

Recommendation:

Based on price, availability, and vehicle year, I recommend purchasing (7) seven, 2022 Ford Explorers from O.C. Welch Ford Lincoln, Inc.



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022

Agenda Item: Hinesville Downtown Development Authority

Prepared by: Rose Kenner

Presented by: Kenneth Howard

PURPOSE: To inform Mayor and Council that appointments on the Hinesville Downtown Development Authority Board will expire on May 6, 2022.

BACKGROUND: These appointments are made by Mayor and Council and are for a four (4) year term. In 2018, the following appointments were made:

- Councilmember Reid - Sabrina Newby
- Councilmember Floyd - Thomas Ratcliffe
- Councilmember Nelson - Shonda Mikel
- Councilmember Jenkins - John Baker

FUNDING: N/A

RECOMMENDATION: N/A

ATTACHMENTS:

1. Board Appointment Spreadsheet - Hinesville Downtown Development Authority
2. HDDA Resolution #2004-04

PREVIOUS COUNCIL DISCUSSION: May 3, 2018 and May 17, 2018

STANDING
BOARDS/COMMISSIONS/AUTHORITIES
APPOINTEES

Hinesville Downtown Development Authority (HDDA)						
APPOINTED BY	CURRENT APPOINTEES	RESIDES IN DISTRICT	TERMS SERVED	LENGTH OF TERM	TERM BEGAN	TERM EXPIRES
Mayor and Council	Allen Brown	N/A		4 Years	02/04/2016	End of Term
Mayor and Council	Thomas J. Ratcliffe	5	6	4 Years	06/16/2016	05/06/2022
Mayor and Council	Marcus Sack	N/A		4 Years	03/04/2021	05/06/2024
Mayor and Council	Roger Jones	4	2	4 Years	05/06/2016	05/06/2024
Mayor and Council	John Baker	4	2	4 Years	12/05/2013	05/06/2022
Mayor and Council	Sabrina Newby	N/A		4 Years	05/17/2018	05/06/2022
Mayor and Council	Shonda Mikel	N/A		4 Years	09/06/2018	05/06/2022

Resolution #2002-04 Dated May 16, 2004

A RESOLUTION

Resolution for Activation of a Downtown Development Authority

A RESOLUTION TO DECLARE THE NEED FOR A DOWNTOWN DEVELOPMENT AUTHORITY TO FUNCTION IN THE CITY OF HINESVILLE, GEORGIA, PURSUANT TO THE PROVISION OF THE DOWNTOWN DEVELOPMENT AUTHORITIES LAW O.C.G.A. 36-42-1, et seq. TO APPOINT A BOARD OF DIRECTORS FOR THE DOWNTOWN DEVELOPMENT AUTHORITY; TO DESIGNATE A DOWNTOWN DEVELOPMENT AREA; TO PROVIDE FOR FILING WITH THE SECRETARY OF STATE OF THE STATE OF GEORGIA OF A COPY OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

WITNESSETH:

WHEREAS, it has been determined by the Mayor and Council of the City of Hinesville, Georgia (the "City") that there is a need in the City for the revitalization and redevelopment of the central business district of the City to develop and promote for the public good and general welfare trade, commerce, industry and employment opportunities, to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade and commerce, and to develop existing industry, trade and commerce within the City; and

WHEREAS, it has been determined by the Mayor and Council of the City that revitalization and redevelopment of the central business district of the City by financing projects under the Downtown Development Authorities Law (1981 Ga. Laws p. 1744; O.C.G.A. 36-42-1, et seq. - the "Downtown Development Authorities Law") will develop and promote for the public good and general welfare trade, commerce, industry and employment opportunities and will promote the general welfare of the State of Georgia; and

WHEREAS, it has been determined by the Mayor and Council of the City that it is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to revitalize and redevelop the central business district of the City; and

WHEREAS, the Downtown Development Authorities Law creates in and for each municipal corporation in the State of Georgia a downtown development authority for the purpose of revitalizing and redeveloping the central business district of such municipal corporation and promoting for the public good and general welfare, trade, commerce, industry and employment opportunities and promoting the general welfare of the State of Georgia; and

WHEREAS, the Mayor and Council of the City, after thorough investigation, have determined that it is desirable and necessary that the Downtown Development Authority of the City be activated immediately, pursuant to the Downtown Development Authorities Law, in order to fulfill the needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City, and it is hereby resolved by the same, that there is hereby determined and declared to be a present and future need for a Downtown Development Authority (as more fully described and defined in the Downtown Development Authorities Law) to function in the City.

BE IT FURTHER RESOLVED that there is hereby activated in the City the public body corporate and politic known as the "Downtown Development Authority of Hinesville, Georgia" which was created upon the adoption and approval of the Downtown Development Authorities Law.

BE IT FURTHER RESOLVED that there are hereby appointed as members of the first Board of Directors of the Downtown Development Authority of the City the following named persons, each of whom shall be:

(1) a taxpayer residing in the municipal corporation for which the authority is created; or

(2) an owner or operator of a business located within the downtown development area and a taxpayer residing in the County in which is located the municipal corporation for which the authority is created. One such director (authority member) may be a member of the governing body of the municipal corporation and not less than four shall be or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area (hereinafter defined).

<u>Names</u>	<u>Term of Office</u>
<u>Thomas J. Ratcliffe, Jr.</u>	Two years
<u>Brian Smith</u>	Two years
<u>Kenneth Fussell</u>	Four years
<u>Donald Lovette</u>	Four years
<u>Paul Johnson</u>	Six years
<u>Esther Griffin</u>	Six years
<u>John P. Johnson</u>	Six years

BE IT FURTHER RESOLVED that commencing with the date of adoption of this resolution each of the persons named above as directors shall serve in such capacity for the number of years set forth opposite his or her respective name, however, that the terms shall be four years for those directors appointed or reappointed on or after the initial appointments set forth above. The term of a director who is also a member of the governing body of a municipal corporation shall end when such director is no longer a member of the governing body of the municipal corporation.

BE IT FURTHER RESOLVED that the Board of Directors hereinbefore elected shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Downtown Development Authorities Law as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED that the "downtown development area" shall be that geographical area described in Exhibit A, attached hereto and made a part hereof by reference, which area, in the judgment of the Mayor and Council of the City, constitutes the "central business district" of the City as contemplated by the Downtown Development Authorities Law.

BE IT FURTHER RESOLVED that the City shall furnish promptly to the Secretary of State of the State of Georgia a certified copy of this resolution in compliance with the provisions of the Downtown Development Authorities Law.

BE IT FURTHER RESOLVED that the action taken by the Mayor and Council of the City as herein specified is not intended in any way to affect any public corporation, industrial development, downtown development, or payroll authority previously created by legislative act or constitutional amendment including, without limitation, its existence, purpose, organization, powers or function.

BE IT FURTHER RESOLVED that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption by the Mayor and Council of the City, and from and after such adoption the Downtown Development Authority of the City shall be deemed to be created and activated.

Adopted and approved this 6th day of May, 2004.

CITY OF HINESVILLE, GEORGIA

Thomas J. Ratcliffe, Jr., Mayor

David Anderson, Sr.
David Anderson, Sr., Mayor Pro Tem

Charles Fraser
Charles Fraser, Council Member

Jack Shuman
Jack Shuman, Council Member

Kenneth Shaw
Kenneth Shaw, Council Member

Steve Troha
Steve Troha, Council Member

ATTEST:

Sarah R. Lumpkin
Sarah R. Lumpkin, City Clerk

EXHIBIT "A"

BOUNDARY DESCRIPTION OF DOWNTOWN DEVELOPMENT AREA

City of Hinesville, Georgia

The Hinesville downtown development area shall consist of that area bounded as follows: from the Fort Stewart boundary at West General Stewart Way to the intersection of East General Stewart Way and East Oglethorpe Highway, westerly on West Oglethorpe Highway to the intersection of East General Screven Way, northwest along General Screven Way to the boundary of Fort Stewart. Said area shall include all properties abutting on the north side of General Stewart Way, the east side of East Oglethorpe Highway, and the south and west side of General Screven Way within the area described.



