



February 28, 2019, City Council Regular Meeting

CITY GOVERNMENT

OFFICIAL PROCEEDINGS OF CITY COUNCIL

SAVANNAH, GEORGIA

PRESENT: Mayor Eddie W. DeLoach, Presiding

Aldermen Carol Bell, Julian Miller, Brian Foster, Bill Durrence, Van Johnson, II, Tony Thomas, John Hall and Estella E. Shabazz

Rob Hernandez, City Manager

Bret Bell, Assistant to the City Manager

Jennifer Herman, Interim City Attorney

William Shearouse, Assistant City Attorney

The regular meeting of Council was held on February 28, 2019 at 2:00 p.m. in the Council Chambers of City Hall. The pledge of allegiance was recited in unison followed by the invocation by Father Patrick O'Brien, Chaplain for the St. Patrick's Day Parade Committee.

Upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, unanimous approval was given and carried for the Mayor to sign an affidavit and resolution on Real Estate and Litigation for an Executive Session held today where no votes were taken.

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION.

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 28th day of February, 2019 the Council entered into a closed session for the purpose of discussing Real Estate and Litigation. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED: FEBRUARY 28, 2019 upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and unanimously carried.

Upon motion of Alderman Thomas, seconded by Alderwoman Bell, unanimous approval was given and carried for the Mayor Pro-Tem to sign an affidavit and resolution on Litigation for an Executive Session held on February 20, 2019 where no votes were taken.

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION.

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 20th day of February, 2019 the Council entered into a closed session for the purpose of discussing Litigation. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED: FEBRUARY 20, 2019 upon motion of Alderman Thomas, seconded by Alderwoman Bell, and unanimously carried.

Upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and carried the agenda was amended to add Item 42 Resolution in Opposition of HB-302 and SB-172; move Item and add Item 4b Presentation to Recognize Georgia Power.

APPROVAL OF MINUTES

[1. Motion to Approve the Summary/Final Minutes for the City Council Work Session and City Manager's Briefing of February 14, 2019](#)

[02.14.19 WS Minutes.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and unanimously carried.

[2. Motion to Approve the Summary/Final Minutes for the City Council Meeting of February 14, 2019](#)

[02.14.19 Minutes.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and unanimously carried.

[3. Motion to Approve the Summary/Final Minutes for the City Council Work Session of February 20, 2019](#)

Withdrawn per the request of the Acting Clerk of Council.

[4. Motion to Approve the Summary/Final Minutes for the Mayor's State of the City Address of February 19, 2019](#)

[StateoftheCity_2019-02-19.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and unanimously carried.

PRESENTATIONS

[5. Recognition of a \\$6,250 Donation by Bank OZK to the Savannah Affordable Housing Solutions Fund](#)

Lisa Tolliver and representatives of Bank OZK presented a donation to the Savannah Affordable Housing Solutions Fund. Ms. Tolliver stated they believe in building communities one relationship at a time and the Department of Housing is doing just that through this program by offering hardworking people the dream of home ownership. She said they wanted to say thank you and that they are proud to be part of the impact. Martin Fretty, Director of the City Housing Department, expressed his appreciation for all the participation by banks and other partners. He explained the Savannah Affordable Housing Solutions Fund is a locally designated fund created in 2012 that came about as federal funding, which comes with many regulations, continued to dwindle. This fund helps the City leverage money from the private sector.

[6. Recognition of a \\$2,500 Donation by the Community Housing Services Agency, Inc. to the Savannah Affordable Housing Solutions Fund](#)

Martin Fretty, Director of Housing, said the Savannah Affordable Housing Fund partnership could not take place without CHSA, and noted that this donation is coming from a private citizen with a request that it be used in the second district. Darrel Daise, with the Community Housing Services Agency, noted the donation is directed to the minor home repair program for the second district.

[7. Appearance by the Board of Keep Savannah Beautiful to Recognize them as a 2019 Recipient of the Governor's Circle Award](#)

Representatives from the City's Sanitation Department, including Carliss Bates, Gene Prevatt, and Q Andrews, along with members of the Keep Savannah Beautiful Board came forward to discuss their recent recognition by the Keep Georgia Beautiful organization. They were the recipients of a Governor's Circle Award for 2018 accomplishments, including a litter index survey. Board Chair LaToya Brannen thanked City Council for their support of the Board and announced the City Employee Service Day tomorrow, followed by the Great Savannah Litter Pickup on Saturday. Over 500 employees would be conducting cleanup at 33 different areas around the City on Friday, while 81 organizations are registered to participate on Saturday in a second cleanup day. Carliss Bates was also recognized by Council for her work with the Keep Savannah Beautiful Board.

[8. Presentation of the 2019 St. Patrick's Day Parade Permit to Members of the St. Patrick's Day Parade Committee by Mayor Eddie W. DeLoach](#)

[Exhibit 1: 2019 St. Patrick's Day Ceremonial Parade Permit.pdf](#)

The 2019 Saint Patrick's Day Parade Committee and Chairman, Lawrence "Bubba" Edgerly, Grand Marshal, Gerald Patrick Counihan, along with his aides appeared to officially request the 2019 Parade permit. Mayor DeLoach read and presented the permit to Mr. Counihan highlighting that the parade will kick off at 10:15 a.m. on Saturday, March 16 with 6,000 participants on foot, 300 units and 50 floats. Mr. Counihan thanked the Mayor and Council stating he is honored to lead the parade and will make the City proud.

Approved upon motion of Alderman Miller, seconded by Alderman Johnson, and unanimously carried.

ALCOHOLIC BEVERAGE LICENSE HEARINGS

[9. Motion to Approve a Class C Alcohol License for Rajendra A. Patel of Sai Octane located at 35 Whitaker Street \(Aldermanic District 2\)](#)

[Exhibit 1: Checklist - Sai Octane.pdf](#)

[Exhibit 2: Density Map - Sai Octane.pdf](#)

[Exhibit 3: Alcohol Documents - Sai Octane.pdf](#)

[Exhibit 4: Measurement Report - Sai Octane.pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

[10. Motion to Approve a Class C Alcohol License for Myong K. Heritage of Big Bon Bodega at 2011 Bull Street \(Aldermanic District 2\)](#)

[Exhibit 1: Checklist - Big Bon Bodega.pdf](#)

[Exhibit 2: Density Map - Big Bon Bodega.pdf](#)

[Exhibit 3: Alcohol Documents - Big Bon Bodega.pdf](#)

[Exhibit 4: Measurement Report - Big Bon Bodega.pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

[11. Motion to Approve a Class E Alcohol License for Myong K. Heritage of Big Bon Bodega at 2011 Bull Street \(Aldermanic District 2\)](#)

[Exhibit 1: Checklist - Big Bon Bodega.pdf](#)

[Exhibit 2: Density Map - Big Bon Bodega.pdf](#)

[Exhibit 3: Alcohol Documents - Big Bon Bodega.pdf](#)

[Exhibit 4: Measurement Report - Big Bon Bodega.pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

ZONING HEARING

[12. Motion to Amend the Zoning Ordinance Regarding Upper-story Residential as an Alternative to the Rezoning of 415 East Oglethorpe Avenue \(Petitioner: Planning Commission\)](#)

[Exhibit 1: Upper-story residential Draft Ordinance 18-003306-ZA](#)

[Exhibit 2: Withdrawal Letter - 415 East Oglethorpe.pdf](#)

Withdrawn per the petitioner's request.

[13. Motion to Deny the Rezoning Request of 415 East Oglethorpe Ave from RIP-C to B-C \(Petitioner: Harold Yellin for Bryson-Read, LLC\)](#)

[Exhibit 1: 415 E Oglethorpe Ave Rezoning Planning Commission Recommendation 18-002579-ZA](#)

[Exhibit 2: 415 E Oglethorpe Ave 2012 Deed Book 378M Pages 92-93](#)

[Exhibit 3: 415 E Oglethorpe Ave 2008 Plat Book 40P Page 95](#)

[Exhibit 4: 415 E Oglethorpe Ave 1984 Plat Book 6P Page 29A](#)

[Exhibit 5: Withdrawal Letter - 415 East Oglethorpe.pdf](#)

Withdrawn per the petitioner's request.

[14. Motion to Amend the Future Land Use Category for 703 Louisville Road \(Petitioner: MPC staff\)](#)

[Exhibit 1: Planning Commission Recommendation - 703 Louisville Rd \(with GDP\).pdf](#)

[Exhibit 2: Draft Ordinance - 703 Louisville Rd \(Future Land Use Map Category\).pdf](#)

Alderman Foster: Number 14 15 are related I wanted to make a comment before we started to update the community because it's been a lot of discussion as rightfully there should be. This particular property includes the Seaboard Railroad Building. It has changed hands since it was originally approved back in 2016 by this Council and the original plan included saving part of that Seaboard historic building. That did not go through and then it was sold to the current developer. When it came to MPC, it came out of MPC with some significant requirements that I think are good. But one of the things that it did not address was the demolition of the building. So, after that occurred at MPC we contacted the developer to express our concerns. To their credit within a very short period of time, we heard back from the developer through their local contacts Attorney John Northrop and Architect Pat Shay. We made it clear that Council really wanted to see that building preserved somehow into that development. To the credit of those folks they came back to us within a relatively short period of time with a new proposal

that included the primary Seaboard Office Building, and you're going to hear more about that after Marcus speaks. But the main point that I wanted to make was when we went and communicated with these folks and we expressed our concerns because it's such an important property, it's going to be the gateway to the Canal District and we understand that. We think that some changes needed to be made. They are coming back with a new proposal that I think is going to be positively received and I'll let them discuss that. But the bottom line is they believe they can move the Seaboard Building on the property and maintain it intact, not all the warehouses, but the primary building and it will be used and renovated as a major part of the gateway over there on Louisville Road. They've offered to do some other things as well. So, I want you to hear from them. We feel like they have listened and we have communicated as the City Council should do and I just wanted to set the stage before we hear from Marcus, thank you.

Marcus Lotson, Metropolitan Planning Commission: It may be appropriate at this time to allow the petitioner to go through their presentation, I wasn't sure if you wanted to do that.

