



CITY COUNCIL Regular Meeting – Minutes

September 20, 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
Tom Hutcherson, Mayor Pro Tem
Aaron Higgins, Councilmember
Stevie Wall, Councilmember
John Wilcher, Councilmember
Karen Williams, Councilmember
Robert Byrd, City Manager
Steve Scheer, City Attorney
Craig Call, City Attorney
Chris Lightle, Finance Officer
Shannon Kirby, Deputy Clerk of Council

Absent: Shannon Black, Councilmember

II. CALL TO ORDER

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

III. INVOCATION

Pastor Bill Fowler of Community Bible Church gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Pastor Bill Fowler led the pledge.

V. REMINDERS & ANNOUNCEMENTS

Mayor Rebecca C. Benton reminded rezoning item opponents to complete a campaign contribution disclosure form prior to speaking during a public hearing. She also reminded guests of the blood drive this coming Wednesday from 10:00 a.m. to 3:00 p.m. to be held in the public parking lot at City Hall. All donors will receive a free gift.

VI. DEPARTMENT/COMMITTEE REPORTS

A. **Public Works**

Assistant City Manager Matt Saxon gave the Public Works report. The Water Department inspected 55 new construction meters, repaired a 6" water main, repaired 46 residential meters, repaired 29 residential water laterals at various locations, repaired the Well #1 Chlorine System, witnessed the testing of 34 backflow preventers, and performed 916 line locates requested by the Utility Protection Center (UPC). The Street Department continued routine maintenance. Stormwater also continued routine maintenance throughout the city and cleared 39,926 feet of roadside ditches. Canal Maintenance continued to clean Hood's Canal from Pooler Parkway to Miller Pines Subdivision (1.7 miles). The Administrative Department conducted two preconstruction meetings and reviewed nine sets of site plans. EOM, who operates our Sewer Treatment Plant, conducted numerous site plan reviews. The Wastewater Treatment Plant is meeting all permits.

B. **Finance**

Finance Officer Chris Lightle gave the Finance report and noted that financial statements had been submitted with the packet. The General Fund's lost revenue continues to climb. The \$50,000 collected for the Tree Fund is being used for the Highway 80/I-95 beautification project and trees in the cemetery. The City has confiscated \$45,000+ for the Seizure Asset Fund. Hotel/Motel revenue remains strong. The Water and Sewer Fund has a new Insurance Recoveries line item, \$630,000 of which is for the broken sewer line at I-95.

C. **Fire Department**

Chief Wade Simmons gave the Fire Department report. The packet submission contained statistics for the month. In August, there were 478 calls for service.

D. **Police Department**

Chief Ashley Brown gave the Police Department report. August saw 89 Part 1 crimes, 38 of which were shoplifting, totaling 515 for the year. There were 2,161 calls for service, a decrease of 9% over 2020. DUI arrests are down. Citations are also down due to the shortage of traffic patrol officers.

E. **Recreation**

Director Hugh Elton gave the Parks & Recreation report. All fall sports have started. The gymnastics classes' annual showcase was hosted at the gym. Registrations were open for tennis, gymnastics, dance, and u6 basketball. The Senior Center began a bowling team that meets each Monday morning at Frames-N-Games. Parks completed routine maintenance at all five parks, the community and senior centers, and the cemetery.

F. **Planning & Zoning, Building & Inspections**

City Planner Phillip Claxton reported that Planning & Zoning issued 35 residential permits, 10 commercial permits, 29 certificates of occupancy, and performed 615 inspections.

VII. CONSENT AGENDA

Councilmember Karen Williams made a motion to add the executive session minutes of August 16, 2021 to the consent agenda.

Motion to Add; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

A. **City Council Workshop Minutes of September 7, 2021**

B. **City Council Meeting Minutes of September 7, 2021**

Councilmember Karen Williams moved to amend "Item I. Purchase of 209 South Rogers Street" of the September 7, 2021 minutes to include the following contingencies:

1. Six months to vacate
2. A one-time lump sum

Motion to Amend; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. **City Council Executive Session Minutes of September 7, 2021**

D. **Temporary/Special Event (Dispensing Alcohol) Permit Application for Pooler Spirits, Inc. Indoor Tasting Station on September 30, 2021**

E. **Special Event Permit Application for Pooler Spirits, Inc. dba Pooler Spirits Warehouse for a Grand Opening Event with Food Vendors on September 30, 2021**

F. **Date Change for a Previously Approved Special Event Permit Application for Gateway Community Service Board Car Show on November 13, 2021**

