

MINUTES

The regularly scheduled meeting of the Pooler City Council was held on September 8, 2020. Mayor Rebecca Benton called the meeting to order at 6:00 p.m. Present were Councilmembers Aaron Higgins, Tom Hutcherson, Stevie Wall, John Michael Wilcher (via telephone) and Karen Williams. City Manager Robbie Byrd, Finance Officer Chris Lightle and City Attorney Steve Scheer were also present. Councilmember Shannon Black was not present.

Mayor Benton asked everyone to remember the Key Family in Bloomingdale and anyone else that has had sickness and death in the family.

The invocation was led by Pastor John Fender and Pledge of Allegiance was led by Councilmember Williams.

Councilmember Higgins made a motion to approve the minutes of the regular meeting for August 17, 2020. Motion was seconded by Councilmember Hutcherson, with no opposition.

Councilmember Williams made a motion to approve the minutes of the executive session meeting for August 3, 2020. Motion was seconded by Councilmember Hutcherson with no opposition.

Councilmember Higgins made a motion to approve the minutes of the executive session meeting for August 17, 2020. Motion was seconded by Councilmember Hutcherson with no opposition.

Councilmember Higgins made a motion to add the minutes of the executive session meeting for the retreat of August 8, 2020. Motion was seconded by Councilmember Williams with no opposition.

Councilmember Williams made a motion to approve the minutes of the executive session meeting for the retreat of August 8, 2020. Motion was seconded by Councilmember Wall with no opposition.

Report from the Departments:

PUBLIC WORKS

Matt Saxon reported that the Street and Stormwater Departments continued routine maintenance, Public Works Admin reviewed one (1) site plan and conducted two (2) pre-construction meetings, and the Water Department inspected twenty-four (24) new water meters.

EOM performed routine preventive maintenance for Sewer and the Wastewater Treatment Plant. There were two (2) grinder calls and three (3) sewer leaks/repairs.

FINANCE

Chris Lightle reported that the City received the SPLOST check and that it was about \$30,000.00 more than he expected. Property tax collections are ahead 10% compared to last year at this time. He also stated that lost revenue is 6% behind what it was at this time last year and hotel motel tax revenues are about 20% down from last year. Councilmember Hutcherson asked if the City was able to allocate all of the CARES Act funding. Mr. Lightle said the City was able to and that the total funds were 1.3 million dollars. He also stated that the City has received approval of a FEMA Grant submission of approximately \$90,000.00 related to COVID-19.

Steve Scheer made the following statement regarding the CARES Act:

The Mayor has requested that I explain the allocations for the CARES Act monies allocated to Pooler. As with any monies sent by the federal government to local or state government there is a requirement for accountability. The City must demonstrate the monies spent under the CARES Act meet the guidelines of the CARES Act. If the City were to give the money to third parties, the City would still be responsible for ensuring the money was spent on COVID-19 issues. If the third party no matter how well-intentioned did not keep adequate records, the City would be responsible.

In addition to the requirement of accountability, if the City were to allocate money to third parties no matter how charitable, the City would be forced to determine what organizations need the money the most. There is no procedure that I know of that would allow the City to pick and choose who should receive funds over someone else. Especially when the City has incurred cost directly attributable to the COVID-19 emergency.

The amount of money allocated to the City of Pooler will not cover the COVID-19 related costs. I have checked with the proper City Officials and they have assured both myself and the City Manager that all monies have been properly allocated in accordance with relevant federal guidelines.

Unlike any other natural disaster, this pandemic has impacted everyone in the City not just those whose houses have been damaged by fire or wind. The City like the public has had to make unforeseen adjustments in how the City operates. Like everyone else, the City of Pooler did not and could not budget for the unexpected costs of the pandemic. The CARES Act recognizes the difficulties in providing documentation as to how the monies are directly related to the pandemic. That is why federal guidance includes the presumption that monies used for public safety regular payroll, although budgeted, to be substantially dedicated to COVID-19 mitigation making public safety regular payroll an eligible expense. The U.S. Treasury has assumed that the City of Pooler did not budget for public safety officers to be used for pandemic response.