John Northrop, Attorney for the petitioner: My name is John Northrop and I represent an entity named WEDP Fund One, LLC. I'm here with Pat Shay of Gunn, Meyerhoff, Shay Architects, also here today is Michael Roach, Engineer with Thomas and Hutton. If I may I'd like to give you a little background because as Alderman Foster indicated our plan has changed somewhat since we were in front of the MPC a little over two weeks ago. So, I'd like to take just a few minutes and kind of bring everybody up to speed so that you know exactly what we're asking for today and kind of how we got here and the new direction that we're going in. So, the property itself is really comprised of two parts. The original parcel which is an acre, 1.64 acres and sits, as you can see in this slide just off of Louisville Road and it's close to the Savannah Ogeechee Canal, but not immediately right on top of it. The second part of this property is a parcel that is 0.91 acres and it is actually between the current parcel and the Savannah Ogeechee Canal. The property currently contains a mix of woods and some concrete pads. The only building on the property is what was formerly the Seaboard Railroad Freight Depot that dates from 1929. I'll get back to the freight depot in just a minute. But I think it's worthwhile to supplement Alderman Foster's comments with a little bit of history here. As you know, this Council looked at this property a little over two years ago. It was November 2016. A previous developer named Indian Street, LLC which is not affiliated with WEDP. At that point it had the property under contract and it was ready to purchase the property. What it envisioned is a student housing development on the original property about 140 or so units. It had looked at that property and said that it thought it could fit 140 units on it. Part of that site plan which it submitted in connection with getting the property rezoned from heavy industrial to RIP-D, which is what it is now. That site plan envisioned a little over half of the building, which you can see in green on the left side of the current railroad depot building. It envisioned that half of the property, a little over half would be demolished and then the eastern portion would be preserved intact. So, unfortunately for reasons that I frankly don't know, Indian Street after it got its rezoning was unable to proceed with the project. The project fell apart for whatever reason. So, in October 2017, WEDP entered the picture and put the property under contract to purchase it from its then owner. Part of the thing that really was attractive about the property to both Indian Street and WEDP was the fact of its location and I have a slide that I'm trying to bring up to show its location. But basically this property sits smack dab in the middle of two very important parts of Savannah one being the Historic District which you can see kind of on the right side of the slide in green which is the western boundary of the Historic District and then between it and the Canal District which is highlighted in red, now that red portion is all property that's currently owned by the City of Savannah. There might be some more of the Canal District on private property, but for now that's what we're talking about. It extends as you can see all the way down to the Waterworks Building at the corner of Gwinnett and Stiles and then you've got what's the proposed Arena site just north of there. So, WEDP looked at this property and said that given the location, it really is a gateway and that's the reason they're calling it the gateway project. It's a gateway between the Historic District and the Canal District. Anybody that's walking from say the Visitor's Center to the new arena is probably going to walk right along Louisville Road and then probably down the canal. So, it's really very well positioned to be the gateway to this new emerging area of Savannah, given its location. WEDP really thought that the location demanded something that was a little bit grander than a mere student housing development. Nothing against student housing developments we certainly need them, but there are already a lot of them. There's one, in fact just to the north that's owned by SCAD. There's also one just to the south, also owned by SCAD. So, WEDP looked at this and said, you know, we really need to build something that's a little bit grander. So, what it has in mind is a multi-family market rate apartment complex that has a number of key features. The key features here as you can see here in this slide, this is the Sottiel and Sottiel conceptual map of the Canal District. One of the things that the property obviously has is its connectivity between the Canal District and the Historic District so that was one key aspect of it. Another was the fact that if somebody is driving, they're probably either going to go down Louisville or Gwinnett to get from the Historic District to the Canal District. So, we would envision that Louisville Road at some point will be beautified and enhance. So, it's going to go from what it currently is, which is just a two lane road to something that's a little bit more urban. The last thing that is a key feature of this property is embracing the Savannah Ogeechee Canal. The student housing project that was proposed by Indian Street really didn't embrace the canal. It left a kind of a sloping grassy area between the property and the canal and it didn't really embrace it. What WEDP has envisioned is that it really should be something that's not just treated as a drainage ditch, but actually as an attraction. So, that's one of the things that it looked at and you can see here in this slide what it envisioned was beautifying the canal and actually hardscaping it so that the canal is no longer just to kind of a grassy slope drainage ditch. It's actually something that if you've ever seen a picture of the Riverwalk in San Antonio, it's got hardscaped sides it's a huge tourist attraction in San Antonio and that's kind of the vision that WEDP was looking at. So, that was obviously a big point. I'm a big attribute of this design vision. The only problem that WEDP had was that obviously the 1.64 acre parcel doesn't extend all the way down to the canal bank. So, as you might recall back last fall, we came before Council with a development agreement that we have negotiated with the City over the past, probably about the past year. The terms of that development agreement, were basically that the City would declare the land between the original parcel and the canal as surplus and then sell that land to WEDP for its fair market value as determined by an appraiser. In return WEDP agreed to make a pretty substantial contribution of a minimum of \$1.5 million towards the hardscaping of the canal along the property. So, that's something that we would anticipate doing in connection

with the City to make sure that what we do with the canal is consistent with the City's vision for the canal, not just along our property, but as it extends southwards towards the new arena site. As you may recall, that development agreement was approved by this Council back in November. It was signed by the City Manager in December and we are currently under contract to purchase that property from the City. We anticipate it closing by no later than early April at this point. So, this is a rendering that Pat Shay's firm put together that shows kind of what we're envisioning in terms of the hardscape canal wall along the property. Now, obviously as Alderman Foster alluded to there's another big issue here and that is that the Seaboard Freight Depot Building is on the property. Let me tell you a little bit about that, the building itself is currently vacant and it has been for about, I think three or four years. It was originally constructed as I mentioned in 1929 it's a Brownfield. Likely from its years of use many years ago as a place where you had a lot of trains and trucks, you probably had those trains and trucks leaking from time to time, different chemicals into the soil so there are some issues there we're working through, but suffice it to say it's a Brownfield site. The property was bought by a group of local investors back in 1984 and when they bought the property at that point, it was really already fairly dilapidated. A lot of the original wooden platforms, a lot of the original features of the property had really already rotted through, it really was not in good shape. Those investors in the 80s decided to take the property and renovate it so that it can be a functional office or warehouse of some sort so they did that. They put in a number of improvements as you can see the picture on the bottom there, you can see that's one of the officers. They installed a lot of things that were much more modern, drop tile ceilings, dry wall throughout. So, it's a little different or a lot different than really its original concept. A lot of places, the original windows and doors, a lot of those were replaced with either poured concrete or concrete block. I don't want to get too into the details about the exact features. There's been a lot of debate back and forth about the issue of whether or not this building would be eligible for listing on what's called the National Register of Historic Places. Currently it is not listed on the national register. Whether it would be eligible or not is something that I'm not really going to go into in depth. Historic Savannah Foundation has hired its own consultant and it says that it is eligible. WEDP and its predecessor hired a different consultant Brockington & Associates who concluded that due to the fact that a lot of these changes had been made in the 80s, it is not eligible for listing. The point is whether or not it is or isn't eligible for listing on the national register really isn't that material here and the reason is that even if it were found to be eligible, that really just doesn't trigger any additional legal protection for this building. This building is not within the Historic District. If WEDP or any other owner wanted to it could go out tomorrow and get a demolition permit for the building. That is not the goal here. That's not something that this developer wants to do. I think that would be silly to be honest. But I think it's worth saying that even if it were eligible for listing that doesn't trigger anything. The only thing that really does is if it were found to be eligible for listing, you would need to make sure that any adverse effect to the building, including removal of the building would be sufficiently mitigated and that's an accordance with the National Historic Preservation Act. You need to coordinate that with the US Corps of Engineers and the State Historic Preservation Office of the Georgia DNR (SHIPPO). So, that's something that both WEDP and Indian Street before it have done. Obviously when I showed the slide with the previous site plan, Indian Street succeeded in getting the site plan approved by Council that contemplated removal of part of this building. It then went and it got a nationwide permit from the Corps it worked with the Corps and worked with SHIPPO concluded that as long as Indian Street took certain actions to mitigate the removal of half of the building that would be compliant. So, long story short is despite this, we went to the MPC and we heard a lot of the people get up and talked about the fact that they opposed the removal of the building. At that point we thought we would remove the whole thing. Since that time, the entire WEDP team, including especially Pat Shay has worked very hard as Alderman Foster mentioned to see if there was a way that we could preserve part of this building and do so in a way that was economically feasible. What we came up with is as Alderman Foster said, what we would like to do that's perfect is relocate what we call the Head House. That's the part that's historically been used as an office. It's about 50 by 50 or I think it's 46 by 46. So, it's about 2,500 square feet. It's historically been the part that's used as an office. It's the part that's the tallest of the building. So, it has the most architectural details of the gables, the parapets and the sign on the eastern facade. Pat has talked with a local contractor who has a lot of experience in moving these older buildings. So, we think that what we'd like to do is move it to the northeastern corner of the property. As you can see in the slide, it would be right on the corner of Louisville Road and the Savanna Ogeechee Canal and we think that would do a couple of things. First of all, it would obviously preserve that historic portion of the building. Second of all, it would take the building from its current position, which is about two and a half feet below the flood plain and raise it so that it's on secure foundations above the flood plain. In this low lying area that's certainly something that would help preserve it. Another thing is that we would use this as a leasing office to help lease the building while it's being constructed and once it is constructed. And lastly, it would allow Head House to really be kind of a, a defacto gateway into the Canal District. If you look at this rendering that Pat's firm did, it really shows a nice blend in our opinion of the old and the new and that's pretty consistent with what the Canal District is going to be. The Canal District is an area that has a history to it, but it's not an old area, it's a new area. It's a new area that's growing. I mean, I think that's seen in the fact that the Water Works building is being preserved, but just north of there, as you guys saw this morning in the Perkins + Will renderings, the arena design is going to be somewhat modern. It's not going to be all Savannah red brick. So, I think that this is something that's consistent with the vision of the Canal District and then helps the canal in the process. So, that's something that we're doing here. That's the new direction that we're going in. Obviously the last thing I'd like to say is that this developer is very committed to this project unlike Indian Street. Two years ago, Indian Street had put the property under contract and it was in the middle of its due diligence period so it hadn't yet closed on this. This developer has closed on the property, it's done due diligence, it looked at the property rights and saw that there was nothing that was legally protecting it from doing what it wanted to do. It purchased the property for about \$3 million in April of last year and is excited to be the first private developer in this area. So, it continues to spend money, but it needs before it continues to kind of push the process along it needs to have some reassurance that it actually is going to have a project and that's why we're here. So, what we're asking is that the combined property, which is the original 1.64 acres plus the 0.9 acres that it's acquiring from the City, we're going to combine that and we want to have the RIP-D zoning that the current property enjoys extended basically to the surplus piece and then have this general development plan that envisions relocating the Head House approved by City Council so that we can then come back and start finalizing some of our permitting and the canal design. So, I welcome any questions anybody has.

