



CITY COUNCIL Regular Meeting – Minutes

December 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 (*via teleconference*)
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
Kiley Fusco, Clerk of Council

Absent: Shannon Black, Councilmember
Craig Call, City Attorney

II. CALL TO ORDER

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

III. INVOCATION

Pastor Shirlenia Daniel gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Pastor Shirlenia Daniel led the pledge.

V. REMINDERS & ANNOUNCEMENTS

There were no announcements or reminders.

VI. CONSENT AGENDA

City Manager Robert Byrd presented the consent agenda for consideration.

- A. **City Council Meeting Minutes of December 6, 2021**
- B. **Executive Session Minutes of December 6, 2021**
- C. **Special Event Permit Application for Pooler MOPS Touch-a-Truck Fundraiser**
- D. **Temporary/Special Event (Dispensing Alcohol) Permit Applications for C&B Entertainment**
- E. **Location Change for Approved Special Event Permit Application for Tic Tic Boom Fireworks, LLC**

Councilmember Aaron Higgins moved to approve the consent agenda with the exception of Item E, which had been withdrawn by the petitioner earlier in the day.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

VII. DEPARTMENT/COMMITTEE REPORTS

A. **Public Works**

Assistant City Manager Matt Saxon gave the Public Works report. The Sewer Department upgraded six lift stations with SCADA, replaced pumps at two lift stations, and repaired a panel at one lift station. They received 12 sewer calls, conducted MS4 inspections for our annual permit, and reviewed 16 sets of site plans. The Engineering Department reviewed five sets of site plans, have two projects under review, and are awaiting engineer response on 12 projects. The Street Department performed routine maintenance and replaced signs. The Stormwater Department cleared 20,217 feet of ditches. The Canal Department worked on dams and the building expansion. Administration reviewed 20 sets of site plans. Water inspected 44 new construction meters, replaced nine residential meters, inspected 45 backflow preventers, and performed 702 line locates. Wastewater Treatment is meeting all permits.

B. Finance

Finance Officer Chris Lightle gave the Finance Report. He noted that while the fund balance shows an \$880,000.00 improvement, it does not take into account the two significant road projects underway that have yet to be paid for. The Tree, Asset, and American Rescue Plan Funds show no significant change. The Hotel/Motel Fund is up and Sewer expenses are down.

C. Fire Department

Chief Wade Simmons was not in attendance. The Fire Department report was submitted in the council packet.

D. Police Department

Major Jim Ward gave the Police Department report in Chief Ashley Brown's absence. November saw 55 Part I crimes, 24 of which were shoplifting. Calls for service, arrests, and citations were all down. There are three new hires, and the department continues to monitor holiday traffic in the shopping district.

E. Recreation

Recreation Director Hugh Elton was not in attendance. The Recreation report was submitted in the council packet.

F. Planning & Zoning

City Planner Phillip Claxton was not in attendance. The Planning & Zoning report was submitted in the council packet.

VIII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

A. Resolution R2021-12.A to Approve the Fiscal Year 2022 Budget (Second Reading)

City Manager Robert Byrd presented the resolution for consideration, and Mayor Rebecca C. Benton opened the public hearing. There being no comments, she closed the public hearing. Councilmember Stevie Wall moved to approve the second reading of Resolution R2021-12.A to Approve the Fiscal Year 2022 Budget.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

B. Resolution R2021-09.C - Approve the City Sponsorship Policy

City Manager Robert Byrd reported that the City Attorney requested this item be withdrawn. Councilmember John Wilcher moved to withdraw Resolution R2021-09.C - Approve the City Sponsorship Policy.

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

IX. OLD BUSINESS

- A. **Zoning Map Amendment for 35 Coleman Boulevard from C-2 to I-1**
City Manager Robert Byrd reported that the amendment for consideration had been withdrawn. Councilmember Karen Williams moved to withdraw the zoning map amendment for 35 Coleman Boulevard from C-2 to I-1 from the agenda.

