



CITY OF PORT WENTWORTH

CITY COUNCIL

JULY 12, 2022

Council Meeting Room

Regular Meeting

7:00 PM

7224 GA HIGHWAY 21
PORT WENTWORTH, GA 31407

1. CALL MEETING TO ORDER

Mayor Pro Tem Thomas Barbee called the meeting to order.

2. PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Rufus Bright led in prayer and Mayor Gary Norton led the Pledge of Allegiance.

3. ROLL CALL - CLERK OF COUNCIL

Attendee Name	Title	Status	Arrived
Gary Norton	Mayor	Absent	
Thomas Barbee	Mayor Pro Tem	Present	
Jo Smith	Council Member	Remote	
Gabrielle Nelson	Council Member	Remote	
Mark Stephens	Council Member	Present	
Rufus Bright	Council Member	Present	
Glenn Jones	Council Member	Absent	

4. APPROVAL OF AGENDA

A. Add Horizon Community Planning

Council Member Stephens made a motion to approve the agenda with the following change:

Add Horizon Community Planning as item F to New Business

It was second by Council Member Bright

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Stephens, Council Member
SECONDER:	Rufus Bright, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

5. RECOGNITION OF SPECIAL GUESTS

City Manager Steve Davis recognized the new Human Resource Director Charles D. Mays.

6. PUBLIC COMMENTS - REGISTERED SPEAKERS

A. Kellie Powell

Mrs. Powell Pointed out that the minutes from the June 23, 2022 Regular Meeting had not recorded the comment made by Mrs. Georgia Benton about litigation that concerns one of the agenda items listed on the June 23rd agenda (Noble Vines). Additionally, she expressed her displeasure for the lack of specifics for the TSPLOST because the packet

that is listed online is summarized in categories. She stated that community had more questions like: which roads would be resurfaced, where will we mitigate traffic, which operational improvements are we targeting, where will the traffic be calmed, what are tier 1 projects? She also stated that according to the Chatham County Engineering Dept. there are some items that should have had some headers. A few examples given include project and title type, status, breakdown of county and GDOT cost, completion cost, and more. She also wanted to know how can a citizen like herself monitor the spend so that tax dollars are allocated properly and so that we can receive the quality of life amenities that have been begged for. She also stated that she was informed that GDOT was not informed about some of the projects that the city has underway including the turn signal at 21 and 30.

B. Avril Roy-Smith

Mrs. Smith explained her concerns about the 4 lanes roads that are going to be put in near her home which backs up to Benton blvd. She is concerned about the noise, air pollution, and the container trucks that will be passing through. She also explains how by adding the four lane road it will completely break apart Lakeshore and that Benton Blvd is a poor place to put a four lane highway. She said that she was told that there wouldn't be any trucks and it would stay a two lane, so that is the basis that she bought her house on.

C. Georgia Benton

Mrs. Benton explains that after a conversation with the supervisor of traffic at DOT, she found that they just found out two weeks ago that Hendley Rd was closed. They are also not going to take the responsibility for putting up the light on 21 and Hendley Rd. She stated that she questions the integrity of some of the council members and government officials. She also said that there is no light going up on Saussy Rd but yet the council authorized almost 100 units to go at the beginning of the road. She also said that she has complained about the drainage on Saussy Rd and DOT, EPD, everyone says the responsibility of the ditches is on the city of Port Wentworth, The land disturbance permit has nothing to do with the developer covering up the ditches. DOT went out with Omar and he said everything was okay, however, she would like to know how is everything okay when ditches are still being blocked. She stated that no one is double checking behind the developers and what they are doing.

D. Trevor Ferguson

Mr. Ferguson explained how he went to the zoning and planning board meeting and they had a thick stack of paper that they had just received on Friday and then was told that they had to make a decision on Monday. He wanted to know what was the time frame that the developers are given to allow the board to be able to review the files, so that they can make an educated decision. He also wanted to know who was responsible for cleaning the ditches from lakeshore to the canal.

