



CITY COUNCIL

Regular Meeting – Minutes

October 5, 2020 at 6:00 p.m. | Pooler City Hall | 100 SW US HW 80, Pooler, GA 31322

I. ROLL CALL/DECLARATION OF QUORUM

Rebecca Benton	Mayor	Present
Tom Hutcherson	Mayor Pro Tem	Present
Shannon Black	Councilmember	Present
Aaron Higgins	Councilmember	Present
Stevie Wall	Councilmember	Present
John Wilcher	Councilmember	Present
Karen Williams	Councilmember	Present
Robert Byrd	City Manager	Present
Steve Scheer	City Attorney	Present
Craig Call	City Attorney	Present
Chris Lightle	Finance Officer	Present
Kiley Fusco	Clerk of Council	Present

II. CALL TO ORDER

Mayor Rebecca Benton called the meeting to order at 6:00 p.m.

III. INVOCATION

Pastor Tom Dent, from Trinity Pooler Baptist Church, gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Stevie Wall led the pledge.

V. ADOPTION OF MINUTES

A. City Council Meeting Minutes of September 21, 2020

Councilmember Shannon Black moved to approve the minutes of the September 21, 2020 meeting.

RESULT: PASSED [UNANIMOUS]

MOVER: Black

SECONDER: Hutcherson

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

A. City Council Meeting Executive Session Minutes of September 21, 2020

Councilmember Aaron Higgins moved to approve the Executive Session minutes of the September 21, 2020 meeting.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Wall

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

VI. REMINDERS & ANNOUNCEMENTS

Mayor Rebecca Benton reminded all residents to complete their census forms as the deadline has been extended. Forms may be completed online at my2020census.gov or by phone at 1-844-330-2020. With regard to election ballot boxes, the City had been asked to allow a box at the Rogers Street gym. However, the law requires that ballot boxes have 24-hour security/surveillance, which is not currently available at the Rogers Street location. As an alternative, the City has offered the City Hall public parking lot as a potential ballot box location and has also suggested the National Museum of the Mighty Eighth. In order to accommodate early in-person voting for Pooler residents, all recreation activities at the Rogers Street gym have been put on hold from October 12-30, Monday-Friday from 10:00 a.m.-4:00 p.m.

Councilmember Karen Williams shared that the City of Pooler, in conjunction with the Pooler Lions Club and the First Presbyterian Church, will be hosting another USDA food distribution event on October 24 at 10:00 a.m. at the West Chatham Middle School track.

VII. DEPARTMENT & COMMITTEE REPORTS

A. The Public Works Report was presented by Matt Saxon. Public Works had one pre-construction meeting and is continuing routine maintenance. The Storm Water Department assisted the Georgia Central Railroad with work near Dublin Road and Highway 80. There were 14 new construction inspections, 12 leaking laterals, and performed 466 locates for the UPC center. On the EOM report, Sewer received eight (8) calls and Wastewater repaired drum screen #2.

B. The Finance Report was presented by Chris Lightle. The Georgia Department of Revenue had been conducting submission audits from 2015-2019. As a result, they found additional funding for distribution to local governments, giving us a substantial increase in revenue in August. Through August 31, we are now down around 5%. We anticipate a similar increase in SPLOST revenue from Chatham County. Property tax revenue is up 11%. We were presented with a 25% increase for group benefits. Our broker was then able to find a similar plan with a different carrier having an increase of only 2.2%. 2021 budget planning is underway.

- C. **The Fire Department Report** was presented by Chief Wade Simmons. From September 1-30, the department rode 401 responses, with 3,189 year to date. There has been a noted recent increase in medical calls and motor vehicle accidents.
- D. **The Police Department Report** was presented by Chief Ashley Brown. From September 16-30, there were 20 Part I crimes, bringing the total to 489 year to date. There were 10 shoplifting incidents, and calls for service are up 1% over this time last year. DUI's are up 29%. Residents may have noticed an increase in police presence on the roadway for Distracted Driving Enforcement Week.
- E. **The Recreation Department Report** was presented by Hugh Elton. Fall youth programs will continue through next week. Volleyball ends this week. Dance and gymnastics have resumed. High school football games are scheduled at the stadium for the coming two weeks, and Parks has been performing routine maintenance.
- F. **The Building/Zoning Report** was presented by Phillip Claxton. From September 21 to date, there have been 20 single-family homes permitted, three commercial buildings permitted, and 202 inspections. The Council will hear the second reading of the Zoning Code restatement this evening.

VIII. **PUBLIC HEARINGS & SPECIAL GUESTS**

- A. **Marcus Thompson** is running for State Representative for the district.
- B. **City of Pooler Comprehensive Plan Update & Public Hearing**
Jackie Jackson with the Chatham-Savannah Metropolitan Planning Commission (MPC) presented on the 2040 program. The presentation is available upon request. Mayor Rebecca Benton opened and closed the public hearing; there were no comments.

