



CITY OF PORT WENTWORTH

CITY COUNCIL

JULY 26, 2018

Council Meeting Room

Regular Meeting

7:00 PM

305 SOUTH COASTAL HIGHWAY
PORT WENTWORTH, GA 31407

1. CALL MEETING TO ORDER

Mayor Gary Norton called the meeting to order.

2. PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Gary Norton led in Prayer and Council Member Paul Fox led in the Pledge of Allegiance.

3. ROLL CALL - CLERK OF COUNCIL

Attendee Name	Title	Status	Arrived
Gary Norton	Mayor	Present	
Paul Fox	Council Member	Present	
Linda Smith	Council Member	Present	
Shari Dyal	Council Member	Present	
Debbie Johnson	Council Member	Present	
Bill Herrin	Council Member	Present	
Thomas Barbee	Council Member	Present	
Jimmy Coursey	City Attorney	Present	
Shanta Scarborough	Clerk of Council	Present	
Brian Harvey	Director of Development Services	Present	
Tiffany Lancaster	Director of Leisure Services	Present	
Matt Libby	Director of Public Safety	Present	
Lee Sherrod	Major of Public Safety	Present	
Phil Jones	Interim City Administrator	Present	

4. APPROVAL OF AGENDA

Council Member Bill Herrin made a motion to approve the agenda with the following additions:

1. Under **Communications & Petitions**, add Item #A - Russell Bridges, Elections Supervisor with the Chatham County Board of Elections Update on Precinct 7-15;
2. Under **Communications & Petitions**, add Item #B - Sunday Brunch 'Mimosa Mandate' Law;
3. Under **New Business**, add Item #F - Purchase of a Chevrolet Pickup Truck for the Fire Department.

Seconded by Council Member Shari Dyal. Vote was unanimous.

5. RECOGNITION OF SPECIAL GUESTS

Mayor Gary Norton recognized Georgia House of Representative Jon Burns and local resident Mr. Willie Johnson.

6. ELECTIONS & APPOINTMENTS

There were none to report.

7. ADOPTION OF MINUTES

A. City Council - Regular Meeting - Jun 28, 2018 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Debbie Johnson, Council Member
AYES:	Fox, Smith, Dyal, Johnson, Herrin, Barbee

8. COMMUNICATIONS & PETITIONS

Thank You Note Received from the Deloach Family

Mayor Gary Norton read a thank you note from the Jimmy Deloach family that expressed gratitude for the monetary donation made in memory of Mr. Deloach at the National Museum of the Mighty Eighth Air Force.

Thank You to Council Member Thomas Barbee from Council Member Debbie Johnson

Council Member Debbie Johnson thanked Council Member Thomas Barbee for the kind act of driving a young homeless woman from the Renasant Bank on Highway 21 to the Food Lion in Garden City. The young lady was dropped off at what she thought to be the correct Food Lion Shopping Plaza, but as it turns out she needed to be at the Food Lion in Garden City. Council Member Johnson noticed the young lady with all of her belongings on a broken shopping cart and stopped to ask her if there was something she could do to help. Ms. Johnson then reached out to Council Member Barbee who stopped what he was doing to take the young lady to right location. Ms. Johnson wanted to recognize him for his thoughtfulness.

Rice Creek School Precinct

Russell Bridges, Elections Supervisor, with the Chatham County Board of Elections was present to discuss the realigning of the boundaries created by the Board of Elections at the petition of Council on last year. The petition was to move more voters in District 1, currently voting at Lakeshore, to the newly created Rice Creek School Precinct. Essentially this move involved moving voters from one side of Highway 21 to be able to vote at Rice Creek School. Although the request came in on last year to move these voters, it was too close to the election to begin the process. So, the Voter's Registration Department completed an examination that shows the actual number of registrations that were in affect prior to the last election. This includes the active voters that will be affected by this change, which is 1136. There are 697 active voters assigned to Rice Creek to-date.

Mr. Bridges appealed to Council that if the proposal presented was acceptable, that he'd like to take this information before the Board of Elections during their next scheduled meeting on August 13, 2018 for final adoption and to be put in place for immediate incorporation to be in the upcoming November election. With this change there will be 1,862 voters assigned to cast vote at the Rice Creek School Precinct.

Discussion 1

Council Member Linda Smith asked Mr. Bridges if all voters will be notified of the change?