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022

Agenda Item: Hinesville Housing Authority Board

Prepared by: Rose Kenner

Presented by: Kenneth Howard

PURPOSE: To Inform Mayor and Council that an appointment on the Hinesville Housing Authority Board will expire on May 11, 2022.

BACKGROUND: Denise Deigh's appointment on the Hinesville Housing Authority Board will expire on May 11, 2022. The term of office of Board Members shall be for a five (5) year term. These appointments are made by Mayor and Council and in 2017, the following appointment was made:

Mayor Pro Tem Jenkins - Denise Deigh

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

1. Board Appointment Spreadsheet - Hinesville Housing Authority
2. HHA bylaws signed

PREVIOUS COUNCIL DISCUSSION:

STANDING
BOARDS/COMMISSIONS/AUTHORITIES
APPOINTEES

Hinesville Housing Authority						
APPOINTED BY	CURRENT APPOINTEES	RESIDES IN DISTRICT	TERMS SERVED	LENGTH OF TERM	TERM BEGAN	TERM EXPIRES
Mayor and Council	Joseph R. Ford	2	1	5 years	05/11/2013	05/11/2023
Mayor and Council	Karen Branson	5	1	5 years	05/31/2019	05/11/2026
Mayor and Council	Denise Deigh	1	3	5 years	08/05/2010	05/11/2022
Mayor and Council	LaMonica Jenkins	4	1	5 years	02/05/2015	05/11/2023
Mayor and Council	Lee McGee	3	2	5 years	12/04/2008	05/11/2019
Mayor and Council	Paul Johnson	3	3	5 years	05/11/2008	05/11/2023

Housing Authority GA Law 1937. Created by O.C.G.A. 8-3-4, 8-3-5, 8-3-6, City of Hinesville unnumbered Resolution dated 1954, 1959 and 2002.

O.C.G.A. 8-3-50 (2014)

Hinesville Housing Authority (7 members, 5 year unlimited term) Appointed by Mayor and Council

AMENDED AND RESTATED BYLAWS
OF
HOUSING AUTHORITY OF THE CITY OF HINESVILLE, GEORGIA

ARTICLE I

Definition of Bylaws

These Amended and Restated Bylaws constitute the rules and policies adopted by the Authority (as herein defined) for the regulation and management of its affairs, as authorized by the laws of the State of Georgia and enabling resolution(s) of the governing authority of the City of Hinesville, Georgia. These Bylaws are adopted in order to fulfill the objectives of the Authority as stated in the Georgia Housing Authorities Law, O.C.G.A. § 8-3-1 et seq. (the "Act"), and these Bylaws, and to exercise all powers conferred upon the Authority under said Act and related laws of the State of Georgia.

ARTICLE II

Name, Statutory Authority, Location, and Duration

Section 2.01. Name. The name of the Authority shall be the Housing Authority of the City of Hinesville, Georgia (the "**Authority**").

Section 2.02. Statutory Authority. The Authority is a public body corporate and politic duly created and existing under authority granted pursuant to the Act, and formed following a determination by the City of Hinesville, Georgia that there exists a need for said Authority (as specified in said Act).

Section 2.03. Duration. Subject to the provisions of the Act, the Authority is intended to have perpetual existence; provided, however, that nothing contained herein shall preclude the General Assembly of Georgia from amending the Act or otherwise limiting the duration of the Authority.

Section 2.04. Offices. The principal office of the Authority shall be located in Hinesville, Liberty County, Georgia; provided, however, that the Authority may have such other offices within Liberty County, Georgia as the Authority may determine or as its affairs may require from time to time.

ARTICLE III

Purposes, Powers, and Governing Instruments

Section 3.01. Purposes. The objects and purposes of the Authority are public in nature and shall be as set forth in the Act.

Section 3.02. Powers. The Authority shall have such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of the Act. Without limiting the generality of the foregoing, the Authority may exercise those powers enumerated in Section 8-3-30 and Section 8-3-77 of the Act (which by this reference are incorporated herein as if full set forth). The powers and duties set forth or incorporated hereinabove shall be liberally construed to effectuate the intent and purpose of the Act and the Authority; provided, however, that the authorization to exercise such powers shall not be considered a mandate for the Authority to perform all of the same.

Section 3.03. Prohibited Acts. The general authority and powers of the Authority are created and defined by the Act and related laws. The Authority shall engage only in such activities as are consistent with the purposes enumerated in the Act or otherwise authorized by law.

ARTICLE IV

Commissioners

Section 4.01. Commissioners Generally; Appointment. The powers and duties of the Authority shall be vested in a body of Commissioners, who shall be appointed as provided in the Act. Unless otherwise prescribed by the Act, the mayor or council (as required by the Act) of the City of Hinesville, Georgia shall appoint five (5) persons as Commissioners of the Authority, together with one (1) or two (2) additional Commissioners of whom at least one is directly assisted by the Authority in Hinesville, Georgia and who shall be known as a resident commissioner (the "**Resident Commissioner**"). In accordance with the Act, no Commissioner of the Authority shall be an officer or employee of the City of Hinesville, Georgia. Unless otherwise indicated in these Bylaws, the term "**Commissioner**" shall mean and include all Commissioners of the Authority, including the Resident Commissioner.

Section 4.02. Term of Office. As established by the Act, each Commissioner of the Authority shall serve for a term of five (5) years (except that each Resident Commissioner shall be appointed for a term of office of one (1) year), and shall continue in office thereafter until his or her successor shall have been appointed and qualified or until his or her earlier death, resignation, disqualification or removal. Unless otherwise provided in the Act, there shall be no limit to the number of terms of office to which a person may be appointed to serve as a Commissioner of the Authority.

Section 4.03. Removal from Office. In addition to any other general laws permitting removal of a Commissioner from the Authority, a Commissioner may be removed from office by the mayor of the City of Hinesville, Georgia pursuant to Section 8-3-53 of the Act for inefficiency or neglect of duty or misconduct in office; provided that a Commissioner shall be removed only after he or she shall have been given a copy of the charges at least ten (10) days prior to the hearing thereon and shall have had an opportunity to be heard in person or by counsel. In the event of the removal of any Commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk.

Section 4.04. Vacancies. In the event a vacancy occurs for any reason, such vacancy shall be filled by the mayor or city council (as required by the Act) of the City of Hinesville, Georgia as provided in the Act. Any person appointed to fill such vacancy shall serve for the remainder of the unexpired term of office and until the appointment and qualification of such person's successor. No vacancy on the Authority shall impair the power of the Authority to exercise all of the rights and powers of and perform all of the duties and obligations of the Authority. Notwithstanding the foregoing, in the event any person serving as Resident Commissioner ceases to be directly assisted by the Authority, then such person shall cease to be a Resident Commissioner and a vacancy in such office shall result.

Section 4.05. Compensation. No Commissioner of the Authority shall receive, directly or indirectly, any salary, compensation, or other emolument for services performed as a Commissioner; provided that Commissioner shall be reimbursed for actual and necessary expenses incurred in connection with their official duties as approved by the Authority.