E. Janet Hester

Mrs. Hester thanked Council Member Bright for nominating her and the council for choosing her to be apart of the planning board, however, she stated that the planning commission is disrespected greatly and it is a great discourtesy to not receive the packets in a timely manner. It is not four days that we are given, because you cannot count Saturday and Sunday because I cannot pick up the phone and call or walk through the City Hall doors to ask questions, and she said that Brian Harvey, Steve Davis, and the council aren't working and no one wants to bother them on the weekend. She explained that they received their packet just before noon on Friday and they had Monday to work together on it. She also said that she feels that there has been a lack of care being given by many leaders in our city over the past decade, so it would be more courteous and respectful to say to Brian Harvey that the developers must be given a deadline, and if the board gets a week than that means that the deadline has to be two weeks prior to the next meeting. Which will be fair to Brian Harvey's staff and to the Planning Board.

F. Madeline Quinones

Mrs. Quinones asked the City Manager about the stop light on Lakeside and 21 coming out of Rice Hope, and she said that in a meeting held last September it was said that the light would be done by March of 2022, so she was wondering is there an update. She also spoke on double checking on the developers and said that last year an application was submitted to continue building out Rice Hope behind Lakeside there is a partial that they are building onto and she requested a sound barrier wall but it was denied because they said that the trees would stop the traffic from coming in. However, they cut the tree line down and now we can see and hear 95, so she is wondering who will help with this situation.

7. ELECTIONS & APPOINTMENTS**8. ADOPTION OF MINUTES**

A. Regular Council Meeting Minutes - June 23, 2022

Council Member Jo Smith asked that we add the comments that were made by Mrs. Georgia Benton to the June 23rd meeting minutes.
Council Member Thomas Barbee stated they should table the vote until the clerk reviews the video of the meeting, so that then the changes can be made.

1.

RESULT:	DELAYED [UNANIMOUS]
MOVER:	Mark Stephens, Council Member
SECONDER:	Rufus Bright, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

9. COMMUNICATIONS & PETITIONS

Council Member Mark Stephens stated that it is time to honor the person who is responsible for everyone being on the dais, which is Mrs. Debbie Johnson. Council Member Stephens made a motion to authorize Mr. Davis to begin the process of honoring Mrs. Johnson. This was second by Council Member Nelson. City Manager Steve Davis asked what name would they like to use and Council Member Stephens said that it should be called the Debbie Johnson Government Center, and all the Council Members agreed.

Council Member also announced that the Heart Festival will be held behind city Hall on Saturday July 23, 2022 from 11:00 am to 3:00 pm.

A. Honoring Debbie Johnson

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Stephens, Council Member
SECONDER:	Gabrielle Nelson, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

10. COMMITTEE REPORTS**11. CONSENT AGENDA**

- A. Red Robin Court Roadway Improvements Pay Request No. 6 in the amount of \$67,153.50 to Griffin Contracting Inc.

Council Member Barbee asked if this was the last payment and Omar Senati-Martinez said that there is one more payment left. This payment was supposed to already been put before council but was not.

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- A. Effingham County Inmate Intergovernmental Agreement

City Manager Steve Davis states that he has been in contact with the County Manager in Effingham and they have a prison work camp that they utilize for parks and recreation, ditches, road cleaning, painting and more. There are a lot of cities that use these services which include cities in Effingham and Pooler as well. We can utilize eight to twelve workers at a time, and we have to pay for a corrections officer and all of the benefits that come along with it. There is also some additional money in the cost for administrative purposes and they are looking for \$90,000 annually. We could utilize the 12 workers with ditch cleaning, digging, in the canal program, and to improve the city overall. We would also have to provide a van for their transportation as well as the maintenance and gas for the vehicle, as well as any equipment that they would need to use. They will work in one unit as a group. This will also take a way some of the time that we wait for the state to come and do things. Effingham will provide medical care, food, and water for all of the workers.

Council Member Mark Stephens asked if the workers were high/medium risk. Mr. Davis said no and explained that they are all low risk and aren't any violent offenders.

