

August 3, 2020

Approved 8/17/2020

MINUTES

The regularly scheduled meeting of the Pooler City Council was held on August 3, 2020. Mayor Rebecca Benton called the meeting to order at 6:00 p.m. Present were Councilmembers Shannon Black, Aaron Higgins, Tom Hutcherson, Stevie Wall, John Michael Wilcher and Karen Williams. City Manager Robbie Byrd, Finance Officer Chris Lightle and City Attorney Steve Scheer were also present.

The invocation was led by Mayor Benton and Pledge of Allegiance was led by Councilmember Wilcher.

Councilmember Higgins made a motion to amend the scrivener's error for the minutes of the regular meeting from the date of July 1, 2020 to July 6, 2020. Motion was seconded by Councilmember Williams with no opposition. Councilmember Williams made a motion to amend the scrivener's error for the minutes of the executive session meeting from the date of July 1, 2020 to July 6, 2020. Motion was seconded by Councilmember Higgins with no opposition.

Councilmember Higgins made a motion to approve the minutes of the regular meeting for July 20, 2020. Motion was seconded by Councilmember Hutcherson, with no opposition.

Councilmember Williams made a motion to approve the minutes of the special called meeting for July 27, 2020. Motion was seconded by Councilmember Hutcherson with no opposition. Councilmember Hutcherson made a motion to approve the minutes of the executive session meeting for July 27, 2020. Motion was seconded by Councilmember Higgins with no opposition.

Report from the Departments:

PUBLIC WORKS

Matt Saxon reported that the Street Department is continuing routine maintenance throughout the City. The Water Department inspected 18 new water meters and witnessed 14 backflow tests. Storm Water is continuing maintenance in the Garden Acres Subdivision. Public Works Admin reviewed two (2) new sets of site plans and conducted one (1) pre-construction meeting. EOM Operations conducted normal business operations for the Sewer Department. EOM also replaced a permeate pump and conducted routine preventive maintenance, instrument calibration and sampling at the Wastewater Treatment Plant. In addition, Mr. Saxon noted maintenance documentation for a Forest Lake ditch is in the process of being finalized prior to start date.

FINANCE

Chris Lightle updated Council on the software migration and training. Sales tax revenues from last week compared to the same period last year is down just under 4%. He also mentioned the State has accepted the City's audit report.

FIRE

Chief Simmons reported 430 calls for the period of July 1st to July 31st, up 4.5% in call volume compared to last year. Year to date, 2,357 responses, down 2% compared to 2019.

POLICE

Chief Brown reported 26 Part 1 crimes from July 15th to July 31st, which is a 19% reduction of Part 1 crimes for the year. Of the 373 Part 1 crimes, 10 were shopliftings, down 3.9% for the year. Service calls are down 13% for the year. There were 555 citations, 58 arrests and 1 DUI arrest.

RECREATION

Hugh Elton reported that the parks' outdoor facilities are open, while the Senior Center remains closed. The staff at the Senior Center continues to assist seniors as needed. The Parks Department has been performing routine maintenance at all facilities. The walk through and punch list at the stadium for turf install is complete. Councilmember Williams complimented Pooler Recreation on images of the new state of art turf at Pooler Stadium.

BUILDING AND ZONING

Phillip Claxton reported for the past two weeks there were two (2) new single-family residences permits, three (3) site plans, and three (3) variance requests.

Under **OLD BUSINESS** the following was discussed:

A. Second Reading of an Ordinance to Amend Chapter 62, Article II, Sections 32, 33, and 34 of the Municipal Code of the City of Pooler; To Repeal Conflicting Ordinances; To Set an Effective Date and Other Purposes

Mr. Byrd presented the item to Council. City Attorney Scheer proposed changes on page 3, line 124, by placing a period after "recuse themselves" and deleting the rest of the sentence along with line 125. Councilmember Higgins questioned why staggard terms were removed. Attorney Scheer stated one Council cannot bind another regarding appointments. Councilmember Williams requested to change resident commission member terms to October 1st – September 30th.

Councilmember Higgins made a motion to approve the item and the changes. Motion was seconded by Councilmember Hutcherson with no opposition.