Mr. Bridges responded by stating that the common practice when a change of this sort occurs is to advertise in the various legal outlets, such as the newspaper, as well as mail out new voters registration cards to all registrants that are affected by the change. Mr. Bridges went on to further state that the Board of Elections have also adopted the practice of sending a post card to all registered voters that states "Take Note Your Precinct Has Changed" due to many people not reading the newspaper anymore. This allows us to go above and beyond the legal requirements so that people are notified of the change.

Council Member Thomas Barbee made a motion to move forward with realigning the voters of the Lakeshore Precinct to the Rice Creek School Precinct. Seconded by Council Member Bill Herrin. Vote was unanimous.

Sunday Brunch 'Mimosa Mandate' Law

Mr. Bridges went on to discuss the Sunday Brunch 'Mimosa Mandate' Law which allows for the sale of alcohol by the drink. The reason why it is important for Council to take a look into this Law is so that if a desire is present for the voters to vote on this law, during the November election, it must be approved by the Board of Elections so that a referendum can be published. Council must take action by passing a Resolution that calls for a referendum on this law. Again, it must be advised by August 7, 2018 to legally place this item up for vote on the November Election ballot.

Discussion 1

Council Member Thomas Barbee asked Mr. Bridges to put the law in laymen's terms.

Mr. Bridges stated that basically the Sunday Brunch Law will allow drink sales at 11:00 a.m.

Council Member Bill Herrin made a motion to allow Mayor Norton to sign a Resolution in support of the Sunday Brunch 'Mimosa Mandate' Law. Seconded by Council Member Paul Fox. Vote was unanimous.

9. COMMITTEE REPORTS**A. Committee Reports**

Council Member Paul Fox made a motion to dispense with the reading of the committee reports and make them part of the minutes. Seconded by Council Member Linda Smith. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Linda Smith, Council Member
AYES:	Fox, Smith, Dyal, Johnson, Herrin, Barbee

10. CONSENT AGENDA

James L. Coursey Jr., City Attorney, stated on the matter of the Proposal for Watershed Protection Plan Monitoring submitted by Ecological Planning Group asked if the contents of the proposal fall under ClearWater Solutions, LLC (CWS)?

Phil Jones, Interim City Administrator, responded to Mr. Coursey's question by stating that CWS does not have the capabilities at this time to perform those duties as listed in the proposal, therefore the contract must be kept open.

Mr. Coursey's final thoughts on the matter is that the language of the agreement is broad enough that it should be brought under CWS and questions whether or not it should be approved.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Shari Dyal, Council Member
AYES:	Fox, Smith, Dyal, Johnson, Herrin, Barbee

- A. Pay Request No. 5 from Griffin Contracting, Inc., in the amount of \$249,519.51 for the Phillips Ave Paving Project
- B. Ecological Planning Group (EPG) Proposal for Watershed Protection Plan Monitoring 2018-2019 Renewal

11. UNFINISHED BUSINESS

There were none to report.

12. NEW BUSINESS

- A. Application to Amend the Zoning Map submitted by Phillip McCorkle, McCorkle & Johnson, LLP., on behalf of Greenland Developers, Inc., for PIN #'s 7-0977-01-027 and 7-0977-01-028 to rezone the properties from P-C-3 (Planned Community Business) to P-I-2 (Planned Industrial) Zoning district.

Council Member Paul Fox made a motion to delay this item due to all the required paperwork not being submitted by McCorkle & Johnson, LLP to the Planning and Zoning Commission. Seconded by Council Member Debbie Johnson. Vote was unanimous.

RESULT:	DELAYED [UNANIMOUS]
MOVER:	Paul Fox, Council Member
SECONDER:	Debbie Johnson, Council Member
AYES:	Fox, Smith, Dyal, Johnson, Herrin, Barbee

- B. Site Plan Review Application submitted by Phillip McCorkle, McCorkle & Johnson, LLP., on behalf of Greenland Developers, Inc., for PIN #'s: 7-0977-01-027 and 7-0977-01-028 (Hendley Road) for a General Development Site Plan to allow Warehouses in a P-I-2 (Planned Industrial) Zoning District

Council Member Paul Fox made a motion to delay this item due to all the required paperwork not being submitted by McCorkle & Johnson, LLP to the Planning and Zoning Commission. Seconded by Council Member Bill Herrin. Vote was unanimous.

Council Member Debbie Johnson asked the Mayor if the people would be allowed to speak and have their voice, since they can't be at the meeting and may not be able to make the next meeting?

Mayor Norton replied that at this time the people do not have enough information on this item to properly speak on it.