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

- B. **Major Subdivision/Preliminary Plat for Easthaven, Area A2**
City Manager Robert Byrd presented the item for consideration. Councilmember Stevie Wall moved to approve the major subdivision/preliminary plat for Easthaven, Area A2.

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

- C. **Major Subdivision/Preliminary Plat for Ellis Park, Phase 4**
City Manager Robert Byrd presented the item for consideration. Councilmember Stevie Wall moved to approve the major subdivision/preliminary plat for Ellis Park, Phase 4.

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

X. NEW BUSINESS

A. Conditional Use for a Proposed Harbor Freight at 1029 West Highway 80

City Manager Robert Byrd presented the conditional use request for consideration, and Mayor Rebecca C. Benton opened the public hearing. Holton Brinson of Henbell Pooler HFT, LLC was present on behalf of the petitioner to answer questions. There being no public comments, Mayor Rebecca C. Benton closed the public hearing. Councilmember Karen Williams, upon review of the criteria, moved to approve the conditional use request for a proposed Harbor Freight at 1029 West Highway 80 subject to the following conditions:

1. Recording of the recombination plat
2. Revision of the exterior color palette/surface material to a standard red brick (as opposed to the trademark colors previously presented to Planning & Zoning) in order to comply with overlay district standards
3. Removal of the underground tanks from the property

Holton Brinson verbally agreed to the conditions.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

B. Parking Space Variance for Harbor Freight at 1029 West Highway 80

City Manager Robert Byrd presented the variance for consideration, and Mayor Rebecca C. Benton opened the public hearing. Holton Brinson of Henbell Pooler HFT, LLC was present on behalf of the petitioner to answer questions. There being no public comments, Mayor Rebecca C. Benton closed the public hearing. Councilmember Aaron Higgins moved to approve the parking space variance for Harbor Freight at 1029 West Highway 80 as it meets criteria #1, #2, and #3.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. Zoning Map Amendment for 1336 South Rogers Street from R1-A to C-2

City Manager Robert Byrd reported that there had been a request to postpone the item. Mayor Rebecca C. Benton opened and closed the public

hearing without comment. Councilmember John Wilcher moved to postpone the zoning map amendment for 1336 South Rogers Street from R1-A to C-2 until the January 17, 2022 council meeting.

Motion to Postpone; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Wall

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

D. **Conditional Zoning Amendment for 165 Distribution Drive**

City Manager Robert Byrd presented the amendment for consideration. Mayor Rebecca C. Benton opened and closed the public hearing without comment. Councilmember John Wilcher, upon review of the criteria, moved to approve the conditional zoning amendment for 165 Distribution Drive, subject to approval by the City Attorney.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Wilcher

SECONDER: Wall

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

E. **Release of Performance Bond/Acceptance of Maintenance and Sidewalk Performance Bonds, Final Plat for Ellis Park, Phases 3A and 3B**

City Manager Robert Byrd presented the bonds and plat for consideration. Councilmember Karen Williams moved to release the performance bond, accept the maintenance and sidewalk performance bonds in the amounts of \$499,555.50 and \$135,202.50, respectively, and approve the final plat for Ellis Park, Phases 3A and 3B upon recording of the stormwater maintenance agreement with the Clerk of Superior Court and subject to approval by the City Attorney.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Wilcher

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

F. **Savannah Tree Foundation's "Georgia State Arbor Day 2022" Donation Acceptance**

City Manager Robert Byrd presented the donation for consideration. Councilmember Karen Williams moved to accept the Savannah Tree Foundation's "Georgia State Arbor Day 2022" tree donation.

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

XI. EXECUTIVE SESSION

With no further public business to conduct, Councilmember Aaron Higgins moved to enter Executive Session. Council entered Executive Session at 6:37 p.m.

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

Mayor Rebecca C. Benton called the meeting back to order at 6:55 p.m.

XII. ADJOURNMENT

Councilmember Stevie Wall moved to adjourn the meeting.

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

The meeting adjourned at 6:55 p.m.