Mayor DeLoach: I just want to say, when everybody heard about what was taking place, of course my wife heard about what was taking place and she informed me at that time, that it might be some issues that she had. So, I called Pat, I said, Pat, I don't know what you've got to do here but you better figure out something because what we originally had intended and what we've got now is two different things. When that happened Pat said just let me take care of it. I'll get back to you after I talk to the folks and we'll come up with something and we'll get back to it and start putting it out there. So, that's what's taken place and that's where we are. I want to thank everybody who has sent cards in there's some beautiful designs on these cards. I don't know who drew some of them but there are really some spectacular work on some of them and there are some of them you don't want to read. But other than that it's been great and I think we have a direction to go in.

Pat Shay: I didn't realize it was Cynthia, so I would have been even quicker to get back to you about it had I known it was Cynthia. What we did was I actually got a text from a friend of mine in the meeting when we were in the MPC that said, you know, it would be possible to move the building and immediately I started thinking about how to do that. Before I came back to you and promised it we had been working for about two weeks on due diligence to make sure that, you know, it's a lot easier to say it than it is to do it. We're absolutely confident that we can move the building, raise it up out of the flood plain so that it will be insurable into the future and you know, give it another 50 to maybe 100 years of usable life. I would just make myself available for any technical questions or anything that you have on that. I think the site plan shows you where it's going to be located, but it'll be about 100 feet away from where it is existing and hard to the corner of Louisville Road and Boundary Street. So, it'll be the most highly visible and prominent thing that you'll see as you enter into the Canal District.

Alderman Johnson: Mr. Shay, I'm just curious the term Head House, how many properties constitute that depo on that site?

Mr. Shay: It's all on one property.

Alderman Johnson: Right, but how many structures?

Mr. Shay: It's one structure. What it is is the old freight depots that had the backend where the train shed was where you loaded and unloaded freight and then the front part was where you kept track of it all in the Head House, which was an office building historically and was repurposed as an office building but in a modern way more recently. That's the part that we're going to move.

Alderman Johnson: So, the relocation of the Head House is essentially about 20% of the structure itself?

Mr. Shay: I would say approximately that's right.

Alderman Johnson: In moving it, I mean we're talking about the majority of it, you know, having to go.

Mr. Shay: Right.

Alderman Johnson: I want to make sure the people are very clear about what we're talking about. Saving the structure meaning 20% essentially means most of the structure is going away.

Mr. Shay: The previously approved plan removed a little over half of it altogether and we are now reducing that from about half being preserved to about 20% being preserved.

Alderman Durrence: I don't have a question specifically question, I just wanted to make sure some folks were clear on the procedural part of this because a lot of the correspondence I've gotten chose a misunderstanding of the way this works. We've got a lot of people saying don't allow this building to be torn down and we don't have that prerogative. As Mr. Northrop pointed out that the owner could go out there tomorrow and get the permit to demolish that building. But what they're asking for here is not only a rezoning of that small strip to make it consistent with the rest of the property, but a site plan approval and this is the tool that we have to actually satisfy what everybody's asking for. If and when we approve this site plan, then this is what you have to do. So, that's the way that we can preserve this, at least this portion of the building. It's the site plan review that actually is the key part of this. Amen.

Mr. Lotson: Well, Mr. Mayor, just for the purposes of this discussion and we've had a lot of the history and the recent history zoning wise at his property, but just in terms of the Planning Commission recommendation that's before you, as Mr. Shay mentioned it is a rezoning as well as approval of a site plan via a particular section of the Zoning Ordinance that allows you to do that. So, what's before you is a recommendation for approval to rezone the properties from the current I-H zoning classification to RIP-D, in conjunction with the site plan. What's been shown here today, is a slight amendment from the previous plan based on the relocation of the portion of that structure. So, I just wanted to be clear about that and that is the Planning Commission's recommendations with the conditions that are outlined on the...

Mayor DeLoach: But that movement of that portion of the building is a key factor in making the quality of that building show at that time? Is that the idea?

Mr. Lotson: Well, I think that's the petitioners intent, yes sir.

Alderwoman Shabazz: Just some technical questions in reference to the district alderman comments on the amount of building that is somewhat proposed to be demolished. Do you have in your PowerPoint where you can show the difference of what's going to stay and what's being thought about being demolished?

Mr. Shay: Yes, I think it's one of the very first slides. Also while that slide is getting put up, I also want to let you know that RK Construction, the people that know how to move these buildings, we're also going to work with them to deconstruct rather than just scrape and demolish portions of the depot. The freight element toward the back and reuse those and incorporate those into the new construction as well but it's not going to be intact like it is. The Head House will actually be moved intact to the new part of the site. I think what you see up there is the area that's in green is the area that was previously approved to be demolished and then just the corner that's furthest to the right is where the boundary is between the existing Head House and the rest of the depot.

Alderwoman Shabazz: So, in the front is the existing point?

Mr. Shay: Basically it's a square that's about 46 feet wide, which is the width of the existing building and about the same depth.

Alderwoman Shabazz: And you're taking it up and moving it back to the green space.

Mr. Shay: No, we're actually going to move it to the corner where he's got the cursor held right now. We're going to pick it up and move it about 100 feet to the northeast corner of the property that is being acquired so that it's actually the most prominent thing on the site. Right now there are some photographs that are in here, you can barely see the building from the roundhouse. But when this is done, it's going to be the most prominent thing on the corner of that site.

Alderwoman Shabazz: Okay, and from the part that's the majority is going to be gone is that the existing back portion now?

Mr. Shay: That's right.

Alderman Foster: Yeah, the part that's being saved is 100% of that historic office building that has Seaboard on it. So, the part that has to go is the old terminals.

Alderwoman Shabazz: And this is the site and I just want to make it clear for our public, I know we are talking technical but visual will be good for them to see. The proposal is moving the existing structure up to the corner and having it upfront there.

Mr. Shay: Right, and two things that are very important to point out, right now because when this building was built, they didn't have the ability to look underground like we can today. They didn't know that there was a very soft layer of silt really that's underneath the site. The new building that's going to be built will be built on 70 foot deep pilings. So, the existing building, I'm not going to say that it's unsound, but it is on unstable foundations. When we move the building, we'll build a brand new foundation that's stable and it'll also be elevated to the point where unlike the existing depot, it will no longer be down lower than flood plain by two and a half feet. It will be up at the FEMA required flood elevation.

Alderman Miller: There's some people we need to thank on this. When Mr. Foster and the Mayor said, well, we went to the developer, they meant they and they got way ahead of us. I want to thank WEDP Pat Shay for the response we had there because you didn't have to do this. You could have torn it down and that's where we would have been but you didn't do that. Some developers kind of get a bad flavor thinking that they don't do that but they really do. That shows you really did care and I appreciate that. As I understand it, the Head House will be moved and restored, refurbished something, whatever somehow it will be used. It's actually going to be in a more prominent place and I feel good about that. I feel good about the drawings that I have seen. That said, you mentioned you need assurance and you, you deserve assurances because you've got a lot of money already invested in this thing and a lot more money coming before you put the first brick in and I understand that and I appreciate that. The public needs assurances to because too often we get in and we approve a plan based on drawings that we were given and then we find out after the building has been, that changes have been made and there was nothing really tying us to it. As I understand it, what we are asked to vote on today includes a site plan that includes all this information, all the moving and the saving and all the things. So, you're giving up a lot of freedom here and you had the freedom to tear it down. If we vote on this the way we're talking about we're now going to be obligated to do this. I think the public needs to know that. I think I'm getting assurances from you and I've got assurances from

staff, both Mr. Lotson and the City staff. I just want to make sure everyone understands that because this has been an important issue to a lot of people and again, I thank you for what you're doing.

Mr. Shay: We're not going to change our mind, but if for some reason we had to, we'd have to come back here and ask for your permission again.

Alderman Miller: That's what I wanted to get on the record.

Alderman Hall: I just want to say thank you again for considering and reconsidering what the plans were. But more importantly I want to thank all of our citizens who called and wrote emails asking us not to allow you to go ahead with the planned demolition of this structure and the vocal opposition to it. They were very vocal and I admired them for doing that. But thanks again to the citizens of this great City for recognizing the history and fighting to preserve and protect it.

Alderman Durrence: Just so we don't leave people with some misimpressions on some of this. Can you go to the Louisville Street elevation and explain the north side of Louisville.

Mr. Shay: The plan that was done here was done at an early phase and the part that's shown in the north side of Louisville Road is conjectural. That's what we hope someday, that Louisville Road, because part of our project is to make that section of Louisville Road into an urban street, a complete street and hopefully that'll be a complete street on both sides someday. You control that opportunity because that's also City land that's over there.

Alderman Durrence: I just wanted everybody to be clear that's not part of that.

Mr. Shay: That's not a part of this project.

Alderman Durrence: The street level view that's included in that as well?

Mr. Shay: Exactly, we did that just so you can see what the future might look like.

Alderman Durrence: That left side is not part of this project.

Mr. Shay: That's correct. We'd be happy to make it part of the project if you'd like.

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried.

Alderman Foster: the motion to close these will include adding MPC requirements.

Alderman Thomas: I listened to Mr. Shay and Mr. Northrop and everyone else in their comments. My question is this development lies within the First District and I heard that there were meetings that were going on with the developer. Was the district Alderman informed about those meetings and if so, why not?

