CITY COUNCIL
Regular Meeting – Minutes

September 6, 2022 at 6:00 PM **|** Pooler City Hall **|** 100 US Hwy 80 SW, Pooler, GA 31322

I. ROLL CALL/DECLARATION OF QUORUM

Present:
Rebecca C. Benton, Mayor
Shannon Black, Councilmember
Aaron Higgins, Councilmember
Stevie Wall, Councilmember
John Wilcher, Councilmember
Karen Williams, Councilmember
Robert Byrd, City Manager
Craig Call, City Attorney
Chris Lightle, Finance Officer
Kiley Fusco, Clerk of Council

Absent:
Tom Hutcherson, Mayor Pro Tem
Steve Scheer, City Attorney

II. CALL TO ORDER

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

III. INVOCATION

Dr. Shirlenia Daniel gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Dr. Shirlenia Daniel led the pledge.

V. ANNOUNCEMENTS

Mayor Rebecca C. Benton reminded all present of the upcoming Patriot Day festivities being held at the Recreation Complex on September 10, 2022 from 4:00-10:00 p.m.

VI. CONSENT AGENDA

City Manager Robert Byrd brought forth the consent agenda for consideration.

A. **City Council Meeting Minutes of August 15, 2022**

B. **City Council Executive Session Minutes of August 15, 2022**

C. **City Council Planning Retreat Minutes of August 19, 2022**

D. **City Council Executive Session Minutes of August 19, 2022**

E. **Alcoholic Beverage License Application for Lovezzola's, Inc. DBA Lovezzola's Pizza at 320 East Highway 80**

F. **Special Event Permit Application for West Chatham YMCA - YMCA of Coastal Georgia on October 22, 2022**

Councilmember Aaron Higgins moved to approve the consent agenda.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

VII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

A. **Ordinance O2022-08.A - To Amend Chapter 54 - Offenses and Miscellaneous Provisions, by Adding Section 54-9 Disallowing Possession of Marijuana** *(Second Reading)*
City Manager Robert Byrd presented the ordinance for consideration. Councilmember Stevie Wall moved to approve the second reading of Ordinance O2022-08.A - To Amend Chapter 54 - Offenses and Miscellaneous Provisions, by Adding Section 54-9 Disallowing Possession of Marijuana.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Wall
SECONDED: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

B. **Resolution R2022-09.A - Amendment to the Schedule of Fees**
City Manager Robert Byrd presented the resolution for consideration. Finance Officer Chris Lightle reported on the proposed increases to business license fees. Councilmember Stevie Wall moved to approve Resolution

R2022-09.A - Amendment to the Schedule of Fees.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Wall
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

VIII. OLD BUSINESS

A. **Alcoholic Beverage License Application for Family Dollar Stores of Georgia, Inc. DBA Family Dollar #8572 at 1028 Highway 80**
City Manager Robert Byrd presented the application for consideration. Attorney Dan Wiegel was present on behalf of the applicant to answer questions. Councilmember Aaron Higgins moved to approve the Alcoholic Beverage License Application for Family Dollar Stores of Georgia, Inc. DBA Family Dollar #8572 at 1028 Highway 80.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Williams
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

B. **Final Plat for Towne Center at Godley Station**
City Manager Robert Byrd presented the final plat for consideration. Dan Fischer of EMC Engineering was present on behalf of the petitioner to answer questions. Councilmember Karen Williams moved to approve the Final Plat for Towne Center at Godley Station.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Williams
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

IX. NEW BUSINESS

A. **Conditional Use Request for 1376 East Highway 80** *(Public Hearing, Action)*
City Manager Robert Byrd presented the request for consideration. Mayor Rebecca C. Benton opened the public hearing. Mark Harper, business owner, and Doug Morgan of EMC Engineering were present to answer questions. Residents/tenants/property owners Dave Legasse, Beverly

Waters, Holly Young, Emma Wagstaff, Stewart Wallace and Rick Ali expressed their concerns regarding the potential use of the property. Mayor Rebecca C. Benton closed the public hearing, and Councilmember John Wilcher moved to deny the Conditional Use Request for 1376 East Highway 80.

Motion to Deny; PASSED (UNANIMOUS)
MOVER: Wilcher
SECONDER: Wall
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

B. **Zoning Map Amendment for Lots 1 and 6 and a Portion of Lots 2 and 7 on Skinner and Read Streets from C-1 to R-1A** *(Public Hearing, Action)*
City Manager Robert Byrd presented the amendment for consideration. Rebecca C. Benton opened the public hearing. Scotti Moore, Realtor, was present on behalf of the petitioner to answer questions. Resident Tim Lovezzola expressed his concerns regarding lots 1 and 6. Resident Holly Young expressed her opinion on buffers for future development. Mayor Rebecca C. Benton closed the public hearing. Councilmember Stevie Wall, after review of the criteria, moved to approve the Zoning Map Amendment for Lots 1 and 6 and a Portion of Lots 2 and 7 on Skinner and Read Streets from C-1 to R-1A.