B. Site Plan for Pooler Promenade at 506 West Highway 80

Mr. Byrd presented the item to Council. There was discussion from both the Petitioner and opposing side. Patrick Connell, representing the petitioner submitted an amendment to the site plan for legal purposes as well as photos. He stated that they met with a citizen group to provide additional information to address concerns about the project. One of the concerns that was raised at the meeting was stormwater. He stated he believes they addressed those concerns as well as other issues. Mr. Richard Weaver a resident as well as a Pooler businessman also spoke and stated that if there were any project that would shine in this community, it is the project that is being presented. Ms. Scottie Moore spoke on behalf of the opposing party. She raised concerns about public safety as well as other concerns. After hearing from both parties, Councilmember Wall made comments related to the site plan utilizing the following criteria for site plan approval standards:

1. Whether the site plan is consistent with the Comprehensive Plan for the City of Pooler and other small area plans: He stated that he didn't think it does because it adversely affects the neighborhood for some of the reasons that have been mentioned by Ms. Moore speaking in opposition.
2. Provides for adequate pedestrian and traffic access: He stated that it did not because it causes way too many vehicles to come in and out.
3. Does it provide adequate space for off-street parking and loading/unloading zones where applicable: He stated it is too big of an area and the vehicles coming in are going to miss the road.
4. Provides for appropriate location, arrangement, size, and design of buildings, lighting, signs, giving due consideration to the applicable zoning district(s): He stated it does not because the arrangement adversely effects looking down on the houses. And stated the pictures showed a 20 to 30 years old oak tree behind the evergreen and that the evergreen wasn't the only thing blocking the building. He stated that there are too many buildings and not enough room to do everything they want to do.
5. Is appropriate in scale and relation to proposed use(s) to one another and those of adjacent properties: He stated that there are more residential than commercial properties at that area and that he did not think it met that criteria either.
6. The proposed development site is adequately served by existing or proposed public facilities, including roads, water, sanitary sewer, and stormwater infrastructure: He stated that it is not an adequate road. It is one way in and one

way out. He stated that it is a public safety problem. He also stated that the zoning states if it adversely affects or impacts the neighborhood then the Council has the right to turn it down.

7. The proposed development site is adequately served by other public services to account for current or projected needs: He stated he's not sure it does that either because of the roads.
8. Provides adequate protection for adjacent against noise, glare, unsightliness, or other objectionable features: He reiterated what Ms. Moore said about the alcohol late at night, services trucks coming different times of the night, the glare, and the odors. He stated that these adversely impacts and causes public safety problems.
9. Provides adequate landscaping, including the type and arrangement of trees, shrubs, and other landscaping, which may (or may not) provide visual or noise-detering buffer between adjacent properties: He stated that the 8' wall was not going to protect you from 35 feet. And that there is no plan or suggested undisturbed buffer.
10. Provides for improvements in accordance with all applicable federal, state, and local laws including without limitation, the Code of Ordinances for the City of Pooler: He stated that it adversely affects the neighborhood with these standards and is a detriment to public safety. He further stated that there still are some concerns that have not been approved by GDOT.

After stating all of this, Councilmember Wall made a motion to deny the site plan. Motion was seconded by Councilmember Williams. The site plan was denied by 4 to 2 votes. Councilmembers Black and Wilcher opposed.

Under **NEW BUSINESS** the following was discussed:

A. Site Plan for NTW at 2221 Pooler Parkway

Mr. Byrd presented the item to Council. Due to the petitioner not being present, Councilmember Wilcher made a motion to table the item. Motion was seconded by Councilmember Higgins and passed without opposition.

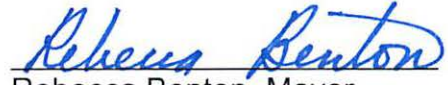
B. Authorization to Execute CARES Act Grant Agreement

Mr. Byrd presented the item to Council. Councilmember Hutcherson made a motion to approve the Authorization to Execute CARES Act Grant Agreement. Motion was seconded by Councilmember Higgins.

Councilmember Higgins made a motion to adjourn to Executive Session at approximately 6:40 p.m. to discuss personnel, legal and/or real estate

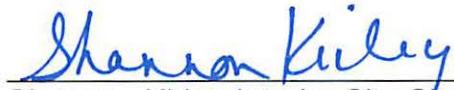
matters. Motion was seconded by Councilmember Wilcher and passed without opposition. Mayor Benton called the meeting back to order at 7:17 p.m.

There being no further business to discuss, Councilmember Wall made a motion to adjourn at approximately 7:17 p.m. Motion was seconded by Councilmember Hutcherson and passed without opposition.


Rebecca Benton, Mayor

The foregoing minutes are true and correct and approved by me on this 17 day of AUGUST, 2020.

Attest:


Shannon Kirby, Interim City Clerk