RESULT:	DELAYED [UNANIMOUS]
MOVER:	Paul Fox, Council Member
SECONDER:	Bill Herrin, Council Member
AYES:	Fox, Smith, Dyal, Johnson, Herrin, Barbee

- C. Subdivision Application submitted by Travis G. Burke, Coleman Company Inc., on behalf of Bald Eagle Partners for PIN # 7-0906-04-062 (Rice Hope Road) located in a M-P-O (Master Plan Overlay) Zoning District for a Preliminary Plat of a Major Subdivision (Mulberry Tract Phase I) for the purpose of Single-Family Homes

Murray Marshall, BEP Developer for Rice Hope, was present to answer any questions from Mayor and Council. Mr. Marshall stated that this item references a 32 Lot Phase on Mulberry Boulevard, near the section behind Publix where the road is partially built. The road is still owned by Rice Hope and they are not asking the City to take it over, but during the process of the construction of a 300 unit apartment community currently being developed by Admore the road will be surfaced and inspected. The goal is to be done with the 32 Lot project before the apartments are fully constructed. All plans have been submitted to the Planning Commission and was approved by the board unanimously.

Council Member Shari Dyal asked Mr. Marshall if what she read was correct; that there will be 32 homes on 30 acres allowing each home to be built on about an acre?

Mr. Marshall stated no, that is not correct that there is over 500 acres and that this is the first 32 lots of about 170 acre section from Mulberry Boulevard North to Rice Hope Plantation Road.

Phil Jones, Interim City Administrator, stated that once you back out roadways, right-of-ways, etc. it will be significantly less than an acre per lot.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul Fox, Council Member
SECONDER: Bill Herrin, Council Member
AYES: Fox, Smith, Dyal, Johnson, Herrin, Barbee

- D. Site Plan Review Application submitted by Bald Eagle Partners for PIN #: 7-0906-04-062 (Rice Hope Road) for a Specific Development Plan to allow a Single Family Residential Development in a MPO (Master Plan Overlay) Zoning District

Murray Marshall, BEP Developer for Rice Hope, was present to answer any questions from Mayor and Council.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Shari Dyal, Council Member
SECONDER: Debbie Johnson, Council Member
AYES: Fox, Smith, Dyal, Johnson, Herrin, Barbee

- E. Benton Boulevard Extension, Chatham County Parcel 38, PIN: 7-0908B-16-047

Phil Jones, Interim City Administrator, stated that this agenda item relates to the Chatham County parcel that was submitted to the City regarding the extension of Benton Boulevard. The extension plans call for the parcel to butt up against one of the City's lift stations. Thus Chatham County will need some additional right-of-way included in the packet to state that lift station will not be disturbed. This is also necessary for maintaining the ditches that belong to Chatham County.

Discussion 1

Council Member Thomas Barbee, asked if there is an estimated time frame that the Shell Station will be constructed?

Mr. Phil Jones responded by stating that no date has been given specifically.

Discussion 2

Joe Dobry, 309 Phillips Avenue, asked which lift station Chatham County is referring to?

Brian Harvey, Director of Development Services, stated that the lift station in question is located by the new town house development in the Lakeshore Community.

James L. Coursey, Jr, City Attorney, suggested to Council that when they make their motion on this item that it be phrased in such a way that includes the following choice as spelled out in the property acquisition letter which states; if the City agrees to donate the property it will be subject to conditions and special provisions concerning a fence.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bill Herrin, Council Member
SECONDER: Shari Dyal, Council Member
AYES: Fox, Smith, Dyal, Johnson, Herrin, Barbee

- F. Purchase of a Chevrolet pickup truck for the Fire Department

Council Member Paul Fox asked if purchasing this vehicle was budgeted for?

Matt Libby, Director of Public Safety stated yes the truck purchase was budgeted for.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Linda Smith, Council Member
AYES:	Fox, Smith, Dyal, Johnson, Herrin, Barbee

13. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

There were none to report.

14. EXECUTIVE SESSION

Council Member Bill Herrin made a motion to enter into Executive Session for the purpose of discussing a personnel matter and property acquisition. Seconded by Council Member Shari Dyal. Vote was unanimous.

Council Member Bill Herrin made a motion to reconvene the Regular City Council Meeting. Seconded by Council Member Paul Fox. Vote was unanimous.

- A. Personnel Matter
- B. Property Acquisition

15. PUBLIC COMMENT - RECORD SPEAKERS

Alex Dyal, 20 Noble Jones Court, addressed Mayor and Council regarding three issues and requested their assistance with enforcing: (1) the issue of fireworks being shot off in the streets which leaves behind trash and debris. Mr. Dyal stated that the Homeowners Association (HOA) did issue citations to those in violation, but still feel that enforcement is still needed from the City; (2) remove the litter left behind by those working at the front entrance at Rice Creek; and (3) violators of wrong way parking on the streets.