Council Member Gabrielle Nelson said that she reached out to some colleagues in Pooler who utilize their services, and recommended us to move forward with using their services. She also explained how she understands how everyone's safety can be a concern, but she wanted to reiterate that they are low level risk/ nonviolent offenders. She also asked if in the beginning will we have some of our guys going out with them so that they won't just go out and not really know where they are doing.

Mr. Davis said that we will have to put a schedule together for them and we could have someone meet them to let them know what needs to be done, and if there is a time where something needs to be fixed we can always send them back out there, and there will be some trial and error. We will also need to obtain a vehicle and it will cost around \$60,000 and we also may get a trailer being that the equipment has to be locked and cannot be loose.

Council Member Jo Smith stated that she wants to make sure that they aren't peer or institutionally pressured to do this and that they are doing this because they want to.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rufus Bright, Council Member
SECONDER:	Mark Stephens, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

- B. TSPLOST Resolution

City Manager Steve Davis explained that TSPLOST is a 1% local option sales tax that we are trying to do in coordination with the County. This is a single county TSPLOST that all of the cities and the county are participating in, and all of this will be grouped together and sent to the state and it will be a referendum of the voters to choose whether or not to do this and it will be on the November election ballot. The legal requirement that we have for putting this before the voters is to specify the purpose of the dollars, total

amount of the dollars, and the time frame that the tax will be collected. There was a list created by the previous administrator, however, after reviewing the list, the cost associated with projects were random dollar amounts and were not fully vetted. Any project that is listed has to be completed with TSPLOST. Mr. Davis had a proper cost analysis done to show the difference in the amounts. He stated that we must state the specific categories and then they should discuss the different projects that should be done and prioritize them. A more detailed list is needed because the only two projects listed are resurfacing and the tier 1 project. The Tier 1 project that is listed is the turning of Benton Blvd into a four lane, it will also include the roundabouts, and Savannah also has this as their Tier 1 project to connect it to where it is four lane now, which is in Pooler at the Pooler savannah line all the way down to Pooler Parkway. Mr. Davis also explained that the 19.3 million dollars is done on a pro rata basis and the population is based on the 2020 census. There's 295,000 for the county wide and our census number is 10, 878 and we've already grown from there which gives us a pro rata share of 3.68%. We will be receiving 4.95% of the \$19.3 Million which is slightly more than our pro rata share. Mr. Davis then shared the suggested categories and explained that these are categories that are authorized within a TSPLOST to do. The categories included Resurfacing, Congestion Mitigation, Operational Improvements, Transportation Related to Stormwater, Traffic Calming, and Tier One Projects.

Council Member Barbee asked if under Operational Improvements can we use money for a sound barrier and lighting. Mr. Davis said that we can and there was also some discussion with Council Member Nelson about lighting as well. He also asked if by law the categories are correct and the City Attorney Mr. Robichaux said yes.

Council Member Jo Smith stated that she was on a TSPLOST and SPLOST oversight committee for 5 years so she is familiar with it. She stated that when the agenda went out for this meeting, it was the first time that she had heard about Benton blvd being widened, but she hadn't heard anything from the public or from any other council member that it was a priority. She said that Mr. Davis stated that one of the reasons for widening the street is so that CAT could come in, but she said that we should ask the people whether or not they want it to come in. Generally, she said there is not enough detail like the districts and the projects that are going to happen. She said without the details there is nothing that is committing us to do certain projects. She said that they've known since January that they were either going to have to use the same list or revise it, so to ask the Council to vote on the list that was presented that is due on Friday is under pressure, and if it is not signed it doesn't go through. She also stated they are stuck in a position where they either trash the TSPLOST with all neighbors and the county, or we give the City Manager 20 Million dollars to choose the projects under the categories, however, she said there isn't anyone that she would trust to just give them 20 million dollars and say I know you're going to do what's best for the people, so we need it in writing. Ethically, it isn't right.

Council Member Barbee said that the public has had input with traffic congestion, ditches, and sound barriers. He also stated that the state has a mandated time frame.

