



CITY COUNCIL Regular Meeting – Minutes

February 7, 2022 at 6:00 PM | City Hall | 100 US Hwy 80 SW, Pooler, GA31322

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 Clerk Council

Absent: Shannon Black, Councilmember

II. CALL TO ORDER

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

III. INVOCATION

Councilmember Stevie Wall gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Stevie Wall led the pledge.

V. REMINDERS & ANNOUNCEMENTS

Mayor Rebecca C. Benton introduced Recorder's Court Judge Candidate Anthony Burton.

VI. CONSENT AGENDA

Mayor Rebecca C. Benton presented the consent agenda for consideration.

- A. **City Council Workshop Minutes of January 18, 2022**
- B. **City Council Meeting Date Change from Monday, March 7, 2022 to Tuesday, March 8 2022.**
- C. **Alcoholic Beverage License Application for Del Sur Pooler, LLC at 1 North Godley Station Boulevard**
- D. **Temporary/Special Event (Dispensing Alcohol) Permit Application for Kieria Lovelace on February 26, 2022**
- E. **Temporary/Special Event (Dispensing Alcohol) Permit Application for David Ortiz Villasenor on February 19, 2022**
- F. **Temporary /Special Event (Dispensing Alcohol) Permit Application for Barbara Harris on February 11, 2022**
- G. **Temporary /Special Event (Dispensing Alcohol) Permit Application for Barbara Harris on February 12, 2022**
- H. **Temporary /Special Event (Dispensing Alcohol) Permit Application for Barbara Harris on February 22, 2022**
- I. **Special Event Permit Application for Cave Dweller Productions, LLC on February 9, 2022**
- J. **Special Event Permit Application for Cave Dweller Productions, LLC on February 10, 2022**

Councilmember Stevie Wall moved to remove items I and J from the consent agenda and relocate to New Business as items E and F. Councilmember Higgins made a motion to approve the consent agenda as modified. The motion passed unanimously.

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Williams

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

VII. ORDINANCES, PROCLAMATIONS, RESOLUTIONS

- A. **Ordinance O2022-01.A – To Amend Appendix A – Zoning, Article II. Definitions and Article IV. Zoning Districts, Table 4.1 allowed Uses (First Reading)**

City Manager Robert Byrd presented the first reading for consideration, and Mayor Rebecca C. Benton opened the public hearing. No comments were made. Mayor Rebecca C. Benton closed the public hearing.

Councilmember Aaron Higgins moved to approve the first reading of Ordinance O2022-01.A – To Amend Appendix A – Zoning, Article II. Definitions and Article IV. Zoning Districts, Table 4.1 Allowed Uses.

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

B. **Resolution R2022-02.A – Amendment to the Schedule of Fees**

City Manager Robert Byrd presented the resolution for consideration. He stated that this would amend the current water meter fees. Councilmember Karen Williams moved to approve Resolution R2022-02.A – Amendment to the Schedule of Fees

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

C. **Resolution R-2022-02.B – Extending the Temporary Moratorium on Interments in the Newton Cemetery with Specific Exceptions and Related Matters**

City Manager Robert Byrd presented resolution for consideration. Councilmember Stevie Wall moved to approve Resolution R-2022-02.B – Extending the Temporary Moratorium on Interments in the Newton Cemetery with Specific Exceptions and Related Matters.

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

VIII. OLD BUSINESS

A. **Zoning Map Amendment for Dozier Cook (1204 and 1208 East Highway 80 and Lots 12 and 13, Westside Business Park) from C-2 to Planned I-1**

City Manager Robert Byrd stated that the petitioner requested the item be postponed until the next meeting. Councilmember John Wilcher moved to postpone the zoning map amendment until the February 22, 2022 council meeting.

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

NAYS:

B. Second Amendment to the Solid Waste Collection and Disposal Agreement with Atlantic Waste Services, Inc.

Assistant City Manager Matt Saxon and Malorie Boyd, Residential Operations Manager with Atlantic Waste, presented the item. Malorie Boyd stated that Atlantic Waste would be servicing, delivering, and maintaining the carts and that the CPI for Pooler will be 3.5% for the 2022 calendar year.

Councilmember Stevie Wall moved to approve the Second Amendment to the Solid Waste Collection and Disposal Agreement with Atlantic Waste Services, Inc. contingent upon City Attorney approval.

