

CITY COUNCIL

Regular Meeting – Minutes

March 2, 2021 at 6:00 p.m. | Pooler City Hall | 100 US Hwy 80 SW, Pooler, GA 31322

I. ROLL CALL/DECLARATION OF QUORUM

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

III. INVOCATION

Mayor Rebecca C. Benton gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Shannon Black led the pledge.

V. ADOPTION OF MINUTES

A. City Council Meeting Minutes of February 15, 2021

Mayor Pro Tem Tom Hutcherson moved to approve the minutes of the February 15, 2021 meeting.

RESULT: PASSED [UNANIMOUS]

MOVER: Hutcherson

SECONDER: Higgins

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

B. City Council Executive Session Minutes of February 15, 2021

Councilmember Karen Williams moved to approve the executive session minutes of the February 15, 2021 meeting.

RESULT: PASSED [UNANIMOUS]

MOVER: Williams

SECONDER: Hutcherson

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

VI. REMINDERS & ANNOUNCEMENTS

Mayor Rebecca C. Benton reminded residents that the Georgia Welcome Center located on 95 in Port Wentworth will be holding a dedication ceremony for their Pooler train car replica on March 19 at 3:00 p.m. Georgia DOT representatives will be present for the event.

VII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

A. Resolution Relating to House Bill 462, Amendment to Official Code of Georgia Annotated, Title 48, Chapter 8, Article 5B

Mayor Rebecca Benton presented a resolution in opposition of the bill. Councilmember Stevie Wall noted that the bill could potentially allow for Chatham Area Transit (or other projects and services) to be brought into Pooler with an associated tax through a county decision with no input from the municipality. Councilmember Stevie Wall moved to approve the resolution in opposition of House Bill 462.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Higgins

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

VIII. OLD BUSINESS

A. Special Event Permit Application for Tanger Outlet Carnival

City Manager Robert Byrd presented the application for consideration. Chief Ashley Brown reported that both he and Chief Wade Simmons had reviewed the applicant's COVID-19 plan. Councilmember Aaron Higgins moved to approve the application with the stipulation that section 7 of Amusements of America's COVID-19 Action Plan be amended to comply with the Chatham County Local State of Emergency mask mandate currently in effect.

PASSED [5-1]

MOVER: Higgins

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS: Hutcherson

IX. NEW BUSINESS

A. 2021 “Partner with Pooler to Plant a Tree for Free” Program Approval

City Manager Robert Byrd presented the program for consideration. Councilmember Karen Williams shared that this will be the second annual Plant a Tree for Free event in partnership with The Greenery, Inc. and The Garden Club of Pooler and, if approved, will take place on March 13 from 10:00 a.m. - 2:00 p.m. in the Recreation Center parking lot. Councilmember Karen Williams moved to approve the 2021 Partner with Pooler to Plant a Tree for Free program with a purchase of 350 trees in the amount of \$4,917.50 from the City of Pooler Tree Fund.

RESULT: PASSED [UNANIMOUS]

MOVER: Williams

SECONDER: Higgins

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

B. Pipe Makers Canal Drainage Improvements – Division 2 Contract Approval

City Manager Robert Byrd presented the bids for consideration. He read aloud the engineer’s letter recommending Griffin Contracting and reported the two lowest bids received: Griffin Contracting in the amount of \$1,822,150 and Savannah River Utilities in the amount of \$2,003,075. Councilmember Aaron Higgins moved to award the contract to Savannah River Utilities in the amount of \$2,003,075 based on their prior work in Pooler and familiarity with the city’s drainage system.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Williams

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

C. Minor Subdivision of the Remaining Portions of Parcel 6, the Southwest Quadrant of Savannah Quarters, 8th G.M. District

City Manager Robert Byrd presented the minor subdivision for consideration. Councilmember Stevie Wall moved to approve the minor subdivision of the remaining portions of Parcel 6, the Southwest Quadrant of Savannah Quarters, 8th G.M. District. City Manager Robert Byrd noted that the gift deed related to this minor subdivision would be presented for approval at the next council meeting.

