



CITY COUNCIL Regular Meeting – Minutes

September 7, 2021 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

Assistant City Manager Matt Saxon gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Shannon Black led the pledge.

V. REMINDERS & ANNOUNCEMENTS

Mayor Rebecca C. Benton welcomed several guests to the meeting including Chatham County Commissioner Larry "Gator" Rivers and Garden City Councilmembers Richard Lassiter, Jr. and Natalyn Bates Morris.

VI. CONSENT AGENDA

- A. **City Council Meeting Minutes of August 16, 2021**
- B. **Alcoholic Beverage License Application for Mills EMW, LLC dba Ponko Chicken at 405 Pooler Parkway**
- C. **Special Event Permit Application for Filming at Lovezzola's Pizza**
- D. **Special Event Permit Application for the YMCA Monster Dash 5K & Fall Festival**

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

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Williams

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

VII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

- A. **Ordinance O2021-08.C - Amendment to the Pooler Code of Ordinances, Chapter 22 - Building and Building Regulations, Article I - In General, Section 22-36; Adoption by Reference (*Second Reading*)**

City Manager Robert Byrd presented the second reading for consideration. Councilmember John Wilcher moved to approve the second reading of Ordinance O2021-08.C - Amendment to the Pooler Code of Ordinances, Chapter 22 - Building and Building Regulations, Article I - In General, Section 22-36; Adoption by Reference.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Black

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

- B. **Ordinance O2021-08.A - Amendment to the City of Pooler Code of Ordinance Appendix A – Zoning, Article V – Procedures for Enforcement and Administration, Section 8 – Site Plan Approval (*First Reading*)**

City Manager Robert Byrd presented the first reading for consideration. Mayor Rebecca C. Benton opened and closed the public hearing.

Councilmember John Wilcher moved to approve the first reading of Ordinance O2021-08.A - Amendment to the City of Pooler Code of Ordinance Appendix A – Zoning, Article V – Procedures for Enforcement and Administration, Section 8 – Site Plan Approval.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

C. **Ordinance O2021-08.B - Amendment to the City of Pooler Code of Ordinance Appendix A – Zoning, Article III – General Provisions, Section 6 – Schedule of Development Regulations (*First Reading*)**

City Manager Robert Byrd presented the first reading for consideration.

Mayor Rebecca C. Benton opened and closed the public hearing.

Councilmember Karen Williams moved to approve the first reading of Ordinance O2021-08.B - Amendment to the City of Pooler Code of Ordinance Appendix A – Zoning, Article III – General Provisions, Section 6 – Schedule of Development Regulations.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

D. **Ordinance O2021-08.D - Amendment to the City of Pooler Code of Ordinances, Appendix A- Zoning, Article V – Zoning Districts, Table 4.1 – Allowed Uses by Zoning District by Allowing Warehousing and Storage as a Use Permitted by Right to the I-2, Heavy Industrial Zoning District (*First Reading*)**

City Manager Robert Byrd presented the first reading for consideration.

Mayor Rebecca C. Benton opened and closed the public hearing.

Councilmember John Wilcher moved to approve the first reading of Ordinance O2021-08.D - Amendment to the City of Pooler Code of Ordinances, Appendix A- Zoning, Article V – Zoning Districts, Table 4.1 – Allowed Uses by Zoning District by Allowing Warehousing and Storage as a Use Permitted by Right to the I-2, Heavy Industrial Zoning District.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Williams

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

E. **Ordinances O2021-09.A - O2021-09.I - Amendments to Article VI - Tree Protection, Section 42 (First Reading)**

City Manager Robert Byrd presented the first reading for consideration. Mayor Rebecca C. Benton opened the public hearing. Councilmember Karen Williams noted two revisions to be made prior to the second reading to include correction of a typographical error and removal of "pecan trees" from Section 42-198. Mayor Rebecca C. Benton closed the public hearing, and Councilmember Karen Williams moved to approve the first reading of Ordinances O2021-09.A - O2021-09.I - Amendments to Article VI - Tree Protection, Section 42.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

VIII. NEW BUSINESS

A. **Sign Variance Request for Costco at 200 Mosaic Circle**

City Manager Robert Byrd presented the variance request for consideration. Mayor Rebecca C. Benton opened the public hearing. Steve Warfield from MG2 Architects was present on behalf of the petitioner. Resident John Hayden expressed his concerns regarding approval of a variance. Mayor Rebecca C. Benton closed the public hearing, and Councilmember Stevie Wall, upon review of the criteria, moved to approve the Sign Variance Request for Costco at 200 Mosaic Circle.