Chris Lightle stated that the City of Pooler's CARES Act Funding was \$1,345,000.00. He mentioned that the City received the first part of the money which was 30% around August 1st and had to submit the expenditures by September 1st, once we did that then we could submit a filing for the remainder of the 70%, but it also had to be spent and services performed by September 1st. Federal and State guidelines require eligible expenditures meet three criteria; 1) incurred as a response to the COVID-19 health emergency, 2) not included in the current budget, and 3) incurred during the period March 1, 2020 to August 31, 2020. The only exception to guidelines is that public safety payroll is presumed to be substantially dedicated to COVID-19 mitigation. Therefore, the City's public safety payroll costs were used to claim the \$1,345,000.00.

FIRE

Chief Simmons reported 431 emergencies for the period of August 1st to August 31st. Year to date, 2,788 total emergencies, up 100% compared to last year. Stating August has surpassed July's numbers and has been the busiest month ever. Councilmember Hutcherson asked if there were any trends that were causing the increase. Chief Simmons stated that the emergencies are up across the board on every type of call.

POLICE

Chief Brown reported 36 Part 1 crimes from August 13th through August 31st, totaling 450 year to date which is a 11.64% decrease of Part 1 crimes for the year. There were 17 shopliftings, bringing it up 1% for the year. Service calls are up by less than 2% for the year. There were 864 citations, which is down 11.49%. There were 108 arrests, which is down 4.2%. However, there is an increase in DUI arrests of 6.8%. He stated that there was a "Back the Blue" rally at Tom Triplet Park yesterday and that there were no issues. There were about 200 people that showed up. Pooler Police were represented there as well as Georgia State Patrol. Councilmember Wall stated the Key/Beatty family wanted to thank the Pooler Police Department for the funeral escort. Councilmember Higgins questioned if there was going to be a traffic control plan for the holiday season. Chief Brown stated that he goes by the plan for past years and makes changes as needed and stated that he feels like each year has improved.

RECREATION

Hugh Elton reported that all of the fall sports, football, soccer and volleyball have all started games this week. Volleyball will be at the gyms and everything else will be at the recreation complex. Tennis begins September 9th. The registration for dance and gymnastics is still open and planning to start up in October with limited registration. The Recreation Department will host a high school softball tournament, September 11th and 12th at the complex, and a high school football game on the 18th. The Senior Center remains closed. The Parks Department performed routine maintenance at all facilities, as well as the cemetery.

BUILDING AND ZONING

Phillip Claxton reported for the period of August 17th to September 4th there were fifty-six (56) new single-family detached permits, four (4) new single family attached permits, two (2) commercial permits, and performed 196 inspections.

Mayor Benton made a statement asking whoever has not completed the Census to do so. Because this determines how much money this area receives over the next 10 years. She also stated that Mr. Jason Buelterman would not be able to attend the meeting tonight and that he will come another night. Mayor Benton then introduced the Pooler Lions Club to recognize the Pooler Police and Fire Departments. Karla Italiano, the president of the Pooler Lions Club expressed appreciation for the Pooler Fire and Police Department. She asked the Lions Club members present, Councilmember Williams and Chief Simmons and Chief Brown to come up to the front with her. She then gave a presentation and presented both Chief Simmons and Chief Brown with flags to show their appreciation.

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

A. Second Reading of Proposed Amendment to the Zoning Ordinance of the City of Pooler.

Mr. Byrd recommended that the item be delayed until the September 21st Council Meeting. Councilmember Wall made a motion to table the item. Motion was seconded by Councilmember Hutcherson and passed with no opposition.

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

A. Alcoholic Beverage License Application for Retail Wine & Beer or Other Beverages and Sunday sales (Retail Sales) for Enmark Stations Inc. dba Enmarket #828, Located at 1264 E. Highway 80.

Mr. Byrd presented the item to Council. Councilmember Wall made a motion to approve the application. Motion was seconded by Councilmember Williams and passed with no opposition.

B. Alcoholic Beverage License Application for Retail Wine & Beer or Other Beverages, Retail Liquor/Distilled Spirits (Sale by Drink Only) and Sunday sales for Sapporo Japanese Restaurant, Located at 120 Towne Center Dr., Suite 100.