- G. **Alcoholic Beverage License Application for Costco Wholesale Corporation dba Costco Wholesale at 200 Mosaic Circle**
- H. **Alcoholic Beverage License Application for SAI Pooler Spirits, Inc. dba Pooler Spirits at 125 Foxfield Way**
- I. **GEFA Loan CW2021034 for the Savannah Quarters Lift Station Upgrade and Force Main Installation**
- J. **GEMA 2020 GSAR Equipment Grant**
- K. **City Council Executive Session Minutes of August 16, 2021**

Mayor Rebecca C. Benton presented the consent agenda for approval.
Councilmember Aaron Higgins moved to approve the consent agenda.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

VIII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

- A. **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 (*Second Reading*)**

City Manager Robert Byrd presented the second reading for consideration.
Councilmember Stevie Wall moved to approve the second 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: Wall

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

- B. **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 (*Second Reading*)**

City Manager Robert Byrd presented the second reading for consideration. Councilmember Stevie Wall moved to approve the second 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: Wall

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. **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 (Second Reading)**

City Manager Robert Byrd presented the second reading for consideration. Councilmember Aaron Higgins moved to approve 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: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

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

City Manager Robert Byrd presented the second reading for consideration. Councilmember John Wilcher moved to amend the drafted revisions to Ordinance O2021-09.H, Section 42-204.1 - Requirements for certificate of occupancy, maintenance and perpetual 15 compliance to as follows: to delete “except for agricultural purposes in a R-A, residential agricultural zone or under 40 those special conditions and exceptions in Section. 42-203. - Special conditions and 41 exceptions, shall first require a permit from the City of Pooler” and replace with “removal of any tree on private property in a commercial or industrial zone shall require a permit.” Councilmember Karen Williams seconded his amendment. Councilmember Karen Williams then moved to approve Ordinances O2021-09.A - O2021-09.I - Amendments to Article VI - Tree Protection, Section 42 as amended.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

E. **Resolution R2021-09.A - Adopt City Holidays**

City Manager Robert Byrd presented the resolution for consideration.

Councilmember Stevie Wall moved to approve Resolution R2021-09.A to Adopt City Holidays.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

F. **Resolution R2021-09.C - Approve the City Sponsorship Policy**

City Manager Robert Byrd presented the resolution for consideration. City

Attorney Steve Scheer recommended the item be tabled until the next

meeting. Councilmember Stevie Wall moved to table Resolution R2021-09.C to Approve the City Sponsorship Policy.

Motion to Table; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

G. **Resolution R2021-09.B - Approve 2022 City Events**

City Manager Robert Byrd presented the resolution for consideration. Mayor

Pro Tem Tom Hutcherson moved to approve Resolution R2021-09.B to

Approve 2022 City Events.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Hutcherson

SECONDER: Wall

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

IX. OLD BUSINESS

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

City Manager Robert Byrd presented the item for consideration.

Councilmember Karen Williams moved to approve the Major Subdivision

Review for Savannah Quarters Westbrook Areas I- 3, K-1, K-2, K-3, K-4 subject to the following contingencies:

1. Execution of all requirements within the Kimley-Horn traffic impact study dated August 31, 2021
2. Completion of both design and construction within 18 months starting September 20, 2021 for requirements 1-7 in said study
3. Inclusion of dual dedicated left-turn lanes, a dedicated through lane, and a dedicated right turn lane as depicted in Item 1 of said study at the Blue Moon Crossing approach to the intersection with Pooler Parkway
4. Payment of all outstanding review fees in the amount of \$13,657.97 prior to the scheduling of a preconstruction meeting

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

X. NEW BUSINESS

A. **Conditional Use Request to Operate a Vape Shop at 405 West Highway 80, Suite 106**

City Manager Robert Byrd reported the that petitioner had withdrawn the request.