Council Member Nelson said that she went to Chairman Ellis and he explained that in January he did say that we needed to be specific, however, today he said that it can be general in the resolution because specifics will be sighted after the referendum passes. What we are voting on this evening is specifically for us to be able to move on with a TSPLOST. We have to sit down and write out the specifics, and she agreed that the public should be involved and town halls should be held to get a poll from the community to see what the priorities are. She also said that a tour should be done to look at the problem areas.

City Manager Davis stated that the TSPLOST money will not be at his leisure and that any large project that he does will have to be approved by council.

Council Member Bright stated that if they don't vote on this that they will lose it and money doesn't need to be lost that will help this city.

Council Member Nelson wanted to reiterate what they are voting on and what chairman Ellis has said and that she is not trying to make anyone do anything she just wanted to inform them.

RESULT:	APPROVED [4 TO 1]
MOVER:	Mark Stephens, Council Member
SECONDER:	Rufus Bright, Council Member
AYES:	Barbee, Nelson, Stephens, Bright
NAYS:	Smith
ABSENT:	Norton, Jones

C. Insurance Company License Fee

Mr. Steve Davis said that anyone who has an insurance business within the city pays a licensure fee. If you get to a certain size than you go into a new category, so because we went from about 5,000 to 10,878 we went into a new categories. Therefore, we can charge \$75 instead of the \$50 dollars that we are charging right now.

Terrence Moore says that they are already receiving a fee from them starting a business already, so would this be double dipping? Mr. Moore then asked isnt that what the foreign authority is for because they are for the state. Mr. Davis stated that there are some of the insurance companies who are doing business here but are not here, and this fee is regulated by the state.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rufus Bright, Council Member
SECONDER:	Mark Stephens, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

D. 1st Reading Zoning Map Amendment Application submitted by the City of Port Wentworth, for PIN #'s 70913 01013 (18 Gulfstream Road), 70913 01012 (60 Clifton Boulevard), 70913 01007 (84 Clifton Boulevard), 70913 01010 (Gulfstream Road), 70913 01008 (34 Gulfstream Road), 70913 01011 (116 Gulfstream Road), 70913 01001 (120 Gulfstream Road), 70914 01001B (120 Gulfstream Road), 70914 01001A (Gulfstream Road), 70970A02004 (Gulfstream Road), 70970A02006 (20 Mincey Boulevard), 70970A02007 (24 Mincey Boulevard), 70970A02003 (32 Mincey Boulevard), 70914 01003 (46 Mincey Boulevard), 70914 01004 (60 Mincey Boulevard), and 70970A01002 (190 Gulfstream Road) to zone the properties P-I-2 (Planned Industrial) for the purpose of establishing City of Port Wentworth Zoning Districts.

Council Member Barbee stated that all of these properties have been functioning for a while since about 2014, they annexed these properties but never changed the zoning and by law they should have been changed. However, now the new administration has to make a decision on it.

Janet Hester stated that she voted no at planning and zoning. Mistakes were made and previous administration made them, however, it seems self serving when the City says that we want to take care of this issue while under a moratorium. For appearances sake the city does not need to violate its own moratorium. She recommended that they not approve this item.

Georgia Benton said that the piece of property shows as property of savannah, and she said she agrees with Mrs. Hester if we have a moratorium going on why are we dealing with this now, we should leave it alone. She stated that it wasn't in any of the present voting districts. City Manager Davis stated that it was done by legislative action at the

general assembly by representative Hitchens, and it was a piece of legislation that went before the body and senate. This was a mass annexation. Mrs. Benton said that it did not come before the people, and that we need to deal with our protocols and have some sort of morals, because all the underhanded table stuff is happening and if something goes wrong our tax dollars have to fix it, how do you let six people determine something for thousands of people. Mr. Davis stated that there was nothing underhanded that occurred and that the previous administration never applied the proper zoning that complies with our ordinances and this is just a reclassification because there are already operating business there.

Council Member Smith stated that Mr. Harvey said that owners of the property wants to do additional projects on that property and they proactively reached out to the city and Mr. Harvey said that you would have to choose a zoning category and you believed that this is the best choice. This should not be voted for during a moratorium. Mr. Davis said that this does not violate the moratorium because this was started before the moratorium and it was brought to our attention by an owner who was trying to sell his property and wanted to make sure that the zoning applied to his application.

