



CITY of POOLER
— GEORGIA —

CITY COUNCIL
Regular Meeting – Minutes

June 5, 2023 at 4:00 PM

Pooler City Hall
100 US Hwy 80 SW, Pooler,
GA 31322
www.pooler-ga.gov

I. ROLL CALL/DECLARATION OF QUORUM

Present: Rebecca C. Benton, Mayor
Tom Hutcherson, Mayor Pro Tem
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: Shannon Black, Councilmember

II. CALL TO ORDER

Mayor Rebecca Benton called the meeting to order at 4:00 p.m.

III. INVOCATION

Dr. Shirlinia Daniel gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Dr. Shirlinia Daniel led the pledge.

V. ANNOUNCEMENTS

There were no announcements.

VI. CONSENT AGENDA

A. City Council Meeting Minutes of May 15, 2023

B. Special Event Permit Application for Trisha Cook & Kelly Senn for July 30, 2023

City Manager Robert Byrd presented the consent agenda for consideration. Councilmember Aaron Higgins moved to approve the consent agenda.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins
SECONDER: Wilcher
AYES: Higgins, Hutcherson, Wall, Wilcher, Williams
NAYS:

VII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

- A. **Ordinance O2023-05.A - To Amend Appendix A - Zoning, Article IV -Zoning Districts, Section 18 - C-1, Light Commercial District to Clarify Language Related to Allowable Acreage, and Article III - General Provisions, Section 2, Access to Public Street Required to Clarify Requirements Related to Access and Chapter 74 - Streets, Sidewalks, and Other Public Places, Art. V - Engineering Policy to Provide Provisions for Perpetual Maintenance of Developed Sites (*Second Reading; Action*)**

City Manager Robert Byrd presented the second reading for consideration. Councilmember Johh Wilcher moved to approve the second reading of Ordinance O2023-05.A - To Amend Appendix A - Zoning, Article IV - Zoning Districts, Section 18 - C-1, Light Commercial District to Clarify Language Related to Allowable Acreage, and Article III - General Provisions, Section 2, Access to Public Street Required to Clarify Requirements Related to Access and Chapter 74 - Streets, Sidewalks, and Other Public Places, Art. V - Engineering Policy to Provide Provisions for Perpetual Maintenance of Developed Sites.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

- B. **Ordinance O2023-05.B - Amendment to The City of Pooler Code of Ordinances Appendix A - Zoning, Article III - General Provisions, to Clarify Language Related to the Display of Goods in Parking or Loading Areas and Provide for Provisions Related to Outdoor Storage and Display and Sale of Merchandise; To Address Non-Conformities and Need for Compliance (*First Reading; Public Hearing, Action*)**

City Manager Robert Byrd presented the first reading for consideration. Mayor Rebecca Benton opened and closed the public hearing without comment. City Planner Brian Crooks was present to answer questions. Councilmember Aaron Higgins moved to postpone the first reading of Ordinance O2023-05.B - Amendment to The City of Pooler Code of Ordinances Appendix A - Zoning, Article III - General Provisions, to Clarify Language Related to the Display of Goods in Parking or Loading Areas and Provide for Provisions Related to Outdoor Storage and Display and Sale of Merchandise; To Address Non-Conformities and Need for Compliance until such time that City staff is able to consult with the City Attorney on the item.

Motion to Postpone; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

- C. Ordinance **O2023-05.C - Amendment to The City of Pooler Code of Ordinances Appendix A - Zoning, Article II - Definitions and Article III -General Provisions by Adding Section 32 - Horizontal Mixed-Use Development and Amending Table 4.1 - Allowed Uses by Zoning District (*First Reading; Public Hearing, Action*)**

City Manager Robert Byrd presented the first reading for consideration. Mayor Rebecca Benton opened and closed the public hearing without comment. City Planner Brian Crooks was present to answer questions. Councilmember Aaron Higgins moved to postpone the first reading of Ordinance O2023-05.C - Amendment to The City of Pooler Code of Ordinances Appendix A - Zoning, Article II - Definitions and Article III - General Provisions by Adding Section 32 - Horizontal Mixed-Use Development and Amending Table 4.1 - Allowed Uses by Zoning District.

Motion to Postpone; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

- D. Ordinance **O2023-05.D - Amendment to The City of Pooler Code of Ordinances Chapter 82- Traffic and Vehicles, Article II - Stopping, Standing and Parking to Add Language Related to Parking of Commercial Vehicles (*First Reading; Public Hearing, Action*)**

City Manager Robert Byrd presented the first reading for consideration. Mayor Rebecca Benton opened and closed the public hearing without comment. City Planner Brian Crooks was present to answer questions. Councilmember Aaron Higgins moved to approve the first reading of Ordinance O2023-05.D - Amendment to The City of Pooler Code of Ordinances Chapter 82- Traffic and Vehicles, Article II - Stopping, Standing and Parking to Add Language Related to Parking of Commercial Vehicles.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