Motion to Approve; FAILED (2-3)
MOVER: Wall
SECONDER: Wilcher
AYES: Wall, Wilcher
NAYS: Black, Higgins, Williams

Councilmember Aaron Higgins, after review of the criteria, moved to deny the Zoning Map Amendment for Lots 1 and 6 and a Portion of Lots 2 and 7 on Skinner and Read Streets from C-1 to R-1A based upon Standards 1, 2, and 7.

Motion to Deny; PASSED (3-2)
MOVER: Higgins
SECONDER: Black
AYES: Black, Higgins, Williams
NAYS: Wall, Wilcher

C. **Acceptance of a Maintenance Bond and Sidewalk Performance Bond and Approval of the Final Plat for Harmony, Phase 6**
City Manager Robert Byrd presented the bonds and plat for consideration. Neil McKenzie was present to answer questions and noted that the phase

number should be 6, not 7. Councilmember John Wilcher moved to accept the Maintenance Bond in the amount of $300,180.00 and the Sidewalk Performance Bond in the amount of $54,468.00, and to approve the Final Plat for Harmony, Phase 6 subject to City Attorney approval.

Motion to Accept and Approve with Stipulations; PASSED (UNANIMOUS)
MOVER: Wilcher
SECONDER: Wall
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

D. **Site Plan for Southern Pipe & Supply Expansion Located on East Highway 80**

City Manager Robert Byrd presented the site plan for consideration. Doug Morgan of EMC Engineering was present to answer questions. Councilmember Karen Williams moved to approve the Site Plan for Southern Pipe & Supply Expansion Located on East Highway 80 subject to payment of $11,200.00 into the Tree Fund prior to a preconstruction meeting. Doug Morgan verbally agreed to the contingency.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)
MOVER: Williams
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

E. **Site Plan for Chipotle and Five Guys Restaurant Off Westbrook Lane**

City Manager Robert Byrd presented the site plan for consideration. Alec Lesley of Southeaster Retail Development was present to answer questions. Councilmember Aaron Higgins, after review of the criteria, moved to approve the Site Plan for Chipotle and Five Guys Restaurant Off Westbrook Lane subject to the following contingencies:

1. Payment of $5,200.00 into the Tree Fund
2. City Attorney approval and recording of the correct stormwater agreement

Alec Lesley verbally agreed to the contingencies.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Williams
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

F. **Intergovernmental Agreement for Improvements to Interstate 95 at Airways Avenue/Pooler Parkway, P.I. No. 0018402**

City Manager Robert Byrd presented the agreement for consideration, noting that T-SPLOST successfully passing would fund these improvements and render the agreement moot. Councilmember Stevie Wall moved to approve the Intergovernmental Agreement for Improvements to Interstate 95 at Airways Avenue/Pooler Parkway, P.I. No. 0018402.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Wall
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

G. **Proposal for Pond Renovation from Savannah River Utilities**

City Manager Robert Byrd presented the proposal for consideration. Councilmember Aaron Higgins moved to approve the Proposal for Pond Renovation in the amount of $438,900.00 from Savannah River Utilities.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

H. **Procurement of Emergency Roadside Mowing and General Maintenance Services**

Mayor and Council declared an emergency in response to the current roadside mowing and general maintenance contractor not performing under, and terminating, the contract. To address the vacancy in service, Councilmember Aaron Higgins moved that Council authorize the City Manager to procure roadside mowing and general maintenance services for an amount not to exceed $200,000.00 and for a term no longer than 90 days.

Motion to Authorize; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

I. **City Manager Contract Amendment**

Councilmember Karen Williams moved to approve an amendment to the City Manager's Contract.

Motion to Approve; PASSED (UNANIMOUS)
MOVER: Williams
SECONDER: Wilcher

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

X. EXECUTIVE SESSION

With no further public business to conduct, Councilmember John Wilcher moved to enter Executive Session. Council entered Executive Session at 7:22 p.m.

Motion to Enter Executive Session; PASSED (UNANIMOUS)
MOVER: Wilcher
SECONDER: Higgins
AYES: Black, Higgins, Wall, Wilcher Williams
NAYS:

Mayor Rebecca C. Benton called the meeting back to order at 7:42 p.m.

Councilmember Aaron Higgins moved to add New Business, Item H. Procurement of Emergency Roadside Mowing and General Maintenance Services to the agenda.

Motion to Add; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Wilcher
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

Councilmember Aaron Higgins moved to add New Business, Item I. City Manager Contract Amendment to the agenda.

Motion to Add; PASSED (UNANIMOUS)
MOVER: Higgins
SECONDER: Wall
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

XI. ADJOURNMENT

Councilmember John Wilcher moved to adjourn the meeting.

Motion to Adjourn; PASSED (UNANIMOUS)
MOVER: Wilcher
SECONDER: Wall
AYES: Black, Higgins, Wall, Wilcher, Williams
NAYS:

The meeting adjourned at 7:45 p.m.

The foregoing minutes are true and correct and approved by me on this _____ day of ______________, 2022.

____
Rebecca C. Benton, Mayor

Attest:

____
Kiley Fusco, Clerk of Council