Section 4.06. Disclosure of Conflicting Interest. Commissioners of the Authority shall be accountable for all purposes as trustees, and shall comply with all requirements of the Act, these Bylaws, and applicable laws of the State of Georgia in those situations where a Commissioner has a conflicting interest in a transaction involving the Authority. Without limiting the foregoing, all Commissioners shall observe the provisions of Section 8-3-52 of the Act (as now existing or hereafter amended), to wit:

- a) No Commissioner or employee of the Authority shall voluntarily acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, or in any contract or proposed contract in connection with any project. Where the acquisition is not voluntary, such Commissioner or employee shall immediately disclose such interest in writing to the authority and such disclosure shall be entered upon the minutes of the Authority. Upon such disclosure, such Commissioner or employee shall not participate in any action by the Authority involving such project, property, or contract, respectively.
- b) If any Commissioner or employee of the Authority previously owned or controlled an interest, direct or indirect, in any project or in any property included or planned to be included in any project, or in any contract or proposed contract in connection with any project, he or she shall immediately disclose such interest in writing to the Authority and such disclosure shall be entered upon the minutes of the Authority. Upon such disclosure, such Commissioner or employee shall not participate in any action by the Authority involving such project, property, or contract, respectively.
- c) A Commissioner shall not participate in any action concerning the employment to a remunerative position of the person who appointed said Commissioner to office.

- d) In the selection of a depository for funds of the Authority, any Commissioner who has a financial interest in the depository under consideration shall disclose his or her interest and abstain from taking any part in the consideration of or voting on the selection of the depository.
- e) Any violation of Section 8-3-52 of the Act shall constitute misconduct in office.
- f) Section 8-3-52 of the Act shall not be applicable to the acquisition of any interest in notes or bonds of the Authority issued in connection with any project, or to the execution of agreements by banking institutions for the deposit or handling of funds in connection with a project, or to agreements by such institutions to act as trustee under any trust indenture.

Section 4.07. Public Statements. No Commissioner of the Authority individually will release information from a duly convened and conducted executive session or speak for, or in the name of, the entire Authority unless by explicit direction of the Authority or otherwise compelled by a court of competent jurisdiction. When a decision of the Authority has been reached, all Commissioners, even those who may have voted against it, are encouraged (but not required) to support that decision until amended or rescinded by Authority action. Any Commissioner who may wish to criticize, or oppose any specific Authority action is further encouraged to do so only in a meeting of the Authority.

Section 4.08. Promulgation of Authority Rules and Policies. The Authority may from time to time make and publish to appropriate persons, written regulations, rules, directives, policies, schedules, bulletins and other writings that in the judgment of the Authority are necessary or advisable in the management of its affairs; provided that no such regulations, rules, directives, policies, schedules, bulletins or other writings shall be deemed general laws as prohibited by O.C.G.A. § 45-1-5.

Section 4.09. Code of Ethics. Commissioners of the Authority shall abide by the "Code of Ethics" contained in O.C.G.A. § 45-10-3, and at all times comport themselves in a manner befitting their public trust.

ARTICLE V

Meetings of the Authority

Section 5.01. Place of Meetings. The Authority shall, unless circumstances demand otherwise, hold its meetings, whether regular, special, emergency or otherwise, within the corporate limits of the City of Hinesville, Liberty County, Georgia, at such place or places as it may from time to time determine by resolution or by written consent of a majority of all of the Commissioners then in office; provided that the Authority shall hold its regular meeting at such place and time as required by the Act and more particularly described in Section 5.02 herein below.

Section 5.02. Regular Meetings. Regular meetings of the Authority shall be held at least once each quarter on such dates and at such time or times as the Chairperson or a majority of the Commissioners shall determine; provided that the Authority shall not be required to meet on a legal holiday or when a meeting is made impossible due to circumstances beyond

the control of the Authority. In such cases, the Authority shall meet as soon as practicable following its regular meeting date as determined by the Chairperson or a majority of the Commissioners shall determine.

Section 5.03. Special Meetings. Special meetings of the Authority shall be held whenever called by a majority of the Commissioners then in office or by the Chairperson. The Secretary of the Authority shall give notice of each special meeting of the Authority, which notice shall specify the time, place and objective of the meeting, at least two (2) days prior to the meeting by personal delivery, mail, facsimile, or electronic mail to each Commissioner; but such notice may be waived by any Commissioner. Unless waived by the Commissioners, no business may be transacted at any special meeting unless specifically indicated in the notice thereof.

Section 5.04. Emergency Meetings. Emergency meetings of the Authority shall be held whenever called by a majority of the Commissioners then in office or by the Chairperson. The Secretary of the Authority shall give notice of each emergency meeting of the Authority, which notice shall specify the time, place and objective of the meeting, at least twenty-four (24) hours prior to the meeting by personal delivery, mail, facsimile or electronic mail to each Commissioner; provided such notice may be waived by any Commissioner. Unless waived by the Commissioners, no business may be transacted at any emergency meeting unless specifically indicated in the notice thereof.

Section 5.05. Georgia Open Meetings Act. All meetings of the Authority shall be conducted in full compliance with the Georgia Open Meetings Act, Open Meetings Act Without limiting the generality of the foregoing, it shall be the duty of the Secretary of the Authority to ensure that notice of any regular, special, emergency or other meeting of the Authority has been furnished in accordance with the Georgia Open Meetings Act, Open Meetings Act (the "Open Meetings Act"). In the event it is discovered prior to or during any meeting of the Authority that the required notice was not provided, said meeting shall be adjourned until such time as proper notice can be effected.

Section 5.06. Quorum. Four (4) Commissioners shall constitute a quorum of the Authority for the purpose of conducting its business and exercising its powers and for all other purposes.

Section 5.07. Voting. At any meeting of the Authority, each Commissioner shall have but one (1) vote for each issue on which a vote is taken; voting by proxy shall not be permitted. Except as otherwise specifically provided herein, all resolutions adopted and all business transacted by the Authority shall require the affirmative vote of a majority of the Commissioners present at any meeting at which there is a quorum unless in any case these Bylaws require a larger number.; provided, however, that in the event such affirmative majority vote is made impossible due to either (i) temporary vacancy on the Authority, or (ii) refusal of any Commissioner due to a conflict of interest as determined by such Commissioner, the phrase "majority of the Commissioners" or its equivalent shall refer only to those remaining Commissioners of the Authority not otherwise unable to participate as set forth in clause (i) or (ii) hereinabove. To the extent the foregoing may contravene O.C.G.A. §1-3-1(d)(5), the Authority hereby formally makes known its intent and election not to be governed by the same.

Section 5.08. Conduct of Meetings. It is understood that in the transaction of its business, the meetings of the Authority may be conducted informally; however, this informality

does not extend to applicable procedural requirements, if any, mandated in the Act or any other laws of the State of Georgia. When circumstances warrant, any meeting or a portion of a meeting will be conducted according to generally understood principles of parliamentary procedure as stated in these Bylaws or a procedural reference recognized by the Authority. Unless otherwise specifically authorized by the Open Meetings Act, all meetings of the Authority shall be open to the public and conducted in full compliance with said Code Section(s).

Section 5.09. Preparation of Agenda. A copy of the agenda for any regular meeting of the Authority shall be forwarded to each Commissioner as far in advance of the meeting as possible, along with minutes to be approved, copies of communications, and such other documents and exhibits which are available and pertinent to the meeting. Commissioners shall become familiar with the agenda and support materials prior to the meeting, and shall obtain any additional information that may be necessary to make well-informed decisions. Every effort should be made to get support material and the agendas for special meetings to the Commissioners at the earliest possible time after the meetings are called, and except in emergency situations, at least twenty-four (24) hours prior to the time the meetings are called. The foregoing shall be in addition to, and not in lieu of, the requirements of the Open Meetings Act and the Secretary of the Authority shall be responsible for ensuring that a copy of all agendas is posted in full compliance with said law.

ARTICLE VI

Officers

Section 6.01. Number; Multiple Offices. The officers of the Authority shall consist of a Chairperson, Vice-Chairperson and Secretary, each of whom shall be elected by the members of the Board of Commissioners. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the members of the Board of Commissioners at any duly constituted meeting of said members of the Board of Commissioners. In any such election of officers, the Authority may elect and appoint a single person to any two or more offices simultaneously, except that the offices of Chairperson, Vice Chairperson and Secretary shall be held by separate individuals.