Willie Johnson, 250 Monteith Road, spoke regarding the re-zoning the property on Monteith Road and his concern with all the traffic that currently exists on the road and adding more traffic, it will only get worse. Mr. Johnson also expressed his concerns about getting out or an emergency vehicle getting in, in the event of an emergency.

Larry Long, 510 Flat Rock Trace, expressed his regrets to Council Members Bill Herrin and Linda Smith regarding the dismissal of their ethics case and thanked them both for being the ethics watchmen of the City. He stated to them to keep at it and that he appreciates their efforts.

Joseph Dobry, 309 Phillips Avenue, pleaded with Mayor and Council to name the Stand Up For America Day Field after Tommy Thomas. It is of Mr. Dobry's opinion that since Mr. Thomas gave 30 years of his life to the City that it is only right to name something in his honor. Mr. Dobry requested that this be added an agenda item for the August 2018 Regular City Council Meeting.

Janet Hester, 440 Meinhard Road, spoke regarding the application and site plan review submitted by McCorkle & Johnson, LLP. Mrs. Hester went on to express her concerns as to how and why the application and re-zoning can appear on the same agenda. She also introduced a young man by the name of Vincent, who she has tagged as the official greeter for Meinhard Road. Mrs. Hester urged Mayor and Council to consider Vincent and the residents of the community when they decide to vote on this project and how it will affect the community. Lastly, Mrs. Hester brought up the current six (6) criteria to re-zone a property and stated that because the property in question is not currently a P-C-3 it cannot be changed to a P-I-2 due to the wording as spelled out in the ordinances of the City which state: if a property once it is re-zoned it is not used and begun development for that new zoning it reverts back to the original zoning after six (6) months. Mrs. Hester closed by stating that "therefore, the zoning must

revert back to RA and the City is asking the residents of that community to accept rezoning that property from an RA to industrial, and for us that is not acceptable."

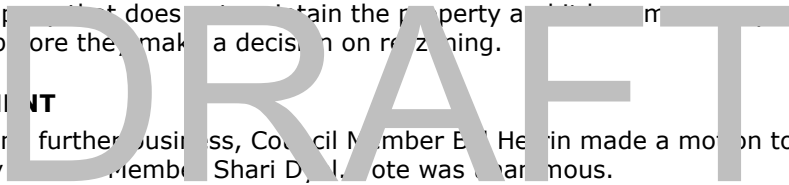
Jackie Lee, 43 Braxton Manor Drive, thanked Mayor and Council for all of their hard work. Mrs. Lee suggested that the businessmen who want to come into their community should consider some of things that they want to see happen in their neighborhood. Mrs. Lee also asked Mayor and Council to recall some of the same reasons why bringing a warehouse to their community was denied four (4) times in the past. Developers need to understand that no, means no. Lastly, she spoke on the fact that Hendley Road is already being shared with those who live in Effingham County using the community as a short cut to get home.

Harper Lee, 18 Blackberry Lane, stated that the warehouse being proposed is unacceptable due to the additional traffic it will bring and overall safety concerns this addition will pose. Mrs. Lee went on to further ask if anyone has given any consideration to the possibility of the global trade conflict, with all of the over dredging with the nearby port, that maybe the imports may not be coming in and the warehouses won't have anything to store. What will then become of those empty warehouses? Do we convert to manufacturing and create an EPA issue? Mrs. Lee closed by stating that this goes beyond safety and creates so many other implications, so it is asked that Council vote no, before a yes is brought.

Steve Hester, 440 Meinhard Road, stated that he and his wife represent four generations on the property and that he would like to see the property preserved for his children and children to come. Mr. Hester went on to further state that he wants to see Meinhard stay the way it is because it is pretty much the only green spot left in Port Wentworth. He enjoys the peace and serenity on the property and would like this to remain. Other things can go in this area that are more community conducive, other than a warehouse. Lastly, Mr. Hester asked Mayor and Council to consider what will happen if the developer builds this warehouse and it is sold off to another company that does not maintain the property and then it is sold off to someone more to the community before they make a decision on rezoning.

16. ADJOURNMENT

There being no further business, Council Member Ed Hester made a motion to adjourn. Seconded by Council Member Shari D... Vote was unanimous.



Mayor Gary Norton

The foregoing minutes are true and correct and approved by me on this _____ day of _____, 2018.

ATTEST:

Shanta M. Scarboro, Clerk of Council