IX. **ORDINANCES, PROCLAMATIONS & RESOLUTIONS**

- A. **ORDINANCE: Second Reading of Proposed Ordinance No. 2020-08-17.A - Amendment to the Zoning Code of the City of Pooler**
Mr. Robert Byrd presented the second reading for approval. Mayor Rebecca Benton opened the public hearing. Holly Young, Harold Yellin, Tim Lovezzola, Bobbie Overstreet, Tommy Strickland, Larry Young, Gail Strickland, Alex Winskie, Cody Jones, and Bill Grainger expressed their concerns regarding the proposed ordinance. Phillip Claxton, City Planner, addressed each of the residents' concerns individually.

Councilmember Karen Williams presented the following revisions for clarification to the draft ordinance:

Page 16 – Section 5, Item G. Business Not Covered: add “Any use not listed above shall meet the requirements of the most similar use as determined by City Council.” Strike “Any business not covered above will require five spaces per 1,000 sq. ft. of total floor area.”

Page 14 – Section B: replace “September 21” with “October 5”

Page 17 – Table. Minimum Parking Space Required by Use, Business Not Listed Above: strike “case by case” and replace with “most similar use as determined by Council”; strike “1,000 square feet of total floor area”

Page 62 – Off Street Parking: between “Off-site parking requirements may also be met” add and “shared parking agreements.”, add “with” and strike “entering into”; then add “Council may consider parking agreements only after an applicant can show that 1. The parking needs of the parties to the agreement can be met, 2. No burden is created to adjacent property owners or to the general public, 3. That the distance from parking and the primary entrance is no greater than 1,320 feet.”

Page 63 – Item 12. Buffers: between “where any proposed structure is 35 feet” and “in height”, add “or more”; strike “where any commercial underlying zone; replace “a twenty foot (20)” with “thirty-five foot (35’)", add “established along the entire property line that the parcel abuts the R-1A zone”; strike remainder; add “The buffer may be reduced one foot in width for every one foot reduction in height below the thirty-five feet.”

Page 69 – Section 28. P. Planned District: after “the purpose of this district shall be to provide areas within which comprehensive development plans shall be prepared”; strike “and”; add “by the developer”; strike “by the Pooler Planning & Zoning Commission”

Page 70 – Section 1. Standards: add “Item E: meet the Pooler variance standards outlined in Article V. Procedure for Administration and Enforcement, Section 10. Standards for Zoning Ordinance Map Amendment.”

Mayor Rebecca Benton closed the public hearing. Councilmember Aaron Higgins moved to approve the second reading of the Zoning Code update with the revisions so stated by Councilmember Karen Williams during the public hearing, with the exception of Section 27 – Main Street Overlay District which is to remain unchanged until such time that an additional public forum may be held.

RESULT: PASSED [5-1]

MOVER: Higgins

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS: Hutcherson

Mayor Rebecca Benton called for a brief recess at 7:43 p.m. and called the meeting back to order at 7:52 p.m.

B. ORDINANCE: First Reading of Proposed Ordinance No. 2020-10.A - Amendment to Chapter 26. Business, Article II. Occupation Taxes and Regulatory Fees, Sections 26-32. Duty to Keep Information Current

Mr. Robert Byrd presented the first reading for approval. Councilmember Aaron Higgins moved to approve the first reading.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Hutcherson

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

C. ORDINANCE: Second Reading of Proposed Ordinance No. 2020-10.B - Amendment to Chapter 42 Environment, Article VI. Tree Protection, Section 42-198. Significant Trees

Mr. Robert Byrd presented the second reading for approval. Councilmember Stevie Wall moved to approve the second reading.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Black

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

D. ORDINANCE: Second Reading of Proposed Ordinance No. 2020-10.C - Amendment to Chapter 42. Environment, Article VI. Tree Protection, Section 42-199. Replacement

Mr. Robert Byrd presented the second reading for approval. Councilmember Aaron Higgins moved to approve the second reading.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Williams

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

E. ORDINANCE: Second Reading of Proposed Ordinance No. 2020-10.D - Amendment to Chapter 42. Environment, Article VI. Tree Protection, Section 42-204. Landscape Plan

Mr. Robert Byrd presented the second reading for approval. Councilmember Karen Williams moved to approve the second reading.

RESULT: PASSED [UNANIMOUS]

MOVER: Williams

SECONDER: Hutcherson

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

F. ORDINANCE: Second Reading of Proposed Ordinance No. 2020-10.E – Amendment to Chapter 42. Environment, Article VI. Tree Protection, Section 42-204.1. Requirements for Certificate of Occupancy

Mr. Robert Byrd presented the second reading for approval. Councilmember Aaron Higgins moved to approve the second reading.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Wilcher

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

G. ORDINANCE: Second Reading of Proposed Ordinance No. 2020-10.F – Amendment to Chapter 42. Environment, Article VI.I. Tree Board

Mr. Robert Byrd presented the second reading for approval. Councilmember Aaron Higgins moved to deny the second reading.