Section 6.02. Election and Term of Office. The officers of the Authority shall be elected as provided herein at the first regular or special meeting of the Authority in any given year, to serve a term of one (1) year, or such shorter or longer term as provided by resolution of the Authority. Each officer shall serve for the term of office for which he or she is elected and until his or her successor has been elected or his or her earlier resignation, removal from office, or death. Any officer may be elected to successive terms.

Section 6.03. Powers and Duties of Chairperson. The Chairperson shall preside at all meetings of the Authority, shall have the general supervision and direction of all other officers of the Authority with full power to see that their duties are properly performed and shall see that all orders and resolutions of the Authority are carried into effect and otherwise fully implemented. He or she may sign, with any other proper officer, any contracts and other documents which the Authority has authorized to be executed, except where required by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Authority, the Act, or these Bylaws, to some other officer or agent of the Authority. In addition, the Chairperson of the Authority shall perform whatever

duties and shall exercise all powers as the Authority may, from time to time, assign to him or her, or as may be prescribed by the Act, these Bylaws, or the laws of the State of Georgia.

Section 6.04. Duties of Vice Chairperson. The Vice Chairperson shall serve as Chairperson in the absence or disability of the Chairperson, and the taking of any action by the Vice Chairperson in place of the Chairperson shall be conclusive evidence of such absence or disability. In addition, the Vice Chairperson shall perform whatever duties and shall exercise all powers that are given to him or her by the Authority.

Section 6.05. Duties of the Secretary. The Authority shall appoint a secretary who shall be the Executive Director/Chief Operating Officer (Executive Director/COO) of the Authority. The Secretary shall give, or cause to be given, notice of all meetings of the Authority and all other notices as required by these Bylaws, and in case of his or her absence or refusal or neglect to do so, any such notice may be given by any persons thereunto directed by the Chairperson, or by the Authority upon whose written request the meeting is called as provided in these Bylaws. The Secretary shall prepare the Authority agenda in consultation with the Chairperson and keep correct minutes of all meetings of the Authority in books provided for that purpose. He or she shall have custody of the seal of the Corporation and shall affix the same to all instruments requiring it, when authorized by the Authority or the Chairperson, and attest the same. In general, the Secretary shall perform all the duties generally incident to the office of secretary of a public corporation, subject to the direction and control of the Authority and Chairperson.

Section 6.06. Vacancies. When any office shall become vacant by reason of the death, resignation, incapacity, or removal of the incumbent, or for any other cause, the Commissioners of the Authority, by majority vote of all such Commissioners then in office, shall appoint an eligible successor who shall hold office for the unexpired portion of the term of his or her predecessor.

Section 6.07. Delegation to Agents. The Authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper to the extent consistent with the provisions of the Act.

Section 6.08. Additional Personnel; Executive Director/COO. Unless otherwise prohibited by the Act, the Authority may, from time to time, appoint, as advisors, persons whose counsel, assistance and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Authority. The Authority is further authorized to employ such person or persons, including, without limitation, attorneys, accountants and other professionals, agents, and assistants, as in its judgment are necessary or desirable for the administration and management of the Authority, and to pay reasonable compensation for the services performed and expenses incurred by any such person or persons. Without limiting the foregoing, the Authority shall hire and retain an Executive Director/COO who shall have general supervision over the administration of the business and affairs of the Authority (to include, but not be limited to, the housing projects of the Authority), subject to the direction of the Authority. He or she shall be charged with the management of all aspects of the Authority. The Secretary-Treasurer's term of office shall be indefinite and shall continue as long as the Chief Executive Officer is employed by the Authority.

ARTICLE VII

Committees

The Authority may from time to time, by resolution passed by the Commissioners, designate one or more committees (to include, without limitation, and Executive Committee), each committee to consist of two (2) or more Commissioners, which shall have such powers and responsibilities as provided in said resolution. The membership of such committee(s) shall be composed solely of Commissioners; but the Authority may, in its discretion (and only if the charge and function of said committee does not involve the management responsibility for the affairs of the Authority), appoint individuals who are not currently Commissioners of the Authority as ex-officio members of such committees. Notwithstanding the foregoing, however, a committee may not: (1) authorize distributions; (2) approve the sale, pledge, or transfer of any of the Authority's assets; (3) remove Commissioners of the Authority or officers or fill vacancies on the Authority or on any of its committees; (4) adopt, amend, or repeal these Bylaws or any other formal policies of the Authority; or (5) otherwise exercise the authority of the Authority delegated to it under the laws of the State of Georgia or the Act. In all cases, unless otherwise specifically stated in the resolution creating the committee, all committees shall serve merely an investigative or recommending function and shall exercise no direct control over the affairs of the Authority. Such committee or committees shall have such names as may be determined from time to time by resolution adopted by the Authority, and their meetings shall be held in accordance with the provisions of the Open Meetings Act to the extent applicable.

ARTICLE VIII

Contracts, Minutes, and Seal of the Authority

Section 8.01. Contracts. The Authority may authorize any officer or officers of the Authority, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute or deliver any instrument in the name of and on behalf of the Authority; provided the intent and effect of such contracts and instruments are consistent with the purposes authorized in these Bylaws. This authority may be general or may be confined to specific instances. Unless otherwise specifically indicated by the Authority or these Bylaws, the Chairperson and the Secretary shall be deemed authorized signatories for all purposes.

Section 8.02. Minutes and Records. The Authority shall keep correct and complete books and records of all of its obligations, contracts, transactions, undertakings, income, receipts, and expenditures of every kind, and the Secretary also shall keep minutes of the proceedings of the Authority. The minutes shall not be a narrative of the meetings, but a record of official Authority actions. Copies of the minutes shall be made for distribution to the Commissioners with the agenda for the next regular meeting. The official minutes of the meetings and all other records and documents of the Authority, shall be, to the extent practicable, kept in a fire-resistant, secure cabinet at the principal office or such other location as the Authority may determine. All minutes, records, and other documents of the Authority shall in all instances be subject to the requirements and provisions of the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq. (the "Open Records Act").

Section 8.03. Official Seal. The seal of the Authority shall be in such form as the Authority may determine from time to time. In the event it is inconvenient to use such seal at any time, the signatures of any two authorized signatories of the Authority followed by the word "SEAL," "OFFICIAL SEAL," or similar words enclosed in parentheses or scroll, shall

be deemed the seal of the Authority. The seal shall be in the charge of the Secretary and shall be affixed on all official papers where necessary or appropriate.

ARTICLE IX

Amendments

The Authority shall have the power to alter, amend or repeal these Bylaws or any provision thereof, and may from time to time adopt additional Bylaws; provided, however, that the Authority may exercise this power only at a meeting duly called pursuant to Article Five hereinabove. Amendments to these Bylaws shall be effective immediately upon their adoption unless a specific effective date is otherwise specified by the Authority.

ARTICLE X

Fiscal Matters

Section 10.01. Annual Budget. In accordance with the provisions of the Act, the Secretary of the Authority, in consultation with the Chairperson and other agents and professionals of the Authority, shall prepare an annual budget for submission to the Authority for review and approval. Upon approval by the Authority, the annual budget shall be deemed finally approved and no further action on the part of the Authority shall be required.

Section 10.02. Fiscal Year; Audit. Unless otherwise fixed by resolution of the Authority (as may be later authorized by the Act), the fiscal year of the Authority shall be October 1 through September 30. The financial books and records of the Authority shall be audited annually or at such other times as authorized by the Authority. Said audit made of public record in accordance with the Open Records Act.