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Wall

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. Intergovernmental Agreement for the Use and Distribution of Proceeds from the 2022 Transportation Special Purpose Local Option Sales Tax (TSPLOST) for Capital Transportation Projects

City Manager Robert Byrd requested that the item be withdrawn from consideration.

IX. NEW BUSINESS

A. Site Plan for JC Lewis Ford Dealership on Memorial Boulevard

City Manager Robert Byrd presented the site plan for consideration. C.J. Chance of Hussey, Gay, Bell and Chris Marsengill of Kimley-Horn were present on behalf of the petitioner. C.J. Chance stated that the petitioner would maintain the pond. Councilmember Karen Williams, subject to review of the criteria, moved to approve the site plan for JC Lewis Ford Dealership on Memorial Boulevard subject to the following contingencies:

1. \$27,625.00 be paid into the Tree Fund
2. All recommendations from Kimley-Horn be implemented

Motion to Approve; PASSED (UNANIMOUS)

MOVER: Williams

SECONDER: Hutcherson

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

B. Acceptance of Maintenance Bond and Sidewalk Performance Bond/Final Plat for Westbrook Glen, Phase 2

City Manager Robert Byrd presented the items for consideration. Councilmember Aaron Higgins moved to accept the maintenance bond in the amount of \$153,253.50, accept the sidewalk performance bond in the amount of \$108,337.50, and approve the final plat subject to the following contingencies:

1. City Attorney approval
2. Stormwater maintenance agreement to be recorded at the time of the final plat

Motion to Approve with Stipulations; PASSED (UNANIMOUS)

MOVER: Higgins

SECONDER: Wall

AYES: Higgins, Hutcherson, Wall, Wilcher, Williams

NAYS:

C. Release of Performance Bond and Acceptance of Maintenance Bond for Westwood Reserve

City Manager Robert Byrd presented the bonds for consideration. Councilmember Stevie Wall moved to release the performance bond and accept the maintenance bond in the amount of \$824,612.53, subject to the City Attorney approval.

Motion to Approve with Stipulations; PASSED (4-1)

MOVER: Wall

SECONDER: Higgins

AYES: Hutcherson, Wall, Wilcher, Williams

NAYS: Higgins

D. Award Wastewater Treatment Plant Expansion Project

City Manager Robert Byrd presented the bids for consideration. Holmes Bell and Chris Burke of Hussey, Gay, Bell reviewed the bids and the expansion project. Councilmember. Councilmember Stevie wall moved to approve to award the wastewater treatment plant expansion project to Ruby Collins in the amount of \$48,753,303.43.

Motion to Award; PASSED (UNANIMOUS)

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

E. **Special Event Permit Application for Cave Dweller Productions, LLC on February 9, 2022**

City Manager Robert Byrd recommended tabling items E and F. The petitioner, Mateo Arnold spoke, explaining the purpose of his application/project. Chief Ashley Brown expressed his concerns. Councilmember Aaron Higgins confirmed combining special event items E and F and moved to table them both.

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

F. **Special Event Permit Application for Cave Dweller Productions, LLC on February 10, 2022**

This item was combined with item E.

G. **Addition to the May 2022 Ballot a Referendum to Expand Chatham Area Transit Services to Pooler**

Councilmember Aaron Higgins moved to require the City Attorney submit for May 2022 Ballot to the Board of Elections office, before the February 22, 2022 deadline, a referendum to expand Chatham area transit services to Pooler through an increase of millage, with exact language to be determined by the City Attorney.

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

X. EXECUTIVE SESSION

With no further public business to conduct, Councilmember Aaron Higgins moved to enter Executive Session. Council entered Executive Session at 6:47 p.m.

Motion to Enter to 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 7:00 p.m.

Councilmember Aaron Higgins moved to amend the agenda with the addition of item G: Addition to the May 2022 Ballot a Referendum to Expand Chatham Area Transit Services to Pooler.

Motion to Amend; PASSED (UNANIMOUS)

MOVER: Higgins

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: Hutcherson, Higgins, Wall, Wilcher, Williams

NAYS:

The meeting adjourned at 7:05 p.m.

The foregoing minutes are true and correct and approved by me on this

_____ day of _____, 2022.

Rebecca C. Benton, Mayor

Attest:

Shannon Kirby, Deputy Clerk of Council