RESULT: PASSED [UNANIMOUS]

MOVER: Wall

SECONDER: Wilcher

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

D. Front Yard Fence Encroachment Variance at 405 Stuart Street (PIN: 5-0011-003-008)

City Manager Robert Byrd presented the variance request for consideration. Mayor Rebecca Benton opened the public hearing. Ms. Jenny Kock, petitioner, shared her concerns over lost privacy due to a neighbor’s extensive surveillance camera system and drone use, and her resulting decision to install a privacy fence on her property. She shared that her fence contractor had incorrectly drafted the scope of work on the original permit application, and that she was unaware a variance would be needed for a fence encroaching beyond the front

walls of a residence. Ms. Kock then stated that she is requesting a variance on the basis of other existing, similar fences and sheds present on private property throughout Pooler residential areas. Mayor Rebecca Benton presented the petitioner with a copy of the city's variance standards and recommended that Ms. Kock contact Scott MacPherson, Code Enforcement Officer, to discuss the potential neighboring violations. City Attorney Steve Scheer restated that in order to obtain a variance, two of the city's three variance standards must be met unless a property has been grandfathered. City Manager Robert Byrd shared that an alternative might be to install vegetative screening, and that Ms. Kock should contact Scott MacPherson for more information. Mayor Rebecca Benton then closed the public hearing. Councilmember Aaron Higgins moved to deny the fence encroachment variance at 405 Stuart Street on the basis that the petitioner's condition did not meet the required two out of three variance standards.

RESULT: PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Wall

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

E. Conditional Use Request for a Wine and Liquor Store in a C-1 at 1032 US Highway 80 (PIN: 5-0018-01-002)

City Manager Robert Byrd presented the conditional use request for consideration. Mayor Rebecca Benton opened the public hearing. Petitioner Jigar Patel was present to answer questions. Mr. Patel confirmed that the store would be a retail outlet and that neighboring businesses have reported no opposition to his request. Mayor Rebecca Benton then closed the public hearing. Councilmember John Wilcher moved to approve the conditional use request for a wine and liquor store in a C-1 at 1032 US Highway 80.

PASSED [5-1]

MOVER: Wilcher

SECONDER: Williams

AYES: Black, Hutcherson, Wall, Wilcher, Williams

NAYS: Higgins

F. Zoning Map Amendment for Benton Grove Lot of Approximately 35.32 Acres from R-1A to R-4 (PIN: 5-0017-01-040)

City Manager Robert Byrd presented the zoning map amendment for consideration. Mayor Rebecca Benton recused herself for the item, and Mayor Pro Tem Tom Hutcherson opened the public hearing in her stead. Attorney Josh Yellin was present on behalf of the petitioner. He requested that the item be withdrawn from Council and returned to Planning & Zoning for review at their March 22, 2021 meeting. City Attorney Steve Scheer reminded those present that because the item had been withdrawn, any comments made during the public hearing would be null. Pooler residents Claudia Collier and Jeanne Lewis expressed their opposition to the zoning map amendment due to concerns about increased traffic. Councilmember Aaron Higgins moved to remove the item from the agenda and refer it back to the Planning & Zoning Commission for the March 22, 2021 meeting with proper re-notice and readvertisement to account for the change.

PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Williams

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

X. EXECUTIVE SESSION

With no further public business to conduct, Councilmember Aaron Higgins moved to enter Executive Session to discuss legal, real estate, and/or personnel matters. Mayor and Council entered Executive Session at 6:45 p.m.

PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Wilcher

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

Mayor Rebecca C. Benton called the meeting back to order at 6:53 p.m.

XI. ADJOURNMENT

Councilmember Aaron Higgins moved to adjourn the meeting.

PASSED [UNANIMOUS]

MOVER: Higgins

SECONDER: Williams

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

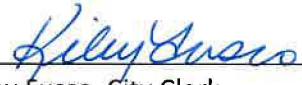
The meeting adjourned at 6:54 p.m.



Rebecca C. Benton, Mayor

The foregoing minutes are true and correct and approved by me on this 15TH day of MARCH, 2021.

Attest:



Kiley Fusco, City Clerk