Mr. Byrd presented the item to Council. Councilmember Wall made a motion to approve the application. Motion was seconded by Councilmember Higgins and passed with no opposition.

C. Alcoholic Beverage License Application for Retail Wine & Beer or Other Beverages, Retail Liquor/Distilled Spirits (Sale by Drink Only) and Sunday sales for D and H Pita Food, LLC, Located at 240 Tanger Outlets Blvd., Suite 110

Mr. Byrd presented the item to Council. Councilmember Higgins made a motion to approve the application. Motion was seconded by Councilmember Hutcherson and passed with no opposition.

D. Application for Special Event Permit for Pooler Karate and Krav Maga “Special Kicks” nonprofit fundraiser for special needs karate, located at 811 S. Rogers St., Unit 2.

Mr. Byrd presented the item to Council and stated that the petitioner asks for the fee to be waived due to the event being a nonprofit fundraiser. Councilmember Wall made a motion to approve the application and waive the fee. Motion was seconded by Councilmember Hutcherson and passed with no opposition.

E. Application for Special Event Permit for campers Inn RV of Richmond Hill for an RV show in Tanger Outlets Mall parking lot.

Mr. Byrd presented the item to Council. Councilmember Williams made a motion to approve the application. Motion was seconded by Councilmember Higgins and passed with no opposition.

F. Flag Pole Height Variance at 155 Pine Barren Road

Mr. Byrd presented the item to Council. With some discussion Councilmember Wall made a motion after review of the criteria to approve the variance. Motion was seconded by Councilmember Higgins. Councilmembers Wall, Higgins, and Wilcher voted in favor. Councilmembers Williams and Hutcherson voted in opposition. The item passed.

G. Front Yard Building Setback Variance at 103 Bramswell Road

Mr. Byrd presented the item to Council. With some discussion, Councilmember Higgins made a motion after review of the criteria to approve the variance. Motion was seconded by Councilmember Williams and passed with no opposition. The item passed.

H. Sign Height variance for Pooler Parkway of Georgia (mixed use development on Pooler Parkway) at 100 Clearlake Way

Mr. Byrd presented the item to Council. With some discussion, Councilmember Higgins made a motion after review of the criteria to deny the variance. Motion was seconded by Councilmember Wall. Councilmembers Higgins and Wall voted in favor of denial. Councilmembers Williams, Hutcherson, and Wilcher voted in opposition of denial. Councilmember Williams made a motion to approve the variance. Motion was seconded by Councilmember Hutcherson. Councilmembers Williams, Hutcherson, and Wilcher voted in favor. Councilmembers Higgins and Wall voted in opposition. The item passed.

I. Acceptance of Performance Bond/Final Plat approval for Clubhouse Residential, Phase 1

Mr. Byrd presented the item to Council. Councilmember Wall made a motion to the accept the bond and approve the final plat. Motion was seconded by Councilmember Hutcherson and passed with no opposition.

J. Acceptance of Performance Bond/Final Plat approval for Hunt Club, Phase 8

Mr. Byrd presented the item to Council. Councilmember Higgins made a motion to accept the bond and approve the final plat. Motion was seconded by Councilmember Wall and passed with no opposition.

K. Release of Performance Bond for Harmony, Phase 5

Mr. Byrd presented the item to Council. Councilmember Hutcherson made a motion to release the performance bond. Motion was seconded by Councilmember Higgins and passed with no opposition.

Councilmember Williams made a motion to adjourn to Executive Session at approximately 7:00 p.m. to discuss personnel, legal and/or real estate matters. Motion was seconded by Councilmember Hutcherson and passed without opposition. Mayor Benton called the meeting back to order at 7:27 p.m.

There being no further business to discuss, Councilmember Wall made a motion to adjourn at approximately 7:27 p.m. Motion was seconded by Councilmember Williams and passed with no opposition.



Rebecca Benton, Mayor

The foregoing minutes are true and correct and approved by me on this 21st day of September, 2020.

Attest:



Shannon Kirby, Interim City Clerk