



CITY COUNCIL Regular Meeting – Minutes

December 5, 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
Tom Hutcherson, Mayor Pro Tem
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: 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. CONSENT AGENDA

City Manager Robert Byrd presented the consent agenda for consideration.

A. **City Council Meeting Minutes of November 21, 2022**

B. **City Council Executive Session Minutes of November 21, 2022**

C. **Alcoholic Beverage License Application for CJS Legend Food, Inc. at
1024 US Highway 80 West, Suite 118**

Councilmember Aaron Higgins moved to approve the consent agenda.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Black

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

NAYS:

VI. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

A. **Resolution R2022-12.A - To Approve the Fiscal Year 2023 Budget** *(First Reading; Public Hearing, Action)*

City Manager Robert Byrd presented the resolution for consideration. Mayor Rebecca Benton opened and closed the public hearing without comment. Councilmember Karen Williams moved to approve the first reading of Resolution R2022-12.A - To Approve the Fiscal Year 2023 Budget.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Hutcherson

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

NAYS:

B. **Ordinance 02022-11.B - To Amend Chapter 42 - Environment, Article VI - Tree Protection to Add Divisions and Establish Requirements for Tree Protection on Public Property and Rights-of-Way** *(Second Reading)*

City Manager Robert Byrd presented the ordinance for consideration. Councilmember Aaron Higgins moved to approve the second reading of Ordinance 02022-11.B - To Amend Chapter 42 - Environment, Article VI - Tree Protection to Add Divisions and Establish Requirements for Tree Protection on Public Property and Rights-of-Way.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wilcher

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

NAYS:

C. **Ordinance 02022-11.C - Zoning Text Amendment Adding Furniture and Related Product Manufacturing as a Conditional Use to Table 4.1 Allowed Uses by Zoning District** *(Second Reading)*

City Manager Robert Byrd presented the ordinance for consideration. Councilmember Karen Williams moved to approve Ordinance 02022-11.C - Zoning Text Amendment Adding Furniture and Related Product

Manufacturing as a Conditional Use to Table 4.1 Allowed Uses by Zoning District.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

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

NAYS:

VII. OLD BUSINESS

A. **Site Plan for 125 Distribution Drive**

City Manager Robert Byrd presented the site plan for consideration. Patrick Warner of Coleman Company was present on behalf of the petitioner. Councilmember Aaron Higgins moved to postpone the Site Plan for 125 Distribution Drive until a date by which the submitted documents can be confirmed with city staff. Patrick Warner verbally agreed to the postponement.

Motion to Postpone; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Hutcherson

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

NAYS:

VIII. NEW BUSINESS

A. **Sign Variance for JC Lewis Ford Located at 501 Memorial Boulevard** *(Public Hearing, Action)*

City Manager Robert Byrd presented the variance for consideration. Bobby Wilcox and Walter Lewis were present to answer questions. Mayor Rebecca Benton opened and closed the public hearing without comment. Councilmember Karen Williams, after review of the criteria, moved to approve the Sign Variance for JC Lewis Ford Located at 501 Memorial Boulevard.

Motion to Approve; PASSED (5-1)

MOVER: Williams

SECONDER: Hutcherson

AYES: Black, Hutcherson, Wall, Wilcher, Williams

NAYS: Higgins

B. **Front Yard Building Setback Variance for 220 South Skinner Avenue** *(Public Hearing, Action)*

City Manager Robert Byrd presented the variance for consideration. Mayor Rebecca Benton opened and closed the public hearing without comment. Councilmember John Wilcher moved to approve the Front Yard Building Setback Variance for 220 South Skinner Avenue.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Wall

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

NAYS:

C. **Zoning Map Amendment for 100 Commerce Court from C-P to C-2**
(Public Hearing, Action)

City Manager Robert Byrd presented the amendment for consideration. David Hornsby and Will Furman were present on behalf of the petitioner to answer questions. Mayor Rebecca Benton opened the public hearing. An unnamed resident inquired about future use of the property if changed to a C-2. Mayor Rebecca Benton closed the public hearing. Councilmember Aaron Higgins moved to postpone the Zoning Map Amendment for 100 Commerce Court from C-P to C-2 until the December 19, 2022 meeting.

Motion to Postpone; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wilcher

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

NAYS:

D. **Conditional Use Request for a Childcare Center Located at 112 North Rogers Avenue**
(Public Hearing, Action)

City Manager Robert Byrd presented the request for consideration. The petitioner was not present. Mayor Rebecca Benton opened the public hearing. Resident Brandy Bartlett expressed her safety concerns regarding the building's proximity to the roadway, vehicular speeding in the area, and parking space inadequacy. Resident Scott Clark expressed his concerns regarding vehicular and truck traffic in the area. Mayor Rebecca Benton closed the public hearing, and Councilmember John Wilcher moved to deny the Conditional Use Request for a Childcare Center Located at 112 North Rogers Avenue.

Motion to Deny; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Wall

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

NAYS:

E. **Site Plan for La Parrilla Restaurant at 140 Tanger Outlets Boulevard**

City Manager Robert Byrd presented the site plan for consideration. Doug Faircloth was present on behalf of the petitioner to answer questions. Councilmember John Wilcher moved to approve the Site Plan for La Parrilla Restaurant at 140 Tanger Outlets Boulevard subject to the following conditions:

1. Recording of the stormwater agreement prior to a preconstruction meeting
2. Submission of a final set of plans to include a 1.5-inch domestic water meter with a 1.5-inch backflow prevention device
3. Payment of \$19,500.00 into the Tree Fund

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

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

NAYS:

F. Site Plan for Westside Commerce Center in Westside Business Park

City Manager Robert Byrd presented the site plan for consideration. C.J. Chance of Hussey Gay Bell was present on behalf of the petitioner to answer questions. Councilmember Stevie Wall moved to approve the Site Plan for Westside Commerce Center in Westside Business Park subject to the following conditions:

1. Recording of the stormwater agreement prior to a preconstruction meeting
2. Traffic signal installed and operational prior to issuance of a Certificate of Occupancy
3. Storefront on Highway 80

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Higgins

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

NAYS:

G. Acceptance of a Sidewalk and Landscape Performance Bond / Final Plat for Benton Grove Towns

City Manager Robert Byrd presented the bonds and plat for consideration. Tim Franks was present on behalf of the petitioner to answer questions. Mayor Rebecca Benton recused herself and Mayor Pro Tem Tom Hutcherson led the item discussion in her stead. Councilmember John Wilcher moved to accept the Sidewalk Performance Bond in the amount of \$183,885.00 and the Landscape Performance Bond in the amount of \$283,704.00, and to

approve the final plat for Benton Grove Towns subject to the following conditions:

1. City Attorney approval
2. Recording of the stormwater agreement prior to a preconstruction meeting
3. Recording of the plat

Motion to Accept and Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

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

NAYS:

H. **Site Plan for 421 Morgan Lakes Industrial Boulevard**

City Manager Robert Byrd presented the site plan for consideration. Chad Zittroeur was present on behalf of the petitioner to answer questions. Councilmember Aaron Higgins moved to approve the Site Plan for 421 Morgan Lakes Industrial Boulevard subject to the following conditions:

1. Payment of \$25,025.00 into the Tree Fund
2. Recombination plat approval prior to issuance of a Certificate of Occupancy
3. Recording of the stormwater agreement prior to a preconstruction meeting

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Williams

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

NAYS:

IX. **ADJOURNMENT**

Councilmember Stevie Wall moved to adjourn the meeting.

Motion to Adjourn; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Wilcher

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

NAYS:

The meeting adjourned at 7:19 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