Alderman Johnson: The answer would be no.

Mayor DeLoach: Are we talking about my meetings?

Alderman Thomas: I guess I heard Mr. Foster's name injected.

Mayor DeLoach: I had a meeting my wife got wound up and...

Alderman Thomas: I understand what you said, and I understand you have to respond to your wife. But when we have these developments that lie within districts, typically how it's been for all of the years that I've been here is that you are inclusive of the district Alderman where it's happening. I guess. Mr. Northrop for you, you were reaching out to a lot of other members of Council. Why didn't you reach out to the District Alderman?

Mayor DeLoach: I never met this gentleman, I'm just making sure you understand. I've never met the gentleman before but I never had a call from Van about a meeting either. So, let's make sure we're clear on that.

Alderman Thomas: I want to find out from Mr. Northrop, did he try to reach Mr. Johnson.

Mr. Northrop: Personally, I did not reach out to Alderman Johnson. I think Pat Shay had reached out to him I believe, I'm not sure exactly what the timing was, but it was certainly before we got to this point. I think after we had looked at what we were trying to do with the MPC and after we had gotten some of these concerns, we, Mr. Shay mentioned it took us a little bit of time to make sure we could actually deliver what we thought we could. As soon as we got to that point, which wasn't more than a few days ago that was when Mr. Shay reached out to not only Alderman Johnson, but I think to all of the Aldermen to say, here's our new plan. If anybody wants any more briefings, please let me know.

Alderman Thomas: Well there's been an outpouring of community outreach about saving this building. I've heard from a lot of different individuals myself. But I'm just curious when I hear when I'm sitting on this body and I'm hearing about all of the different Aldermen that are involved and talking with someone about a project that's in a district and the district Alderman has not been involved in that I have to question that. I don't think that that's proper protocol and I just wonder, I guess from Mr. Shay if you'd come to the podium please.

Alderman Johnson: For the record, Mr. Shay reached out to me on the 26th indicating...

Alderwoman Bell: While he's coming...

Mayor DeLoach: I'm just curious, I didn't get a call from you when he did.

Alderman Johnson: No, he sent me an email.

Mayor DeLoach: He sent you an email, well I still never heard anything from you but that's okay, I understand?

Alderman Thomas: Hey Pat, you've been in this before, you've been an elected official, so you know how districts operate and all. You know that when there is a project in a geographic district that you represent that the proper protocol is to reach out to the person that's in that district typically. I just heard from Alderman Johnson that you reached out on the 26th, but you were reaching out to other people regarding the project. Is there a reason why we waited until the 26th to reach out to him?

Mr. Shay: I attempted to reach every single one of you as soon as I knew that I could actually deliver on this promise. I was not able to reach every single one of you. I tried different methods that I was advised of. Finally, when I knew that we were going to go live with it, I sent it out through the only way that I knew that would get through to you for sure and that was through email. If it feels like a slight I apologize. But I certainly did not want to reach out to anyone and make promises until I knew I knew we could keep them.

Alderman Thomas: I'm just trying to clarify for the record all voices that the protocol is the district Alderman in a project like this, should be a part of that because that person is the direct link to the individuals that he represents in that district, then you have the at larges, and of course the Mayor.

Alderwoman Bell: And that's exactly what I wanted to respond to please don't neglect to realize that the At Large Aldermen and the Mayor represent all the districts.

Alderman Thomas: First of all, I've been here for 20 years I understand how this works, but I also understand that it just seems to be that there was a lot of people that were being reached about this project that the district Alderman didn't seem to know anything about. So, I wanted to put that into the record. Thank you, sir.

[Alderman Foster made a motion to approve the item it was seconded by Alderman Miller. Alderman Thomas requested more discussion.]

Alderman Thomas: Now, on number 14, we are amending the future land use category to do what exactly?

Alderman Foster: That's to make it compatible, that's that strip.

Alderman Thomas: I just want to know are we coming back with a site specific plan or what's coming back from this?

Mr. Lotson: To answer your question Alderman Thomas regarding number 14, the intent of that is to align the future land use map with this proposed rezoning to change the designation from parks and recreation to downtown expansion. That's what this action would do. The second action if you approve it will be approving the zoning along with the general development plan. The specific development plan as it's outlined in the ordinance will come back to the staff for review to ensure that it's in compliance with what you've approved.

[Vote: Mayor DeLoach, Aldermen Bell, Foster, Miller, Durrence and Hall voted in favor of the motion. Aldermen Johnson, Thomas and Shabazz voted against the motion.]

Upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried the hearing for Items 14 and 15 was reopened to allow public comment.

Heather Gordon, Savannah Tree Foundation: Despite there having been a vote I appreciate y'all giving me the opportunity to be heard. When talking about that Louisville Road project to highlight the notes that the City's Greenscape Department wrote regarding the general development plan as were found in the MPC packet. The general plan does not account for the obligations of the City's Tree Lawn Ordinance or Tree Ordinance. These ordinances include a green space requirement, tree planting requirement and tree lawn requirement. If the requested plan is approved, it opens the door for there to be more requests for those requirements to be waived. In fact, the general development plan includes an assumption that the requirements will be waived. We find it imperative that the ordinances be supported. Design plans for any project should include the requirements that have already been adopted and not be able to assume a waiver down the road. Allowing for these plans works against the City's obligations to plan for trees now and for the future and risk setting a dangerous precedence there.

Mayor DeLoach: Y'all may understand, but I don't, I'm lost with what you just came back to me about. Are you looking at this based on what we passed up here with items 14 and 15 and saying hey, time out, we need to make sure our stuff is exactly right so that we take care of the trees that we have in place or future plantings.?

Ms. Gordon: So, with the zoning request and the general site development plan it doesn't indicate the 20% greenspace that the ordinance requires, a change in zoning could trigger an opportunity to do away with tree lawn requirements and other things that are intended through these ordinances and plans.

Mayor DeLoach: I understand, thank you for making it clear to me. I appreciate your effort.

City Manager Hernandez: So, Mr. Mayor, if I just may add something when you adopted the approval of that particular item that also includes the conditions that were spelled out by staff and the MPC in the agenda report. One of the conditions is that the property must meet the 20% greenspace requirement.

Ms. Gordon: We just want to be clear that when decisions are made to change zoning or change requirements that it does have those bigger implications on the existing ordinances.

Mayor DeLoach: Do we pick that up Mr. Lotson whenever we do this, we're good there?

Mr. Lotson: Yes.

Alderman Miller: So, you're comfortable now with the 20%?

Ms. Gordon: If it's going to adhere to the ordinances across all of those factors then yes.

Jen Herman, Interim City Attorney: Mr. Mayor, do you want to ask if there's anyone else and then if not you need to reclose the hearing.

Hearing closed upon motion of Alderman Miller, seconded by Alderman Foster, and unanimously carried.

[15. Motion to Rezone 703 Louisville Road from P-RIP-D with a GDP and I-H to P-RIP-D with a GDP \(Petitioner: WEDP Fund I, LLC\)](#)

[Exhibit 1: Planning Commission Recommendation - 703 Louisville Rd \(Rezoning with GDP\).pdf](#)

[Exhibit 2: General Development Plan \(GDP\) - 703 Louisville Rd.pdf](#)

[Exhibit 3: Draft Ordinance - 703 Louisville Rd \(Rezoning with GDP\).pdf](#)

[Exhibit 4: Development Agreement - 703 Louisville Rd \(WEDP-FUND I, LLC\).pdf](#)

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried.

[Alderman Foster made a motion to approve the item with the additional plan that was presented today as one of the additional requirements it was seconded by Alderman Miller. Alderman Thomas requested more discussion.]

Alderman Thomas: With the motion that was just made by Alderman Foster, if I understand correctly there's a site plan that will accompany this change of the zoning. If this developer in any way changes that plan, if this developer does not fulfill that plan, would this be a permanent change to the zoning for someone else to come down the road or for this developer to change the plan on this piece of property?

Mr. Lotson: I think the clearest way to answer that Alderman Thomas is that if this zoning is approved and conjunction with the site plan, then both the zoning and the approved plan become the allowed use for that property as approved similarly to what was approved in 2016. That plan was still attached to the zoning or is still attached today to the zoning until a change is made.

Alderman Thomas: But is it changeable?

Mr. Lotson: It is changeable however any applicant would have to come back through the zoning process and bring it back before the Mayor and Aldermen.

Alderman Thomas: I'm just putting that into the record because I want to make sure that people understand what's happening here.

[Vote: Mayor DeLoach, Aldermen Bell, Foster, Miller, Durrence and Hall voted in favor of the motion. Aldermen Johnson, Thomas and Shabazz voted against the motion.]

Alderman Johnson: I just want to make a quick point and I hope the Council will follow up with this. I think that we have to get the City Manager to the point where we don't have to go through this every single time we're looking, I think we need a process if not, we'll be going through this every single time. I mean, how do we address this in a bigger scheme of things? I'm sure it's probably on your radar, but I think it's something we have to really look at as we talk about future plans.

[Mayor DeLoach asked Alderman Johnson to repeat his comment.]

Alderman Johnson: I'm saying that this situation has occurred if we don't have some planning but secondly some process. We could essentially do this every single time there is a similar type of situation and I want to make sure that we're very clear as a City government, how do we handle these types of situations with at least some consistency. It's not a today answer, but I think that it's more theoretical than anything else. There are properties that fall, not in the Historic District but just outside, but yet they are historical. How do we address this? You know, coming up because we'll have these situations happening time and time again.

City Manager Hernandez: That's a good question that I can't answer for you right now.

Alderman Johnson: Right, but I mean I think we need to start thinking like that.

Alderwoman Bell: I would ask Alderman Johnson for something of this significance, would not we want to address it each and every time. I don't know that I would want to global kind of...

Alderman Johnson: Not necessarily global, but I think we have to...

Mayor Johnson: Here's what we did earlier we actually formed a group and I said it in the State of the City. We actually formed a group earlier on along with the National Park Service and I said to take that group and extend their parameters out of the Downtown into the areas outside of the City and let them pick up that and let them determine what's the most important buildings out there. I think the Historical Society and us and our staff along with the ones that were at that meeting, we've had already that they could easily be given the task of say...

this is a building that we consider important here in the City of Savannah and let them decide it. I mean that's the same thing and we've already started that process. So, I would think it would be something we can move forward on.