- E. Ordinance **O2023-05.E - Amendment to The City of Pooler Code of Ordinances Appendix A - Zoning, Article V- Procedures for Administration and Enforcement, Section 5 Public Notice and Chapter 62 - Planning, Article II - Planning and Zoning Commission - Section 62-34; To Amend**

Language Related to Public Notice Requirements and Public Hearing Procedures (*First Reading; Public Hearing, Action*)

City Manager Robert Byrd presented the first reading for consideration. Mayor Rebecca Benton opened and closed the public hearing without comment. City Planner Brian Crooks was present to answer questions. Councilmember John Wilcher moved to approve the first reading of Ordinance O2023-05.E - Amendment to The City of Pooler Code of Ordinances Appendix A - Zoning, Article V- Procedures for Administration and Enforcement, Section 5 Public Notice and Chapter 62 - Planning, Article II - Planning and Zoning Commission - Section 62-34; To Amend Language Related to Public Notice Requirements and Public Hearing Procedures.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

F. Proclamation for Juneteenth 2023

Mayor Rebecca Benton read aloud the Councilmember None moved to the Proclamation for Juneteenth 2023 and announced the upcoming Juneteenth Run on June 10 and Juneteenth Celebration on June 17. Mayor Pro Tem Tom Hutcherson introduced those present serving on committees for the events: Herbert Singleton, Phyllis Bell, and John Hayden.

G. Resolution 2023-06.A - Budget Amendment 2023-01

City Manager Robert Byrd presented the resolution for consideration. Finance Officer Chris Lightle reviewed the item. Councilmember Stevie Wall moved to approve Resolution 2023-06.A - Budget Amendment 2023-01.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

VIII. OLD BUSINESS

A. Zoning Map Amendment for 1703 Old Dean Forest Road from MH-3 to I-1 (PIN 5-0988-04-006)

City Manager Robert Byrd presented the amendment for consideration. Attorney Robert McCorkle was present on behalf of the petitioner. Resident Timothy Creech spoke in opposition to the rezoning. Councilmember John Wilcher moved to approve the Zoning Map Amendment for 1703 Old Dean Forest Road from MH-3 to I-1 (PIN 5-

0988-04-006).

Motion to Approve; PASSED (4-1)

MOVER: Wilcher

SECONDER: Hutcherson

AYES: Hutcherson, Wall, Wilcher, Williams

NAYS: Higgins

IX. NEW BUSINESS

A. **Building Height Variance for Stonecutter Pooler Multifamily Owner, LLC**
(Public Hearing, Action)

City Manager Robert Byrd presented the request for consideration. Mayor Rebecca Benton opened the public hearing. Brian Clouser of Kimley-Horn was present on behalf of the petitioner to answer questions. Residents Jim McQueen, Kim O'Connell, and Angela Wood expressed their concerns regarding noise, parking, traffic, and aesthetics. Resident Richard Sturgis inquired about the maximum number of units the developer would be building. Mayor Rebecca Benton closed the public hearing, and Councilmember John Wilcher moved to approve the Building Height Variance for Stonecutter Pooler Multifamily Owner, LLC.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

B. **Release of Performance Bond/Acceptance of Maintenance Bond for Harmony Townhomes**

City Manager Robert Byrd presented the bonds for consideration. Councilmember John Wilcher moved to approve Release of the Performance Bond in the amount of \$2,271,716.25 and Acceptance of the Maintenance Bond in the amount of \$241,049.50 and Sidewalk Performance Bond in the amount of \$77,127.00 for Harmony Townhomes, subject to City Attorney approval.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. **Acceptance of Subdivision Performance Bond/Final Plat for Harmony, Phase 7**

City Manager Robert Byrd presented the bonds and plat for consideration. Councilmember John Wilcher moved to approve Acceptance of the Subdivision Performance Bond in the amount of \$2,159,783.90 in

addition to the Final Plat for Harmony, Phase 7, subject to City Attorney approval.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

D. **Acceptance of Subdivision Performance Bond/Final Plat for Forest Lakes, Phase 10**

City Manager Robert Byrd presented the bonds and plat for consideration. Councilmember Karen Williams moved to approve Acceptance of the Warranty Bond in the amount of \$209,255.75, the Sidewalk Performance Bond in the amount of \$56,438.00, and the final plat Final Plat for Forest Lakes, Phase 10, subject to City Attorney approval.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

E. **Renewal of Annual Contract for Debris Monitoring Services and Consumer Price Index Escalation**

City Manager Robert Byrd presented the contract for consideration. Councilmember Stevie Wall moved to approve Renewal of Annual Contract for Debris Monitoring Services and Consumer Price Index Escalation, subject to City Attorney approval.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Wilcher

AYES: Higgins, Hutcherson, 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 5:30 p.m.

Motion to Enter; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

Mayor Rebecca C. Benton called the meeting back to order at 5:47 p.m..

XI. ADJOURNMENT

Councilmember Aaron Higgins moved to adjourn the meeting.

Motion to Adjourn; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

The meeting adjourned at 5:47 p.m.

The foregoing minutes are true and correct and approved by me on this _____
day of _____, 2023.

Rebecca C. Benton, Mayor

Attest:

Kiley Fusco, Clerk of Council