RESULT: DID NOT PASS [3-4]

MOVER: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Williams

NAYS: Benton, Black, Wilcher, Wall

Councilmember Stevie Wall moved to approve the second reading.

RESULT: PASSED [4-3]

MOVER: Wall

SECONDER: Black

AYES: Benton, Black, Wilcher, Wall

NAYS: Higgins, Hutcherson, Williams

H. ORDINANCE: Second Reading of Proposed Ordinance No. 2020-10.G – Amendment to Chapter 82. Traffic and Vehicles, Article IV. Speed Zones, Section 82.111

Mr. Robert Byrd presented the second reading for approval. Chief Ashley Brown shared that the document, once approved by Council, must then be approved by the State.

Councilmember John Wilcher moved to approve the second reading.

RESULT: PASSED [UNANIMOUS]

MOVER: Wilcher

SECONDER: Hutcherson

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

X. OLD BUSINESS

PLANNING & ZONING: Approval of Site Plan/Landscape Plan for Lot 1, 100 Distribution Drive

Mr. Robert Byrd presented the plan with a recommendation to remove it from the agenda until such time that the petitioner is able to present the Chatham County Department of Health letter needed to move forward. Councilmember Higgins moved to remove the item from the agenda.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Wilcher

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

XI. NEW BUSINESS

A. PLANNING & ZONING: Zoning Map Amendment of 1403, 1405, 1407, and 1411 Pine Barren Road from MH-1 to R-3B

Mr. Robert Byrd presented the plan with a recommendation to remove it from the agenda per the petitioner. Mayor Benton opened and closed the public hearing; there were no comments. Councilmember Higgins moved to remove the item from the agenda.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Williams

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

B. PLANNING & ZONING: Release of Maintenance Bond for Hunt Club, Phase 5

Mr. Robert Byrd presented the release for approval. Councilmember Stevie Wall moved to approve the release of the maintenance bond.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Hutcherson

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

C. AGREEMENT: Agreement for Engineering Services | Thomas & Hutton for the Signal Conversion at Pooler Parkway and S.H. Morgan Parkway

Mr. Robert Byrd presented the agreement for approval. Councilmember Stevie Wall moved to approve the agreement not to exceed \$26,500 contingent upon review by the City Attorney.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Higgins

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

D. AGREEMENT: Agreement for Engineering Services | Thomas & Hutton for the Pooler Parkway/Park Avenue Intersection Improvements

Mr. Robert Byrd presented the agreement for approval. Doyle Kelly from Thomas & Hutton was present to answer questions. Councilmember Karen Williams moved to approve the agreement not to exceed \$99,900 contingent upon review by the City Attorney.

RESULT: PASSED [UNANIMOUS]

MOVER: Williams

SECONDER: Higgins

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

E. AGREEMENT: Agreement for Consulting Services | Ossabaw Consulting, LLC for Landscape Plan Review

Mr. Robert Byrd presented the agreement for approval. Councilmember Karen Williams moved to approve the agreement.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Hutchinson

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

F. AGREEMENT: Agreement for Wrecker Service | Clem Burnsed Wrecker Service

Mr. Robert Byrd presented the agreement for approval. Councilmember Stevie Wall moved to approve the agreement.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Wilcher

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

G. LICENSE: Application for Alcoholic Beverage License | HSS&C, LLC dba Island Flava Caribbean Cuisine located at 1024 US 80, #201

Mr. Robert Byrd presented the license application for approval. Councilmember Stevie Wall moved to approve the license.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Williams

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

H. LICENSE: Application for Alcoholic Beverage License | Reliance Enterprises, LLC dba Liquorland Warehouse located at 100 Zoya Lane, Suite #1

Mr. Robert Byrd presented the license application for approval. Councilmember Karen Williams moved to approve the license.

RESULT: PASSED [UNANIMOUS]

MOVER: Williams

SECONDER: Higgins

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

XII. ADJOURNMENT TO EXECUTIVE SESSION

Mayor Rebecca Benton called for a motion to move to adjourn to executive session. Councilmember Stevie Wall moved to adjourn.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Wilcher

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

Council entered executive session at 8:20 p.m.

XIII. RETURN TO REGULAR SESSION

Mayor Rebecca Benton called the meeting back to order at 8:58 p.m.

XIV. ADJOURNMENT

Councilmember Aaron Higgins moved to adjourn the meeting.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Wall

AYES: Black, Higgins, Hutcherson, Wall, Wilcher, Williams

The meeting adjourned at 8:58 p.m.


Rebecca Benton, Mayor

The foregoing minutes are true and correct and approved by me on this 19 day of OCTOBER, 2020.

Attest:


Kiley Fusco, City Clerk