Alderman Johnson: I don't think it's a bad idea. I just think whatever it is, it needs to be on the City Manager's radar and our staff's radar as well.

City Manager Hernandez: So, the Mayor is on the right track and that is to look at the entire City and identify if there are structures out there that could be considered historical. Now you have another mechanism by which you protect these kinds of properties and that is you've adopted either Conservation Districts or Historic Districts that provide structures. In fact, you have two items following this on the agenda that is designed to do something very similar to what you are suggesting.

Alderman Thomas: I want to applaud that part of the Mayor's State of the City address because I think it is important. You know there's a history lesson in what we just did. When you chop 80% off of a building and say you're preserving history, I have to question that. We've changed that building and what we've done now we're going to move it according to this plan. The first part of it I guess what was the Head House, but 80% of that building has changed from what it originally was. So, the true historic part of that building is not the same. The citizens have a lesson here too, it's interesting how people look at history in the downtown area versus other parts of the community. Just last year we tore down the 1906 schoolhouse on White Bluff Road, a historic building, a building that had been identified historically. We tore that building down, but we'll allow an 80% modification to a building and still call it historic. So, the problem that I have here is there's a hypocrisy that exists in what the history truly is. I agree with the Mayor we have to slide the history. In fact, last Friday we were at an event on the southside where we are uncovering history that has been lost due to things just like this. But when we tear a building down in one part of the City and choose not to look at it as historic but then fight so adamantly over a building that we take 80% of it off and still claim it's a historic building that's a problem and that an issue that we have to resolve. I think that this is going to be a learning lesson for a lot of us up here and with the staff. But I just think that in the future whenever we do these rezoning's and these votes that we have to have a very clear understanding of what they're going to do. If there's a historic structure on that property.

Alderman Foster: I wanted to thank Daniel Carey, President and CEO of Historic Savannah Foundation who has been involved in this process. We received a letter from him today stating that the new plans are more in keeping with Savannah's rich railroad and canal history and that is not unreasonable for Savannahians to expect this from developers and that we should not accept anything less and has offered to work with the City through Historic Savannah Foundation on future projects like this. I thank him for that opportunity and support.

16. Motion to Amend the Zoning Ordinance Regarding the Creation of a Conservation Overlay District for Daffin Park and Parkside (Petitioner: Parkside Neighborhood Association)

[Exhibit 1: Daffin Park-Parkside Conservation Overlay District Recommended Boundaries.pdf](#)

[Exhibit 2: Draft Ordinance - Daffin Park - Parkside Conservation Overlay District.pdf](#)

[Exhibit 3: Historic District Metadata - Daffin Park - Parkside Place.pdf](#)

[Exhibit 4: Historic District Application 1999 - Daffin Park - Parkside Place.pdf](#)

[Exhibit 5: Historic District Photos - Daffin Park - Parkside Place.pdf](#)

[Exhibit 6: Planning Commission Recommendation - Daffin Park - Parkside Conservation Overlay District.pdf](#)

City Manager Hernandez: Actually Mr. Mayor, items 16 and 17 are related.

Marcus Lotson, Metropolitan Planning Commission: Mr. Mayor, just quickly, the Parkside Neighborhood initiated this proposal to create a Conservation District for the neighborhood and for the park. We recently did this with Ardsley Park and added it to the zoning ordinance. So, what's before you today is the creation of the conservation overlay, which addresses a demolition of structures only. It is not a full historic district like you have in the Landmark District that addresses other design issues, but it does address the demolition. So, before you today is both the amendment of the text to add this to the zoning ordinance to Article Q and the map to establish the boundaries of the overlay.

Mayor DeLoach: I want to make sure based on the comments from the attorney, is there anybody that particularly wanted to speak on that last one that didn't get an opportunity to? If there are I would like for them to have that opportunity.

[City Manager Hernandez recommended finishing this item before reopening the hearing for the previous items]

Alderman Miller: Mr. Mayor we're familiar with this type of overlay. It is, I think, identical to the one that Ardsley Park recently did and I was supportive of that and I am supportive of this one. I think it's similar to other overlay districts and I intend to vote for it. However, I have been contacted recently as the representative of that district by people who are not aware of all that is going on here? I'm not quite sure why they're not because as I understand the letter was sent to every property owner.

Mr. Lotson: That's correct.

Alderman Miller: But I also understand the letter that was sent advised that an overlay district was being considered but it didn't discuss the ramifications of that overlay district. Questions have come to me from people who said, we haven't been involved in this. Again, I think it's a good thing. I think we need to go ahead and pass it at some point, but I think those residents do deserve a chance to learn more about it. So, I'm going to ask that we delay this for four weeks and asked the City to send more detailed information out so that nobody can come back later and say, well, I didn't know about it.

City Manager Hernandez: Just a point of clarification. Do you want the City to do that or the MPC to do that?

Alderman Miller: The appropriate body. I think you now have somebody who wants to talk.

City Manager Hernandez: So, the motion is to continue it for thirty days?

Alderman Miller: yes, to continue it for thirty days and for every property owner to again be sent correspondence explaining what we're doing so that nobody can come back later and say, well, I didn't get a chance to vote because that's what I'm starting to hear now.

Mayor DeLoach: Well the deal is if you speak now, you won't be able to speak later that's the problem. So, if I were you I would hold my power and use it whenever it comes up again. I don't see anything that's going to be different about this other than somebody that wants to know about it, apparently did not get information and we want to make sure everybody has an opportunity. So, you can educate them some more at the next meeting or something. I know what you're saying I'm just telling you what we got from people that were concerned and we need to make sure everybody's heard.

Alderman Miller: I going to say more than one and I will agree with it you've done an awful lot of work but still I'm hearing from saying I wasn't involved in that.

Mayor DeLoach: Let's just set it up for two meetings from now whatever that is.

City Manager Hernandez: We'll set it up for March 28th for this item to reappear on the agenda.

Alderman Johnson: Is there some value or something that is being loss by doing it now as opposed to doing it later? I mean, you look very frustrated. Sure. So that was kind of wanting to know, you know, something significant change.

Rob Hessler, Co-chair of the Parkside Neighborhood Association: I'll just kind of go through all of the things that we've done here. I think that we've given people plenty of notice. We presented the text to be adopted at our Parkside Neighborhood Association meeting on May 29, 2018 this was over six months ago asking residents if they would like us to investigate the matter. We took a vote and all those in attendance unanimously supported it. We formed a special committee, comprised of Parkside residents familiar with the conservation issues to advise the neighborhood on the issue this included Historical Preservationists, Robin Williams and Connie Pinkerton, Stuart Dorman of Dorman Construction, and Preservation and Archeologist Laura Seifert. The group voted unanimously to support the proposed text. We made copies of the proposed ordinance available at every single monthly PNA meeting from May, 2018 through November, 2018. For six consecutive months we had the entire text available for people to look at and online via Parkside open chat and on the Nextdoor app and made ourselves available to answer questions or concerns regarding the language and or adoption of the texts. We gave a phone number and email address. We received one phone call with any questions. That phone number and email address was on the neighborhood flier that was passed out to every single house in our entire neighborhood for six consecutive months. We received one phone call which we were able to resolve over the phone. We advertised the possibility of adopting the ordinance on Parkside Neighborhood flyers as I mentioned. We presented the text to be adopted a second time at our Parkside Neighborhood Association meeting on September 25, 2018 asking residents if they would like us to go forward with the application. We took a vote of all those in attendance and was unanimously supported again. After resident approval we independently raised the money above and beyond normal Parkside Neighborhood Association, yearly dues to pay for the application cost associated with the adoption of the ordinance, so that we didn't take any money out of the Parkside Neighborhood Association fund that people had donated to. So, as I stated I believe that we went well above and beyond and spent over six months going to every single resident in the neighborhood who received notification six times minimum over the course of this time. So, that's why I'm saying to come back in a month, we've been sitting here for three hours waiting to present this. You're asking us to come back I'm taking off

work right now to come back here when we've done all this work. I feel like we deserve a vote today and I believe that vote should be approval.

Alderwoman Bell: I heard that the presentations were made monthly at the neighborhood association meeting, but never did you go door to door and with a flyer, you did?

Mr. Hessler: No, we did. We went to the door to door with a flyer for six consecutive months. We put a flyer on every single door for six consecutive months that had indication of the conservation ordinance on it, links so people could come and take a look at what's on the Conservation Ordinance, a phone number to call us, an email that they could email us to let us know if they had any questions or concerns.

Mayor DeLoach: What we'll this next month because a motion is on the floor to delay and get information in front of somebody. The City will mail to each individual household.

Mr. Hessler: That also happened.

Mayor DeLoach: Okay, listen this is what I'm suggesting we do just to make everybody happy...

Mr. Hessler: Make everybody happy... there are a lot of people that worked very hard on this.

Mayor DeLoach: Okay, what I'm saying is, we'll mail it out you won't have the expenditures. We'll mail it out and we'll vote on it two meetings from now. But we'll take it upon ourselves instead of y'all having to go out and do that we will take it and do it. Then in two meetings we'll vote on it.

Alderman Miller: In clarification, I think it's a good thing. But we have been asked for consideration with information and usually when we have that kind of request, we usually grant it. That way nobody can come back later and say you didn't share that information with me; I never got that; I don't go to the meetings; I don't know about those things. We have to clear those things up. Again, in four weeks I have every intention of voting for it, but people have a right to know what we're doing.

Mr. Hessler: With all due respect I've been on the other side of this before where we have continuously fought against things at the MPC and the Zoning Board of Appeals and we have won, they have been denied. Then we come here a developer has presented what they have. They've had to state it one time and you have voted in favor of those developments. You haven't asked them to come back when I came up here and said that I was opposed to something. So, I'd like the same respect as an individual resident of the City.

Alderman Hall: Mayor and Council, I'd like to, if it's agreeable to Alderman Miller offer a friendly amendment to continue this until the next scheduled meeting which is two weeks from now as a compromise.