Motion to Approve; PASSED (4-1)

MOVER: Wall

SECONDER: Black

AYES: Black, Wall, Wilcher, Williams

NAYS: Higgins

B. **Zoning Map Amendment of a 48.2 Acre Parcel Within the Clear Lake Reserve Development at Pooler Parkway from R-3C to Planned R-3C**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened the public hearing. Garret Albert, Savannah Quarters' President, was present on behalf of the petitioner. Mayor Rebecca C. Benton closed the public hearing, and Councilmember Karen Williams, upon review of the criteria, moved to approve the Zoning Map Amendment of a 48.2 Acre Parcel Within the Clear Lake Reserve Development at Pooler Parkway from R-3C to Planned R-3C subject to the following conditions:

1. Use of the R-4 standards
2. Removal of item number 10 - utilities
3. Reduction of the 50' buffer to 20' adjacent to the school property

Garret Albert verbally agreed to the conditions of the rezoning.

Motion to Approve Subject to Conditions; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

C. **Zoning Map Amendment of 428 West Highway 80 from C-1 to Planned C-1**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened the public hearing. Hal Kraft of Hussey Gay Bell and Paul Childers, petitioner, were present. Residents Tonya Mun, Holly Young, Gene Wallace, Sandra Cobb, Gwen Shearhouse, and Scotti Moore expressed their concerns regarding the proposed amendment. Councilmember Stevie Wall moved to approve the Zoning Map Amendment of 428 West Highway 80 from C-1 to Planned C-1 subject to the following conditions:

1. There be no windows on the second floor of the buildings facing existing residents, subject to allowance by building code
2. There be no dumpsters/trash receptacles on the eastern side of the property
3. There be no food/drink establishments

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Higgins

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

D. **Conditional Use Request to Construct a Learning & Tutoring Center on Skinner Avenue and Read Street**

City Manager Robert Byrd presented the request for consideration. Mayor Rebecca C. Benton opened the public hearing. Eric McManus of Cogdell & Mendrala Architects and Petitioner Lori Lewis were present to answer questions. Residents Emerson Holland and Tonya Mun expressed concerns about drainage in their neighborhood. Resident Scotti Moore inquired about the ingress and egress. Mayor Rebecca C. Benton closed the public hearing, and Councilmember Stevie Wall moved to deny the Conditional Use Request to Construct a Learning & Tutoring Center on Skinner Avenue and Read Street.

Motion to Deny; PASSED (3-2)

MOVER: Wall

SECONDER: Wilcher

AYES: Black, Wall, Wilcher

NAYS: Higgins, Williams

E. **Amendment to Wynn-Capallo PUD Master Plan and Development Standards**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened the public hearing. Travis Burke of Coleman Company and Petitioner Charles Way were present to answer questions. Mayor Rebecca C. Benton closed the public hearing, and Councilmember Karen Williams moved to deny the Amendment to Wynn-Capallo PUD Master Plan and Development Standards.

Motion to Deny; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

F. **Major Subdivision Review for Savannah Quarters Westbrook Areas I-3, K-1, K-2, K-3, K-4**

City Manager Robert Byrd reported that the petitioner requested the item be postponed. Councilmember Stevie Wall moved to postpone the Major Subdivision Review for Savannah Quarters Westbrook Areas I-3, K-1, K-2, K-3, K-4 until the September 20, 2021 Council Meeting.

Motion to Postpone; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

G. **Site Plan/Landscape Plan Approval Northpoint Industrial 678,800 sf Warehouse at 1501 Pine Barren Road**

City Manager Robert Byrd presented the site plan for consideration. Chad Zittrouer was present on behalf of the petitioner to answer questions. Councilmember Aaron Higgins moved to approve the Site Plan of Northpoint Industrial 678,800 sf Warehouse at 1501 Pine Barren Road subject to the following conditions:

1. Sufficient water pressure for fire suppression
2. Inclusion of the proposed traffic circle
3. Payment of \$25,025 into the Tree Fund
4. Reimbursement of \$6,358 to the City for the traffic study

Motion to Approve Subject to Conditions; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

H. **Chatham County Intergovernmental Agreement for New 911 CAD/RMS System**

City Manager Robert Byrd presented the agreement for consideration. Chief Wade Simmons presented the background on the proposed agreement. Councilmember John Wilcher moved to approve the Chatham County Intergovernmental Agreement for the New 911 CAD/RMS System, subject to attorney review.

Motion to Approve Subject to Conditions; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

I. **Purchase of 209 South Rogers Street**

City Manager Robert Byrd presented the property for consideration. Councilmember Karen Williams moved to approve the purchase of 209 South Rogers Street in Pooler for the amount of \$185,000 with six months to vacate and a one-time lump sum payment.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

IX. EXECUTIVE SESSION

With no further public business to conduct, Councilmember Aaron Higgins moved to enter Executive Session. Council entered Executive Session at 8:45 p.m.

Motion to Enter Executive Session; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wilcher

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

Mayor Rebecca C. Benton called the meeting back to order at 8:51 p.m. Upon returning the meeting to order, Councilmember Karen Williams moved

to add an additional item, VIII. New Business, I. Purchase of 209 South Rogers Street, to the agenda.

Motion to Add Item; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wall

AYES: Black, Higgins, Wall, Wilcher, Williams

NAYS:

X. 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 8:52 p.m.

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

Rebecca C. Benton, Mayor

Attest:

Kiley Fusco, Clerk of Council