B. **Zoning Map Amendment of 516 Pine Barren Road from M-H-1 to R-4**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened the public hearing. Travis Burke from Coleman and Company Engineering was present on behalf of the Petitioner. Residents Scott Baker and Charles Peek expressed their concerns. Mayor Rebecca C. Benton closed the public hearing, and Councilmember Karen Williams moved to approve the Zoning Map Amendment of 516 Pine Barren Road from M-H-1 to R-4 with the following contingencies:

1. Developer maintenance of the cemetery road
2. Developer completion of the Pine Barren Road traffic study

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. **Zoning Map Amendment of 527 Pine Barren Road from M-H-2B to R-1A**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened the public hearing. Travis Burke from Coleman and Company Engineering was present on behalf of the Petitioner. Residents Scott Baker and Charles Peek expressed their concerns. Mayor Rebecca C. Benton closed the public hearing, and Mayor Pro Tem Tom Hutcherson moved to approve the Zoning Map Amendment of 527 Pine Barren Road from M-H-2B to R- 1A subject to the following contingencies:

1. Completion of the Pine Barren traffic study
2. Submission of a recombination plat
3. Maintenance of an all-weather access for residents located on Harmon Road during construction

Motion to Approve; PASSED (4-1)

MOVER: Hutcherson

SECONDER: Wilcher

AYES: Hutcherson, Wall, Wilcher, Williams

NAYS: Higgins

D. **Zoning Map Amendment of 64.55 Acres Located on the Southeast Corner of Pine Barren Road and Pine Meadow Drive from R-A to I-1**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened the public hearing. Greg Coleman from Coleman and Company Engineering was present on behalf of the Petitioner. Mayor Rebecca C. Benton closed the public hearing. Councilmember Karen Williams, upon review of the criteria, moved to approve the Zoning Map Amendment of 64.55 Acres Located on the Southeast Corner of Pine Barren Road and Pine Meadow Drive from R-A to I-1 subject to the following contingencies:

1. Completion of a traffic signal study by the city's traffic engineer is warranted at the intersection of Pine Meadow Drive and Pine Barren Road
2. Pending study results, developer installation of traffic signal

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

E. **Zoning Map Amendment of 28.16 Acres Located on Jimmy DeLoach Parkway from R-A to I-1**

City Manager Robert Byrd reported that the item had been withdrawn by the petitioner.

F. **Revised Site Plan for Outparcel 16, I-16 West Convenience Store**

City Manager Robert Byrd presented the plan for consideration.
Councilmember Higgins moved to approve the Revised Site Plan for Outparcel 16, I-16 West Convenience Store subject to the following contingency:

1. Payment of \$100,000 prior to issuance of the building permit

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

Councilmember Karen Williams moved to reverse the order of items G and H on the agenda.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

G. **Zoning Map Amendment for Towne Park Investments from R-3B to R-4**

City Manager Robert Byrd presented the amendment for consideration.
Councilmember John Wilcher, upon review of the criteria, moved to approve the Zoning Map Amendment for Towne Park Investments from R-3B to R-4 subject to the following contingency:

1. The developer enter into a new stormwater inspection and maintenance agreement with the City of Pooler for all existing, proposed, and new private stormwater infrastructure

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Higgins

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

H. **Site Plan for Towne Park Pooler**

City Manager Robert Byrd presented the plan for consideration.
Councilmember Karen Williams moved to approve the Site Plan for Towne Park Pooler subject to the following contingency:

1. The stormwater conveyance system, sanitary sewer, and all laterals shall be inspected with CCTV cameras prior to commencement of construction and be made available to the City of Pooler

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

I. Site Plan Review for Chick-Fil-A Located at 2021 Pooler Parkway

City Manager Robert Byrd presented the plan for consideration.

Councilmember Aaron Higgins moved, upon review of the criteria, to approve the Site Plan Review for Chick-Fil-A Located at 2021 Pooler Parkway subject to the following contingency:

1. Correction of the trees labeled on the landscape plan

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

J. Pooler Tennis Complex Design, Permitting, and Construction Services Proposal from Thomas & Hutton

City Manager Robert Byrd presented the proposal for consideration.

Councilmember John Wilcher moved to approve the Pooler Tennis Complex Design, Permitting, and Construction Services Proposal from Thomas & Hutton subject to the following contingencies:

1. Not to exceed \$152,000
2. Pending City Attorney approval

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

K. Pooler Tennis Complex Geotechnical Engineering Services Proposal from Terracon

City Manager Robert Byrd presented the proposal for consideration.

Councilmember John Wilcher moved to approve the Pooler Tennis Complex Geotechnical Engineering Services Proposal from Terracon, subject to the following contingencies:

1. Not to exceed \$4,957.50
2. Pending City Attorney approval

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

XI. ADJOURNMENT

Councilmember Stevie Wall moved to adjourn the meeting.

Motion to Adjourn, PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

The meeting adjourned at 8:12 p.m.

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

Rebecca C. Benton, Mayor

Attest:

Shannon Kirby, Deputy Clerk of Council