Alderman Miller: I'll accept that. Is that enough time Rob, to get the information out?

City Manager Hernandez: I think two weeks is somewhat problematic for us to ensure that we do a mailer and have enough time to meet with the community group in time so we can make the next agenda. That basically only gives us a week because by the time next Friday rolls around, we're already establishing the agenda.

Mayor DeLoach: It has to be two meetings, but in the meantime, we can have our staff available at the next Parkside meeting and answer any of the questions that anybody that lives in Parkside has concerning if they have an issue. But it's the same thing that they have at Ardsley, I don't see any difference in it, but that's here nor there.

Alderman Miller: I said four weeks because I was advised that it would take us that long to do it. John said, can we do it in two weeks but the City Manager said that's problematic for him.

Alderwoman Bell: When is the next Parkside meeting?

Mr. Hessler: We meet the Tuesday before that meeting.

Alderman Thomas: How does it make the agenda if we have the resident that's standing here telling us since May 29, 2018 they've been working on this? Somebody had to know something about it because it's on our agenda today and all of a sudden we can't take a vote on it.

Mayor DeLoach: It's the same reason whenever you come up with your issue of I didn't know about it and we say, okay, we'll give you two more weeks and we'll come back. That's the same thing it's not any different Tony. If you asked for that, I'd do that out of respect for you. This is these folks, whoever it is, I don't know who they are, asked because they didn't understand and they asked for time. That's all I'm doing.

Alderman Thomas: Who didn't know?

Alderwoman Bell: How many people?

Alderman Miller: More than two.

Alderman Thomas: I'm listening to a citizen here that said they'd been working on something since May 29, 2018 and I'm trying to understand. I'm not taking sides here right now if that's what y'all are concerned about, but I want to know why I have a citizen standing at the podium saying, and I agree with him it takes time. They've been sitting here for three hours while we took pictures and talked and everything else and debated about the last issues, and all of a sudden they're either going to have to come back or whatever. I just don't know how it would make it all the way to the agenda and I guess this guy is on the board.

Alderman Miller: He's co-chair.

Alderman Thomas: He's co-chair and he's up here representing that board and that body and they said that they've covered all of this and I'm listening to Alderman Miller and I'm still confused. Do you want two weeks or four weeks or what?

Alderman Miller: Well, staff says they need four weeks. To answer your question, we actually got a copy of the letter that was sent by the MPC to every property owner. It advises that the overlay is going to be voted on, but it doesn't get into the details of what the overlay does. Questions have come to me from people and you got a great neighborhood association there. They have 30 or 40 people who show up at a meeting, which is big for a neighborhood association for most of my neighborhood association meetings, that's big, but that is a small segment of the neighborhood itself. Members of the neighborhood have asked me what's going on with this and it was recently and I didn't have time to really get into it. So, what we have always done in the past, we do it with a lot of alcohol ordinances. Okay, you didn't understand, we will delay it one more time and we'll get the information to you. That way nobody can come back and say, well, we asked you for more clarification and you didn't get it to us. And I want to be respectful of Mr. Hessler, but I also have to be respectful of the other people too. That's just the kind of thing we always do.

Continued to the meeting of March 28, 2019, upon motion of Alderman Miller, seconded by Alderman Foster and carried with the following voting in favor: Mayor DeLoach, Aldermen Miller, Foster, Durrence and Hall. Aldermen Bell, Johnson, Thomas and Shabazz voted against the motion.

[17. Motion to Amend the Zoning Map to Designate Daffin Park and Parkside as a Conservation Overlay District \(Petitioner: Parkside Neighborhood Association\)](#)

[Exhibit 1: Planning Commission Recommendation - Daffin Park - Parkside Conservation Overlay District Map.pdf](#)

[Exhibit 2: District Recommended Boundaries - Daffin Park - Parkside Conservation Overlay](#)

[Exhibit 3: Draft Ordinance - Daffin Park - Parkside Conservation Overlay District \(w/ Map\).pdf](#)

Continued to the meeting of March 28, 2019.

[18. Motion to Deny the Request to Amend the Zoning Ordinance Regarding the Historic District Height Map \(Petitioner: River Street Hotel LLC, dba HOS Management\)](#)

[Exhibit 1: Planning Commission Recommendation - Historic District Height Map Text Amendment.pdf](#)

[Exhibit 2: Photos and Map - Historic District Height Map Text Amendment.pdf](#)

Marcus Lotson, Metropolitan Planning Commission: Mr. Mayor, members of Council, this item is a text amendment and the petitioner is proposing to amend the zoning ordinance specifically regarding the Historic District height map which is a part of the zoning ordinance and is found in section 8-3030. They are proposing to amend the map for certain properties located at 114 West Bay Street and 126 West Bay Street. The area in which the height map is proposed to be amended includes two parcels that are currently developed with contributing buildings originally constructed in the mid-19th century. The western most of those properties, which is 126 West Bay Street is the existing Cotton Sail Hotel. Recently, prior to the changing of the way in which you can address changes to the height map the Cotton Sail Hotel was granted a variance by the Zoning Board of Appeals to increase from two stories to three stories. With that and with an overall redesign and redevelopment of that hotel and in Factor's Walk in front of it they included sort of an indoor/outdoor deck above the existing Cotton Sail Hotel. They've also acquired the building immediately adjacent to the Cotton Sail Hotel between the Cotton Sail and the Bohemian and are now requesting that the height map be amended to three stories across both of those buildings. In review of the request by the applicant staff found that it is improper in this case to recommend approval of a change to the height map. As you all know we've had a lot of discussion recently about our historic buildings in the City of Savannah. We've had issues regarding the National Park Services recent findings, and one of the key ingredients in visual compatibility as it relates to historic buildings is height. Changing the height map as I mentioned previously, the rules recently changed with that. This Council voted recently to no longer allow the height map be amended through the variance process, meaning going before the Zoning Board of Appeals. So, now the only way in which it can be changed is through the text amendment process by coming before this body. The Planning Commission is recommending denial of the proposed request to amend the height map and I'll be happy to answer any questions regarding specifics.

Mayor DeLoach: Maybe I'm missing it what do you want to do?

Mr. Lotson: The request really is to amend the map. Let me back up a little bit, the Historic District height map within the zoning ordinance identifies the allowed height for every building, within the Landmark District.

Mayor DeLoach: I want to go back to where you said they were granted a variance.

Mr. Lotson: Yes.

Mayor DeLoach: So, this was the key to this thing if I got a variance here, what causes me not to do a variance next to it or down the street or whatever. So, tell me about this variance. Why would we grant a variance to what, what place?

Mr. Lotson: The Cotton Sail Hotel.

Mayor DeLoach: So, we granted a variance...

Mr. Lotson: The Zoning Board of Appeals did.

Mayor DeLoach: It was okay for them to do what they did right and it's done and it's built right?

Mr. Lotson: Yes.

Mayor DeLoach: I mean I've been over there out to eat and everything so, we know it's there. Everything's done now what's the question?

Mr. Lotson: Now the question is the applicant is now requesting to change the height map on the adjacent building to the existing Cotton Sail Hotel to allow a third floor. It's currently two story.

Mayor DeLoach: Are they buying Finnegan's or something like that?

Mr. Lotson: Yes sir.

Mayor DeLoach: Okay so they're buying Finnegan's and they want to raise it up too?

Mr. Lotson: That's right.

Neil Dawson, Attorney for petitioner: As Marcus stated my clients bought the Cotton Sail back in 2005. If you remember when it was the Ryan Building, it had a big concrete pavement out front where they parked cars right up onto the street. Part of the rationale when that ZBA

approved the amended the height variance was that we made substantial improvements to the public right of way by restoring Factors Walk, doing lots of stonework, restoring I think two bridges across Factors Walk and recreating that at private expense. My clients bought the Finnegan's Liquor Store probably four years ago and that had a long-term lease that's just now coming out. In that time the ordinance has been amended and changed numerous times. So, instead of going to ZBA for a variance on height, the statute now says that we have to come to this Council and request a map change. There are only three parcels in this block that's indicated for two stories, the Cotton Sail is of course three, the Bohemian is six and Finnegan's Liquor Store is two. So, my client is requesting this map amendment so that we can extend the rooftop addition that's on Cotton Sail to the Finnegan's, restore that building, remove the parking that's out front, and restore Factors Walk in a similar fashion. So, the argument that we'd like to make is that we're investing significant money in restoring Factors Walk to more of its original appearance rather than concrete parking area. Thank you.

Alderman Miller: Mr. Lotson, I think I heard you say that we're not so much against changing the height, but we're concerned about using this method to do it. There are other ways to do it. Did I misunderstand you?

Mr. Lotson: I think so, but let me try to explain just for clarity. The Planning Commission's recommendation is to deny the requested amendment to the map.

Mayor DeLoach: Are they appealing to us because they were denied, is that it?

Mr. Lotson: No sir, they were not denied. The only path to changing the map under the current regulations is to come before the Mayor and Council. Previously when they were in the process of renovating the existing Cotton Sail Hotel, those rules were different. The rules then were that you go before the Zoning Board of Appeals, they did that, and in conjunction with that review they were granted that variance through that process. Subsequently this body changed the rules so that if someone wanted to amend the map, considering the sensitivity of height in the Historic District, they should come before to Mayor and Alderman. So, that's kind of where we are now. Relative to the proposed extension of the height, the Planning Commission is recommending that denial and feel very strongly that non historic additions on rooftops are problematic. The existing structure admittedly is not very visible from the right of way but this change would allow a third story regardless, I say regardless of the design, but of course it would still have to go through the review process. But you would be allowing a third floor, in this case, a non-historic addition onto a historic building.

Alderman Miller: So, it's not just the method that we're doing it. The MPC felt that it was not good for the community for us to add that floor.

Mr. Lotson: Yes, sir.

Mayor DeLoach: So, MPC okayed it or whoever appeals or whatever that group is that's appointed on a historic building, which the Cotton Sail was a historic building, they okayed adding a third story to it is that correct?

Mr. Lotson: Yes sir.

Mayor DeLoach: So, next door to this building that you're talking about we allowed a historic building to have a third floor added to it but now we feel like that's questionable because of the issue of the National Park Service.