City Attorney stated that there are many ways that an annex can occur, and if anyone wanted to look it up it is House Bill 1116 passed in 2014.

Mrs. Hester asked if anyone could produce the application with the date, that shows when you were approached showing it was prior to the moratorium. Mr. Davis said yes.

Terrence Moore stated that it has been 8 years, why change it and they are looking to do work, so if we already have the property why not leverage it by not touching it. We can see what they are trying to do and then figure out what we are trying to do, because we are a city but a city that has nothing to do with our kids.

Trevor Ferguson said that appearance is everything, before the last election Mr. Barbee you said that the other side was doing a lot of things wrong that didn't look right but it appears that you are now starting to do things that doesn't look to be right. If it took this amount of time just wait until the moratorium is over and then do what you have to do.

Council Member Barbee stated that they should wait and double check to make sure everything is right. He also asked what the ramifications were to waiting on this. Mr. Robichaux said that this is just the first reading so we wouldn't vote on it tonight. He also asked if we could get Mrs. Hester something that shows that this was before the moratorium and Mr. Davis said yes.

- E. Site Plan Review Application submitted by Kim Thomas, Dewitt Tilton Group on behalf of Brian Orr for PIN # 7-0906-02-002 (8191 Old Highway 21) for a Specific Development Site Plan to allow a Truck Shop in a P-C-2 (Planned Community Business) Zoning District

Jay Maupin explained that this project has been before the council and the property is properly zoned. We have worked with city staff to pave more road and we will also be reestablishing the ditches as well. He also stated that they are not asking for any variances.

Georgia Benton wanted to make sure of the location of the project and explained that Old Highway 21 is not grade for trucks and there is a section of that highway that is historically apart of the first paved road in the state of Georgia. Mr. Davis explained that there is no access off of Old Highway 21 even though the address is on there the new pavement will be on Moore road. She also asked if DOT is going to allow them to come off of 21 and the engineer said no. Mrs. Benton stated that if you are not allowed to come off of 21 Moore rd is a private one how will you take over that road, and where is the water going to go? Mr. Maupin said that we are bounded on three sides by public right away' s, highway 21, Old Highway 21, and Moore Rd. They will not be accessing Old Highway 21, it is due to the zoning system that we have that address, but we will probably be applying for a new address to make it easier for customers to find. This is not a truck stop this is truck sales, and a lot of the sales are internet sales.

Council Member Bright asked how many trucks will be on the lot initially? The owner stated that the main business is online and 90% of the business is online and that the maximum you could fit on the lot is 60.

Janet Hester stated that she had a no vote on planning and zoning for this item.

The Council for the owner of the Property stated that what was before council was a site plan review and not a use review and asked to keep that scope in mind.

Mrs. Benton said if this is just a preliminary plan when will the public plan be shown, and Mr. Maupin stated that this is the permanent plan.

Mrs. Sabrina asked when they come to pick up the trucks will they be doing any test driving and where will they do it if so. The owner said that he is not quite sure whether or not they will test drive it, but they may test drive them on 95.

RESULT:	DELAYED [UNANIMOUS]
MOVER:	Rufus Bright, Council Member
SECONDER:	Gabrielle Nelson, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

F. Horizon Community Planning

Council Member Stephens made a motion to give the city manager authorization to do due diligence on Horizon Community Planning group and the authority to enter into an agreement if necessary.

It was second by Council Member Bright.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Stephens, Council Member
SECONDER:	Rufus Bright, Council Member
AYES:	Barbee, Smith, Nelson, Stephens, Bright
ABSENT:	Norton, Jones

14. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

15. EXECUTIVE SESSION

16. ADJOURNMENT

There being no further business, Council Member Rufus Bright made a motion to adjourn. Seconded by Council Member Mark Stephens. Vote was unanimous

Mayor Gary Norton

The foregoing minutes are true and correct and approved by me on this _____ day of _____, 2022.

ATTEST:

Zahnay Smoak, Clerk of Council