ARTICLE XI

Miscellaneous Provisions

Section 11.01. Waiver of Notice. Whenever, under the provisions of applicable law or of the Act or of these Bylaws, any notice is required to be given to any Commissioner, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein and delivered to the Authority for inclusion in the minutes or filing with the official records, shall be equivalent to the giving of such notice. Additionally, the attendance of a Commissioner at any meeting shall constitute a waiver of the notice of the meeting, ~~except where the Commissioner attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.~~

Section 11.02. Non-Discrimination Policy. The Authority shall not discriminate on the basis of race, color, gender, national or ethnic origin, or any other unlawful purpose.

Section 11.03. Construction; Subject to Laws. These Bylaws shall be liberally construed to effect the purposes of the Act; provided, however, that the provisions hereof shall be subject to said Act and all valid and applicable laws of the State of Georgia, as now or hereafter amended, and if any provision of these Bylaws is found to be inconsistent with or

contrary to said Act or any such valid laws, the latter shall be deemed to control and these Bylaws shall be deemed modified accordingly and, as so modified, to continue in full force and effect.

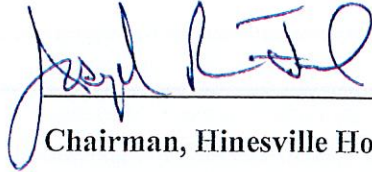
Section 11.04. Repeal of Prior Bylaws. These Bylaws shall constitute the official Bylaws of the Authority and any other Bylaws of the Authority existing on the date hereof are hereby repealed in their entirety and otherwise superseded.

Section 11.05. Effective Date. These Bylaws shall become effective as of the date set forth hereinbelow.

[Signatures Appear on Following Page]

{Amended & Restated Bylaws of Housing Authority of the City of Hinesville, Georgia} }

THE UNDERSIGNED, constituting no less than four (4) Commissioners of the Authority in office, hereby adopt and approve the foregoing Amended & Restated Bylaws in their entirety as of the 14 day of August, 2018.



Chairman, Hinesville Housing Authority



CEO, Hinesville Housing Authority



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Proposed Mobile Food Service
Establishment Ordinance #2022-01
Prepared by: Lia Jones
Presented by: Kenneth Howard

PURPOSE: Adopt Ordinance to Amend the Code of the City of Hinesville, Georgia, Appendix A. Zoning, Article Vi. Additional Regulations, to Add Section 626. Mobile Food Service Establishment Regulations; to Regulate Food Trucks in The City of Hinesville; to Provide an Adoption Date; to Provide an Effective Date; and for Other Purposes Allowed by Law.

BACKGROUND: N/A

FUNDING: N/A

RECOMMENDATION: N/A

ATTACHMENTS:

1. Mobile Food Service Establishment Ordinance

PREVIOUS COUNCIL DISCUSSION:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HINESVILLE, GEORGIA, CHAPTER 9 – LICENSING AND BUSINESS REGULATIONS, ARTICLE IV – MISCELLANEOUS BUSINESS REGULATIONS TO ADD SEC. 9-108 MOBILE FOOD SERVICE ESTABLISHMENT REGULATIONS; TO REGULATE FOOD TRUCKS IN THE CITY OF HINESVILLE; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WITNESSED:

Whereas, it is the purpose of this Article to protect the public health, safety and general welfare of individuals and the community at large; to establish uniform regulations for the operation of mobile food service units; and to enhance street- level economic opportunities within the City.

Whereas, this Article shall apply to the operation of all mobile food service units within the corporate limits of the City.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Hinesville, and it is hereby ordained by the authority of same, that the Ordinance and subsequent amendments regulating the operation of all mobile food service units for the City of Hinesville be amended as follows:

Chapter 9 – Licensing and Business Regulations

Article IV. Miscellaneous Business Regulations

Sec. 9-108 – Mobile Food Service Establishment Regulations

1. Definitions.

- A. *Commissary* means a food service establishment, or any other permitted location in which food, containers or supplies are kept, handled, prepared, packaged, stored, or placed in containers for subsequent transport, sale or service elsewhere. A commissary must meet the minimum requirements as decided by the Department of Public Health and is considered a home occupation. A commissary may also be called a base of operations.
- B. *Food Truck Park* means a privately-owned parcel of land where three or more mobile food service establishments that are limited to the sale of food and non-

alcoholic beverages to the public are congregated. Participants in a food truck park may share required facilities as needed such as toilet facilities or trash receptacles, as permitted by the Department of Public Health.

- C. *Mobile Food Service Establishment* means a trailer, pushcart, vehicle vendor or any other similar conveyance operating as an extension of and under the managerial authority of the permit holder of its permitted commissary. This definition encompasses all mobile food service establishments, with the exception of pushcarts. The mobile food service establishment is accessory to the commissary, which is the location of the business.
- D. *Pushcart* means a human propelled, self-contained, enclosed food service cart.

2. Approvals and Licensing.

- A. *In general.* No person shall operate a mobile food service establishment within the corporate limits of the City without first obtaining the proper licenses and/or permits from the state, county, and City of Hinesville. Mobile Food Service Establishment operators shall at all times comply with the provisions of this Article and all other applicable local, state and federal laws, regulations or rules. All approvals will be issued annually based on the calendar year. No approval issued under this Article may be prorated, transferred, or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.
- B. *Specific requirements.* Any person intending to operate a mobile food service establishment within the corporate limits of the City of Hinesville shall obtain, prior to commencing operation:
 - 1. All permits as may be required to operate a mobile food service establishment by the state, including the Department of Public Health of Liberty County.
 - 2. A City of Hinesville Mobile Food Service Establishment License.
- C. *Commissaries.* All mobile food service establishments must first establish a commissary before application to operate a mobile food service establishment.
 - 1. A commercial location for a commissary will be established with a Business License issued by the City of Hinesville. A commissary is permitted by right in the following zoning districts: C-1, C-2, C-3, DD, O-I, O-C, or L-I.
 - 2. As directed by the Department of Public Health, no two Mobile Food Service

Establishments may share a commissary. Each establishment requires a dedicated space as decided by the Department of Public Health.

3. A home-based location for a commissary will be established with a Home-Based Business License issued by the City of Hinesville. A commissary may be placed in an accessory building only in the following zoning districts with a waiver letter signed by the applicant's attorney if applicable and approved by the Director of the Department of Inspections.
4. A commissary may be located outside the city limits of Hinesville. Proof of compliance with local laws shall be required.

D. *Mobile Food Service Establishment License Application.* Applicants seeking mobile food service establishment license approval shall submit an application for such approval to the City Clerk or Designee. Such application shall include, at a minimum:

1. The mobile food service establishment license application as distributed by the Business License Department, which includes;
 - a. The name, address, telephone number, and email address of the mobile food service establishment's owner(s) of record. If the owner is a non-natural person, a human point of contact will be identified;
 - b. Information identifying the mobile service unit including, its make, model and license plate number, together with a photograph of the mobile food service establishment;
 - c. The corporate and, where applicable, trade name of the commissary associated with the mobile food service establishment;
 - d. A listing of operating locations, schedule for operation, and hours of operation for each site on which the mobile food service establishment intends to conduct business;
 - e. Signatures from the owners of the properties on which the truck intends to operate.
2. A copy of the commissary's approved business license from the appropriate governing authority. Where the commissary is located outside Liberty County, the applicant shall provide evidence of compliance with that district's requirements.
3. A copy of the approved permit and inspection certificate for the commissary

issued by the applicable Department of Health;

4. A legible site plan to include distance for each location illustrating the location of the mobile food service establishment, required queue space, and any outdoor seating;
5. A non-refundable application fee paid to the City of Hinesville as set forth in the Fee Schedule.

3. Grant or Denial of Application

Review and consideration of an application shall be conducted in accordance with principles of due process. Approval is conditional upon the applicant's compliance with applicable local, state, or federal laws.