Mr. Lotson: I think that's part of the reasoning.

Mayor DeLoach: What if you instead of and I don't know if that makes a difference. My concern is I don't think we need another bar up on top of a roof right there, you know? That's a big deal now so everybody's got a roof bar. But my concern is I would like to see the historic look of Finnegan's to stay the same even if you added that third floor to it to create the same look, it just would have another floor. Does that mess up with the Park Association? That's my deal, I like the way Finnegan's look. I mean, I just liked the way it looks.

Mr. Lotson: I will say per the Historic District Ordinance any changes that are visible from the right of way of an existing historic building will have to go through the Certificate of Appropriateness process and be reviewed by the Preservation Officer and possibly the Historic District Board of Review.

Mayor DeLoach: Okay, can I ask Daniel this is your job. Tell me about this. What's your thoughts? So, we have a historic building we want to add to it give me your thoughts.

Daniel Carey, Historic Savannah Foundation: We agree with MPCs recommendation. We spoke at the meeting, we agree with staff and the Commission itself that this would not be appropriate. I don't think we need to go much beyond that. I think that's the issue.

Mayor DeLoach: If that's where we are I don't want to rock the boat with the National Park Service. Neil, do you have anything to add to that?

Mr. Dawson: I will just say we did get a preservation award from Historic Savannah on the Cotton Sail.

Hearing closed upon motion of Alderman Durrence, seconded by Alderwoman Bell, and unanimously carried.

Upon motion of Alderman Durrence, seconded by Alderman Foster, and unanimously carried the recommendation to deny was approved.

[19. Motion to Rezone 317 and 323 East Broughton Street from the RIP-A to BC-1 \(Petitioner: Rob Brannen for Davenport House Endowment Fund \(D.H.E.F.\), Lisa Van Dusen, William H. Morrison, and Nancy Macaluso\)](#)

[Exhibit 1: Planning Commission Recommendation - 317 and 323 E Broughton St.pdf](#)

[Exhibit 2: Draft Ordinance - 317 and 323 E Broughton St \(Rezoning\).pdf](#)

Marcus Lotson, Metropolitan Planning Commission: Mr. Mayor this issue is a request to rezone two properties at 317 and 323 East Broughton Street from RIP-A to BC-1, which is the central business classification. The subject property is approximately 0.14 acres in size and is comprised of a .10 acre portion of a parcel and an adjacent parcel located in the northeast corner of Broughton Street and Habersham. The western parcel is presently an improved off street parking lot and the eastern parcel is presently occupied by a two story masonry building, formerly the Kennedy Pharmacy, which is part of the Davenport House Museum Complex. The applicant is bringing this request forward in conjunction with renovations of the existing Kennedy Pharmacy Building. In addition to that building, in terms of the zoning, the BC-1 zoning classification exists along most of Broughton Street in this area. The MPC found that the BC-1 zoning classification is an appropriate classification at this location and are recommending approval.

Hearing closed upon motion of Alderwoman Bell, seconded by Alderman Foster, and unanimously carried.

Approved upon motion of Alderwoman Bell, seconded by Alderman Durrence, and unanimously carried.

PETITIONS

[20. Motion to Approve Petition #180280 for Encroachment of Building Footings, Stoops, and Stairs at 701 Montgomery Street.](#)

[Exhibit 1: Petition 180280 Map.pdf](#)

[Exhibit 2: Encroachment Exhibit A.pdf](#)

[Exhibit 3: Encroachment Exhibit B.pdf](#)

Withdrawn per the City Manager's request.

[21. Motion to Approve an Honorary Street Designation for "Clifton & Ernestine J. Jones Street" on a Section of Stuyvesant Street from Liberty Parkway East to Harvest Avenue](#)

[Exhibit 1: Historic Sites and Monument Recommendation.pdf](#)

[Exhibit 2: Aerial Map.pdf](#)

[Exhibit 3: Application and Information for the Honorary Designation of Clifton & Ernestine J. Jones Street.pdf](#)

Alderwoman Shabazz: Before you speak, the Honorable Clifton Jones I just want to give a little description on what is happening at this point with this item. The City of Savannah's City Council adopted provisions for honorary sign designations back in 2017 and these provisions established the criteria and the process for the designation. Honorary street sign designations are intended to recognize individuals who have made significant contributions to the City. The designation will be a temporary assignment no longer than five years and will be an addition to the official name of an existing right of way. In addition, the historic documentation is supported by a petition that has to be signed by

more than 51% of the persons that are surrounding the area where the designated sign is going to be. Also an endorsement is needed from a member of the current City Council and one of those persons can be the district alderperson. I have endorsed this particular sign designation and it's an honor to do so sir. Also just to give a little background about whose names are going to go on this particular sign. The first name will be the Honorable Mr. Clifton Jones. He's a native and a lifetime public servant in our City. He was a US Postal Service employee for 34 years and has served on numerous boards, committees and authorities. He was an original founder of the Liberty City-Richfield-Southover Improvement Association and served as the president for over 26 years. He served as an Alderman for the City of Savannah in this particular chair for the Fifth District for 16 years. Mrs. Jones name will also be on the sign. Mrs. Ernestine J. Jones, also a native Savannahian, has a similarly impressive record of public service. She worked for the Beaufort County School System for 31 years and served on numerous boards and authorities. She also served as the president of the Liberty City-Richfield-Southover Improvement Association for many, many, many years. Mr. & Mrs. Jones were married for 62 years, prior to her death in 2018. It gives me the sheer honor Mr. Jones, while you and I are still looking at each other face to face on this side of the Jordan to make a motion to approve an honorary sign designation which will read Clifton and Ernestine J. Jones Street on a section of Stuyvesant Street from Liberty Parkway east to Harvest Avenue.

Approved upon motion of Alderwoman Shabazz, seconded by Alderman Hall, and unanimously carried.

Mr. Clifton Jones: It goes without saying, that this is an honor that I'm truly proud of. I've been honored numerous times but none such as this. Mr. Mayor, Council members and those of you in attendance today it gives me great pleasure to stand here today and accept this honor. It goes without saying that I wish my wife was here because she really did as much in the neighborhood as I did. We did not do it for fame or fortune, we did it because we saw a need. There will always be some form of need for other people to do. But I want you to know I'm very, very proud that you thought of my wife and she's being honored and I certainly do appreciate it and I appreciate all of you that had anything at all to do with this. I see some of my friends still on this Council and I'm glad to see you all. Again I appreciate you and may God bless each and every one of you.

Glynda Jones, daughter of Mr. & Mrs. Jones: On behalf of my family, I extend our sincere thanks and gratitude to Alderman Dr. Shabazz for the endorsement leading to the honorary street designation for my parents. I also give thanks to Mr. Joe Shearouse, Jr. for guiding me through the process and keeping me abreast of the progress. To you Mayor and Council thank you for your affirmative votes that brings the honorary designation to fruition. My parents were not only champions of the Liberty City-Southover-Richfield Community, but champions of the City of Savannah at large. They were involved in the betterment of our great City, a City they worked hard to see strive for every citizen. They were also involved with their advocacy that at times it seemed that I had to make an appointment to see them, that's how busy were working for a City they both loved and loved so deeply. My only regret today is that my mother is not among the living to receive this honor. Yet I know she was closely watching and appreciates this honor again thank you and God bless you all.

Alderwoman Shabazz: Friday, March 8th will be the actual sign designation and I invite the public to please come and celebrate with us on March 8th at 10:30 at the corner of Stuyvesant Street. Thank you so much.

[22. Motion to Approve the Naming of the City-Owned Facility at 425 Pennsylvania Avenue](#)

[Exhibit 1: Historic Sites and Monument Recommendation - PARC.pdf](#)

[Exhibit 2: Naming Petition Submission - PARC.pdf](#)

Approved upon motion of Alderman Hall, seconded by Alderwoman Shabazz, and unanimously carried.

ORDINANCES - FIRST AND SECOND READING

[23. Motion to Approve Modifications to the Quadricycle Ordinance, Article F: Bicycle, Moped and Skateboards](#)

[Exhibit 1: Memorandum to City Manager - Quadricycle Boundary Changes.pdf](#)

[Exhibit 2: Map - Article F Quadricycles.pdf](#)

[Exhibit 3: Revised Ordinance - Article F Quadricycles.pdf](#)

[Exhibit 4: Article F - Bicycles, Mopeds and Skateboards Redlined Ordinance.pdf](#)

Withdrawn per the request of the City Manager.

[24. Motion to Approve Modifications to the Pedicab Ordinance \(Article DD - Pedicabs\)](#)

[Exhibit 1: Memorandum to the City Manager - Article DD \(Pedicab\).pdf](#)

[Exhibit 2: Redline Change Matrix - Article DD \(Pedicab\).pdf](#)

[Exhibit 3: Revised Ordinance - Article DD \(Pedicab\).pdf](#)

Withdrawn per the request of the City Manager.

[25. Motion to Approve the Clean Community Ordinance](#)

[Exhibit 1: Clean Community Ordinance \(rev\).pdf](#)

Ordinance read for the first time in Council February 28, 2019, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderwoman Bell, seconded by Alderman Johnson, and unanimously carried.

AN ORDINANCE

TO BE ENTITLED

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PART 4, PUBLIC SERVICES, CHAPTER 2, REFUSE COLLECTION AND DISPOSAL, ARTICLE E, LITTERING; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled, and pursuant to the lawful authority thereof:

SECTION 1: That Part 4, Public Services, Chapter 2, Refuse Collection and Disposal, Article E, Littering, be deleted in its entirety and a new Article E entitled "Clean Community Ordinance" be inserted in lieu thereof as follows:

ARTICLE E. - - Clean Community Ordinance

Sec. 4-2023. - Short title.

This chapter shall be known and may be cited as the "The City of Savannah's Clean Community Ordinance."

Sec. 4-2023A. - Preamble.

The City of Savannah, Georgia possesses unique natural assets and amenities which enhance the value and enjoyment of the community by residents, businesses and visitors. These assets are irreplaceable and must be preserved and protected in order to: Allow the public's continued enjoyment of these natural resources, enhance property values, prevent nuisances, protect public health and safety, and protect the safety of wildlife. Thus, this chapter is intended to provide for the uniform prohibition throughout the city limits of the City of Savannah of any and all littering on public or private property.