4. Operational Requirements and Provisions

- A. Mobile food service establishments shall not conduct business within the public right-of-way, with the exception of special events recognized by the City of Hinesville for which the mobile food service establishment has received pre-approval from the City Manager.
- B. Mobile food service establishments shall not operate on private property without written consent from the property owner.
- C. No operator or employee of a mobile food service establishment may, at any time, utilize amplified sound devices.
- D. Mobile food service establishments shall comply with all applicable grease interceptor standards.
- E. The Department of Public Health mobile food service establishment permit, together with all applicable health certificates, including food inspection reports, pertaining to the units, shall be firmly attached in a prominent location, which shall be plainly visible to the public at all times the mobile food service establishment is conducting business.
- F. Any driver of a mobile food service establishment must possess a valid driver's license.
- G. Mobile food service establishments may conduct business only within the zones designated for such activity as listed here: C-1, C-2, C-3, D-D, O-I, O-C, and all Residential Districts with special permit uses.
- H. A mobile food service establishment court may be located only in D-D, C-1, C-2, or C-

3 zoning districts.

- I. When conducting business, mobile food service establishments shall provide no less than nine feet of unobstructed horizontal pedestrian clearance on private property, as measured from the main service window.
- J. Mobile food service establishments may only park in pre-approved locations when not in operation as indicated on the mobile food service establishment license application.
- K. Mobile food service establishments shall comply with all applicable local, state, and federal health and safety laws, regulations and rules.
- L. Mobile food service establishments may place one temporary sandwich board not greater than 16 ft² in area for advertisement purposes and not more than four feet from the main service window.
- M. Mobile food service establishments may not conduct business within 200 feet of a brick-and-mortar restaurant as measured from the main entrance of the restaurant to the main service window of the mobile food service establishment. Mobile food service establishments within a mobile food service establishment court are exempted from this restriction.
- N. Mobile food service establishments may not conduct business in a manner that blocks or impedes pedestrian or vehicular traffic, with the exception of special events recognized by the City of Hinesville.
- O. Mobile food service establishments may not conduct business with any person who is seated in a motor vehicle.
- P. No more than two mobile food service establishments may operate independently on a single property, with the exception of special events recognized by the City of Hinesville.
- Q. Pushcarts are not permitted by right under this ordinance and may only be used for special events with the express permission of the City Manager as well as approval from the Department of Public Health.
- R. Toilet Facilities – adequate access for employees to toilet facilities within 200 feet is required for all mobile food service establishments. See Georgia Department of Public Health 511-6-1.06(2)(h).
- S. The City Council may permit licensed mobile food service establishments to operate at special events regardless of zoning.

- T. Mobile and temporary cooking operations shall not block any required exits, fire department access roads, fire lanes, fire hydrants, fire department connections to automatic sprinkler and standpipes or other fire protection devices and equipment.
- U. Mobile and temporary cooking operations shall be separated from buildings or structures, combustible materials, vehicles and other cooking operations by a minimum of 10 feet and at least 20 feet from tents and other membrane structures.
- V. Covers shall be installed on fryers to prevent cooking oil from spilling while mobile food vehicle is in motion.
- W. Any mobile food service establishment using solid fuel cooking appliances (wood, charcoal, etc.) with a fire box of 5 cubic feet or less, must provide either a 1.6-Gal Class K extinguisher or a water extinguisher, in addition to a Class 2-A 10BC ABC extinguisher.

5. Mobile food service establishment parks

- A. A mobile food service establishment park may be established on a privately-owned commercial property zoned C-1, C-2, C-3, or D-D on a property no less than 30,000 square feet.
- B. Mobile food service establishments in a mobile food service establishment park may share toilet facilities, parking spaces, outdoor temporary/permanent seating, trash receptacles, and other facilities as approved by the Department of Public Health.
- C. A mobile food service establishment park site plan showing paved access and adequate off-street parking shall be submitted to the LCPC for review. The minimum number of designated parking spots required for a mobile food service establishment park shall be four per mobile food service establishment.

6. Trash

- A. Each mobile food service establishment shall provide a suitably sized receptacle for trash, which shall be located within ten feet of the service window of the unit. It shall be maintained and regularly emptied. All waste generated by the mobile food service establishment 's operation, including that associated with its customers and staff, must be disposed of at the commissary or another approved location.

- B. The area within which a mobile food service establishment operates shall, at all times, be kept clean and free from trash, garbage, rubble and debris. For purposes of this Section, a mobile food service establishment shall be responsible for operating in a safe and hygienic space to conduct business.

7. Fire Safety

To minimize the threat to public safety posed by fire, the following apply:

- A. *Combustible gas detector.* Prior to the operation of any combustible gas-fueled appliances, all visible connections shall be inspected for leakage utilizing a combustible gas detector. Detected leaks shall be repaired before any gas-fueled appliance is operated.
- B. *Liquid Propane Systems.* Propane and natural gas tanks shall be shut off while the mobile food vehicle is in motion, unless the tank is equipped with an impact detection shut off device approved by the U.S. DOT. Propane and natural gas tanks must always be shut off while the vehicle is unattended and/or in overnight storage. Mounted tanks must be secure (NFPA 58—5.2.4) and conform with NFPA standards relating to the safe mounting of tanks as described in NFPA 58—6.23.3.3. and be capable of withstanding impact requirements as required by the NFPA (NFPA 58 6.23.3.4.)
- C. *Portable fire extinguishers.* All mobile food service establishments shall be equipped with a readily accessible multipurpose dry chemical portable fire extinguisher with a minimum rating of 2A 10BC. All mobile food service establishments utilizing fats or cooking oils, including those that produce grease, grease laden vapors or oily byproducts, shall, in addition to the ABC fire extinguisher, be equipped with a readily accessible Class K portable fire extinguisher. All required fire extinguishers shall be maintained in compliance with National Fire Protection Association 10, as amended.
- D. *Operations prior to set up.* Propane and natural gas tanks shall be shut off while the mobile food vehicle is in motion, unless the tank is equipped with an impact detection shut off device approved by the U.S. DOT. Mobile food service establishments are prohibited from igniting, starting or operating any cooking appliances requiring heat, electricity or combustible gases while traveling upon any street, road or highway. Food warming or hot holding appliances are exempt from this requirement.
- E. *Exhaust creating nuisance.* Emission of exhaust gases or smoke shall not be handled in

such a manner as to constitute a nuisance, pursuant to section 11.7 of the ordinance.

- F. *Hood cleaning and maintenance.* Mobile food service establishments shall be maintained and regularly cleaned to minimize the buildup of grease and other combustible residues. This includes all interior and exterior surfaces upon which grease can or may accumulate including, but not limited to, hold filter surfaces, plenums, ducts, exhaust fans and exterior cowling.
- G. *Fire suppression system inspections.* All mobile food service establishment fire suppression systems shall be inspected and maintained in accordance with the applicable provisions of the National Fire Protection Association. The system shall be tagged in accordance with the Rules and Regulations of the Georgia Safety Fire Commissioner.
- H. Liquified petroleum gas systems on mobile food vehicles and temporary cooking operations shall comply with the currently adopted IFC Section 319+.8 and Chapter 61, NFPA 5 and Chapter 120-3-6.
- I. A listed LP gas alarm shall be installed within the vehicle in the vicinity of LP gas system components, in accordance with the manufacturer's instructions per IFC Section 319.8.5.
- J. A shutoff valve shall be readily accessible and identified with a sign permanently affixed to the vehicle in reflective decal material with letters a minimum of two (2) inches.
- K. Fabric awnings, if present, shall be fire rated to comply with IFC Section 3104 and NFPA 701. Mobile food service operators shall provide documentation or remove fabric awning.

8. Generators

- A. Generators shall be in safe working condition and properly grounded.
- B. Non-permanently mounted generators shall be located at least 25 feet from combustibles or public gathering areas.
- C. Generators shall not be refueled when generator is in operation or within 20 feet of the mobile food vehicle.
- D. Generators shall not be operated within 20 feet of tents or other membrane structures.
- E. Should generators be mounted in a storage compartment on the mobile food vehicle, the generator must be vented to the exterior to prevent fumes from entering the mobile food vehicle.

9. Enforcement and Sanctions

- A. Mobile Food Services Establishments shall be inspected by the Fire Marshall, City Inspector or other duly empowered officer for compliance with this ordinance.
- B. To ensure the continued application of the intent and purpose of this Article, the City Manager shall notify the owner(s) and operator(s) and, where applicable, the Department of Public Health, of all instances in which a citation is issued to a mobile food service establishment.
- C. The City Clerk or designee shall be responsible for maintenance of all code violation charges, founded accusations and convictions concerning mobile food service establishments. When a mobile food service establishment owner or operator accumulates three code violations for a particular mobile service unit within a period of twelve consecutive months, the City shall revoke the mobile food service establishment's mobile food service establishment license and reject all applications for mobile food service establishment license approval by the concerned owner(s) and operator(s) for a period of twelve consecutive months following the date of revocation.
- D. If a mobile food service establishment owner or operator has been cited for and found to be in violation of any zoning, health or life safety code provision, the owner or operator must demonstrate compliance with the applicable code prior to being eligible to continue operations under the current approval.
- E. Violations of this Article are subject to the following sanctions, which may not be waived or reduced, and which may be combined with any other legal remedy available to the City:
 - 1. First violation: \$500
 - 2. Second violation within 12 months of the first: \$750
 - 3. Third violation within 12 months of the first: \$1,000 and revocation of the Mobile food service establishment license. Mobile food service establishment license approvals will be revoked for the remainder of the calendar year.
- F. Nothing in this section shall limit the City from enforcement of its code, state or federal law by any other legal remedy available to the City. Nothing in this section shall be construed to limit or supplant the power of any City inspector, deputy marshal or other duly empowered officer under the City's ordinances, rules and regulations or the authority granted under state

law, as amended, to take necessary action, consistent with the law, to protect the public from operation of a mobile food service establishment as a nuisance, including abatement thereof by lawful means.

Article VI. Additional Regulations

To Add

Sec. 601

(A) Accessory structures and uses for residential uses.

10. A commissary, provided that it meets the standards of the Department of Public Health.

To Change

Sec. 607

Current:

3. Supplies, materials or debris are not to be located, stored, stockpiled or kept on the property where the home is located.

Proposed:

3. Supplies, materials or debris are not to be located, stored, stockpiled or kept outdoors on the property where the home is located.



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Public Comment
Prepared by: Lia Jones
Presented by: Mayor Brown

PURPOSE: To Allow Citizens to Address Mayor and Council.

BACKGROUND: None

FUNDING: None

RECOMMENDATION: None

ATTACHMENTS:

PREVIOUS COUNCIL DISCUSSION:



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Mayor Brown's Report
Prepared by: Christy Deloach
Presented by: Allen Brown

ACTION ITEMS:

None

INFORMATIONAL ITEMS:

None



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Councilmember Riles Report
Prepared by:
Presented by:

ACTION ITEMS:

None

INFORMATIONAL ITEMS:

None



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Mayor Pro Tem Jenkin's Report
Prepared by: Brittany Avery
Presented by: Mayor Pro Tem Jenkins

ACTION ITEMS:

N/A

INFORMATIONAL ITEMS:

N/A



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Councilmember Nelson's Report
Prepared by: Wendy Bruce Sochia
Presented by: Vicky C. Nelson

ACTION ITEMS:

N/A

INFORMATIONAL ITEMS:

N/A



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Councilmember Floyd's Report
Prepared by: Rose Kenner
Presented by: Councilmember Floyd

ACTION ITEMS:

None

INFORMATIONAL ITEMS:

None



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: Councilmember Reid's Report
Prepared by: Darlene Parker
Presented by: Councilmember Reid

ACTION ITEMS:

INFORMATIONAL ITEMS:

N/A



City of Hinesville, Georgia, Council Meeting

Date: April 7, 2022
Agenda Item: City Manager's Report
Prepared by: Christy Deloach
Presented by: Kenneth Howard

ACTION ITEMS:

Mitigation Report

INFORMATIONAL ITEMS:

None

MAYOR
Allen Brown

CITY MANAGER
Kenneth K. Howard

CITY CLERK
Lia Jones

CITY ATTORNEY
Linnie L. Darden, III



City Manager's Office

MAYOR PRO TEM
Keith Jenkins

COUNCIL MEMBERS
Diana F. Reid
Vicky C. Nelson
Jason Floyd
Karl A. Riles



12261

Cumulative Cases



104

Total Deaths



+5

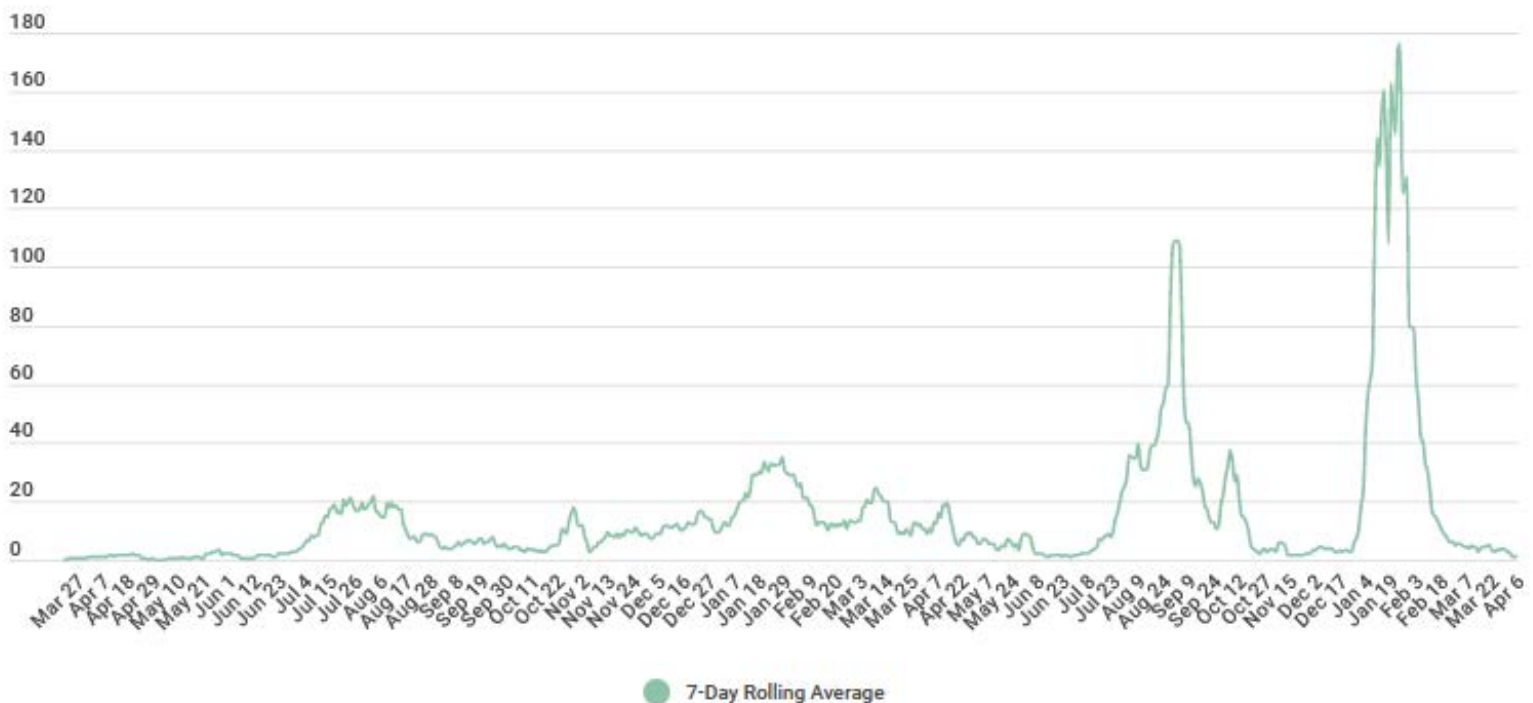
New cases reported on 4/6/22



+0

Deaths Reported on 4/6/22

Liberty: 7-Day Rolling Average



"Home for a Day or a Lifetime"

115 East M.L. King Jr. Drive, Hinesville, GA 31313 (912) 876-3564

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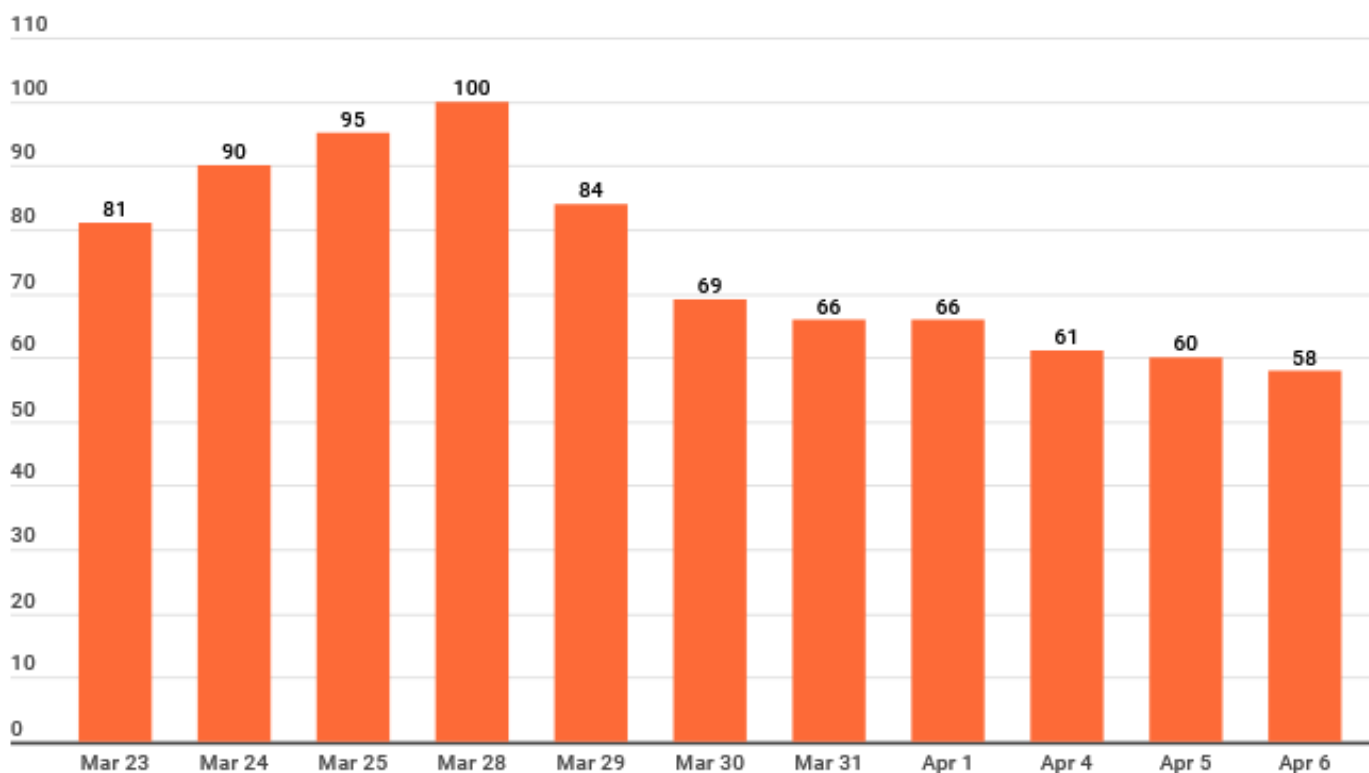


City Manager's Office

MAYOR PRO TEM
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Liberty: Recent Community Transmission Index



The community transmission index reflects the number of newly reported cases in the last 14 days per 100,000 residents and includes positive cases from PCR and antigen tests. This graph is updated each weekday.

Transmission levels are grouped as follows:

- **High:** greater than 100 cases per 100,000 county residents
- **Moderately High:** 51-100 cases per 100,000 county residents
- **Moderate:** 11-50 cases per 100,000 county residents
- **Low:** 0-10 cases per 100,000 county residents

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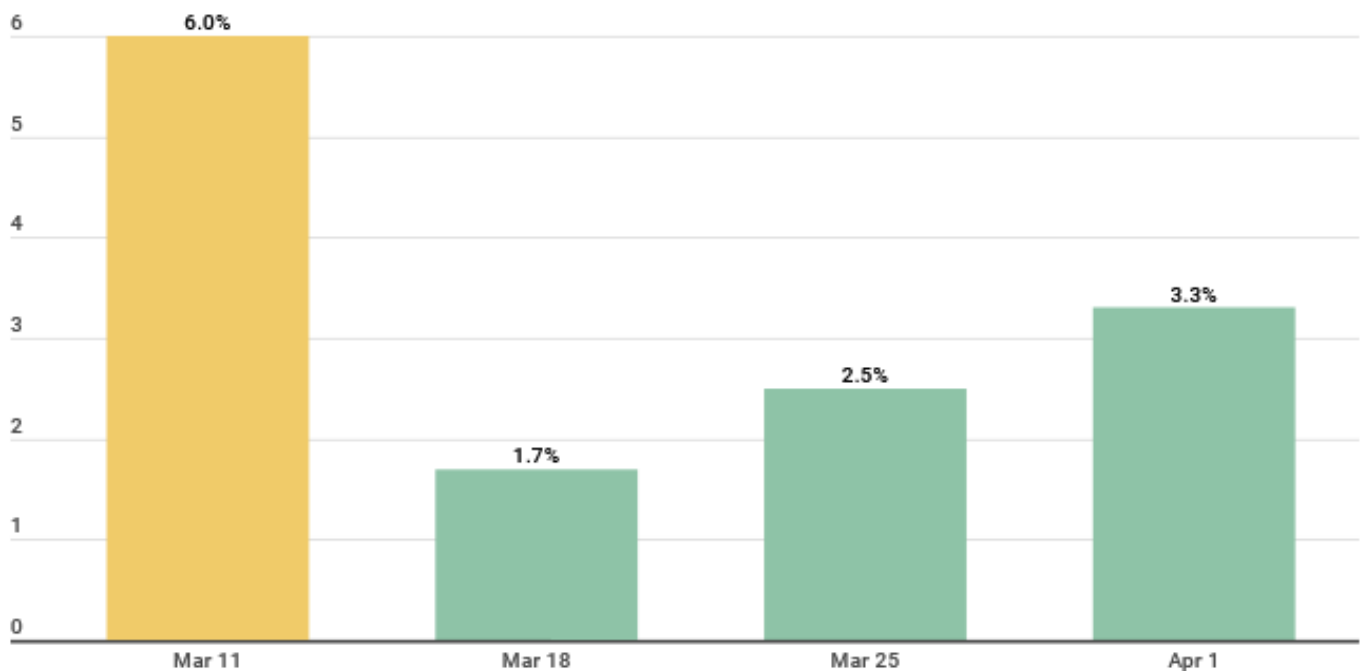


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Liberty: Percentage of Positive Tests



This graph shows the percentage of COVID-19 tests that were positive in residents of this county in the last 4 weeks. Each bar represents a two week average of test positivity. Statistics included specimens collected for PCR testing from a range of providers, including public health, private physicians, urgent care centers, and hospitals, but does not include antigen or antibody testing.

Levels of positivity are grouped as follows:

- **High:** greater than 10%
- **Moderate:** 5-10%
- **Low:** less than 5%

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