Sec. 4-2023B. - Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

(a) Aircraft: Any contrivance now known but is not limited to or hereafter invented, used or designated for navigation or for flight in the air. The term "aircraft" includes helicopters and lighter-than-air dirigibles and balloons.

(b) Authorized receptacle: A container, not to exceed 95 gallons, of substantial construction, with tight-fitting lid and equipped with handles sufficient for safe and convenient handling. Such receptacles shall be maintained in a serviceable condition at all times.

(c) The City of Savannah or the city: The City of Savannah, Georgia a municipal corporation of the State of Georgia.

(d) Discard: To get rid of as unwanted any physical material, substance or thing which has been left, dropped, placed, thrown, dumped or otherwise disposed of in a manner or place that does not reasonably suggest an intent to preserve, protect or retain the use or possession of that which is left.

(e) Disposal site: A location for the final disposal of solid waste, putrescible waste, hazardous waste or other waste, except this term shall not be deemed to include land or a facility used for the disposal of solid waste or other waste from a single-family dwelling by the owner, occupant or lessee thereof.

(f) Garbage: The by-product of animal or vegetable food resulting from the handling, preparation, cooking and consumption of food, or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odor, or which during or after decay may serve as breeding areas or feeding material for flies, insects or animals.

(g) Handbill: A written or printed notice displayed, handed out or posted to inform those concerned of something to be done or some event.

(h) Hazardous refuse: Materials that are harmful to humans, animals, or environmental health, such as poisons, acids, caustic matter or solutions, chemicals, infected materials, offal, fecal matter, explosives, sewage sludge, radioactive materials and highly flammable substances.

(i) Industrial waste: All waste, including solids, semisolids, sludge and liquids, created by factories, processing plants or other manufacturing concerns.

(j) Litter: "Litter" means all forms of discarded materials including but not limited to sand, gravel, slag, brickbats, rubbish, waste material, tin cans, refuse, garbage, trash, debris, dead animals, animal waste, bottles, glass, cans, boxes, containers, unclaimed papers or paper products, all tobacco products, tires, appliances, furniture, tree and landscape materials, grass trimmings, leaves, mechanical equipment or parts, building or construction materials, tools, machinery, wood, motor vehicles and motor vehicle parts, vessels, aircraft equipment, waste oil, batteries, antifreeze, sludge, or any other discarded material or substance of every kind and description.

(k) Littering: To dump, deposit, throw, leave, discard, place, discharge, dispose, or drop litter on public or private property.

(l) Newspaper: Any newspaper of general circulation as defined by general law, any newspaper duly entered with the United States Postal Service in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, includes any periodical or current magazine, regularly published with not less than four issues per year and sold to the public.

(m) Park: A park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city and devoted to active or passive recreation.

(n) Person: An individual, firm, company, partnership, corporation, association, institution, or other legal entity.

(o) Public or private property: Means the right-of-way of any road, street, highway, alley, or thoroughfare; any body of water or watercourse, including any river, channel, ditch, canal, stream, and marshland; any tidal or coastal water or the shores or beaches thereof; any park, playground, sidewalk, or public building and the grounds thereof; any refuge, conservation, or recreation area; any residential, private, or farm properties; any timberlands or forests; any dumpsters or litter receptacles; and any other site, place, or location of every kind and description.

(p) Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Sec. 4-2023C. - Littering.

It shall be unlawful for any person or persons to dump, deposit, throw, leave, discard, place, discharge, dispose, drop or to cause or permit the dumping, depositing, placing, throwing, leaving, discarding, placing, discharging, disposing, or dropping of litter on any public or private property in the city limits of the city or any waters located within the city limits of the city, unless:

(a) The property is designated by the city or an agency of the State of Georgia for the disposal of litter and the person is authorized by the proper public authority to use such property;

(b) The litter is placed into a litter receptacle or container installed on the property and the person is authorized or permitted to place litter in such litter receptacle or container.

Sec. 4-2023D. - Placement of litter in receptacles so as to prevent scattering.

Persons placing litter in public receptacles or in authorized receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public or private property. If a public trash or recycling receptacle is full, persons are responsible for finding another lawful place to dispose of litter properly.

Sec. 4-2023E. - Sweeping litter into gutter prohibited; keeping sidewalk clean—Generally.

No person shall sweep or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot from any public or private sidewalk or driveway. No persons shall sweep, blow or dump litter, leaves or other yard waste unto streets, sidewalks, roadsides, parks, or onto the private property of others.

Sec. 4-2023F. - Same—Merchant's duty.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the city shall keep their business premises free of litter. Merchants are required to use their own trash receptacles and not place business waste in the public trash receptacles.

Sec. 4-2023G. - Maintenance of general property.

All owners or occupants of property shall maintain their property in a litter-free condition. No sweeping into sidewalks, streets, gutters or drains is permitted. No person shall sweep into or deposit on any street, sidewalk or gutter or into or adjacent to any drainage structure the accumulation of litter from any building or property.

Sec. 4-2023H. - Special refuse disposal.

(a) Contagious disease refuse. The removal of clothing, bedding or other refuse from places where highly infectious diseases have prevailed shall not be placed in receptacles or bulk containers for regular collection. The producers of pathological wastes, or the owners of premises upon which pathological waste is produced shall arrange for disposal of such waste adhering to all federal, state and local laws

(b) Disposal of needles or hypodermic instruments. Any person who uses, disposes of, or discards any hypodermic syringes, hypodermic needles, or devices for making hypodermic injections shall be required to dispose of these instruments into containers that are puncture resistant, leak proof on the bottom and sides, sealable, labeled and color coded as biohazardous materials. Any person who uses disposable needles shall be required to dispose of these in containers that are rigid, puncture resistant and leak proof, and which are taped closed or tightly lidded to completely contain the contents therein and prevent any spillage. Said containers shall be disposed of in a manner that adheres to all federal, state and local laws.

(c) Cardboard boxes and cartons. Prior to depositing refuse for collection in authorized containers or receptacles or in commercial containers, the person disposing of any such boxes or cartons or the person in charge of the premises shall collapse all cardboard boxes and cartons.

Sec. 4-2023I. - Litter thrown by persons in vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city or upon private property.

Sec. 4-2023J. - Vandalizing trash containers and garbage containers.

(a) As used in this section, the term "household garbage" means animal, vegetable, and fruit refuse matter and other refuse matter ordinarily generated as by-products of a household or restaurant, such as tin cans, bottles, paper, cardboard, plastics, and wrapping or packaging materials.

(b) If a container is clearly marked "household garbage only," it shall be unlawful for any person to dump any refuse or other material into the container other than household garbage.

(c) It shall be unlawful for any person to set fire to the contents of, indiscriminately scatter or disperse the contents of, or otherwise vandalize any containers provided by the city for the dumping of trash or garbage.

(d) Any person who violates subsection (b) or (c) of this section shall be punished within the limits of Section 4-2023BB.

Sec. 4-2023K. - Truck loads and vehicles causing litter.

(a) No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any loads, contents or litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the city the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, concrete, liquid wastes, paints, or hazardous substances, litter or foreign matter of any kind.

(b) No person shall drive or move any loaded truck or other vehicle within or upon the city road or any other public road within the city unless such vehicle and the load therein are covered by canvas or other protective material providing complete coverage, properly secured, so as to prevent any load, contents or litter from becoming loose, detached or blown from the vehicle or from dropping or escaping from the vehicle during movement of the vehicle. No person shall drive or move a motor vehicle that is open to air such as truck beds, jeeps, and convertibles with unsecured trash or litter being open to air.

Sec. 4-2023L. - Inference permitted.

(a) Whenever litter is thrown, deposited, dropped, or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of this chapter, the trier of fact may in its discretion infer that the operator of the conveyance has violated this ordinance.

(b) Whenever any litter which is dumped, deposited, thrown, or left on public or private property in violation of the provisions of this chapter is discovered to contain any article or articles, including, but not limited to, letters, bills, publications, or other writings which display the name of a person thereon in such a manner as to indicate that the article belongs or belonged to such person, the trier of fact may in its discretion infer that such person has violated this section.

Sec. 4-2023M. - Litter in parks.

No person shall throw or deposit litter in any park within the city except in public receptacles. Litter shall be deposited in such receptacle to prevent the litter from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided or are filled to capacity, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

Sec. 4-2023N. - Litter in oceans, streams and rivers, etc.

No person shall throw or deposit any litter in any ocean, pond, lake, river or stream, bay, marsh, fountain, or other body of water in a park or elsewhere within the city.

Sec. 4-2023O. - Throwing or depositing handbills in public places.

No person shall throw or deposit any handbill in or upon any sidewalk, street or other public place within the city.

Sec. 4-2023P. - Placing handbills on vehicles.

No person shall throw or deposit any handbill in or upon any vehicle; provided, however, it shall not be unlawful in any public place for a person to hand out or distribute without charge to the receiver thereof a handbill to any occupant of a vehicle who is willing to accept it in person.

Sec. 4-2023Q. - Evidence of violating sections.

It shall be unlawful for any person to direct, order or instigate the placing of handbills in violation of sections 4-2023O and 4-2023P. Furthermore, in the prosecution for the violation of these sections, the fact that a person, a product or a place of business is advertised on a handbill shall be prima facie evidence that the person advertised, or the proprietor of the product advertised, or the proprietor of the place of business advertised, as the case may be, was the person directing the placing, distributing or throwing away the advertising matter in question.

Sec. 4-2023R. - Depositing handbills on uninhabited premises.

No person shall throw or deposit any handbill or any newspaper in or upon any private premises which are temporarily or continuously uninhabited.

Sec. 4-2023S. - Distribution of handbills where properly posted.

No person shall throw, deposit or distribute any handbill or any newspaper upon any private premises if requested by any person thereon not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Vendors," "No advertisement," or any similar notice indicating in any manner that the occupants of such premises do not desire to have their right of privacy disturbed or to have any such handbills left upon such premises.

Sec. 4-2023T. - Distributing handbills at inhabited private premises.

(a) No person shall throw, deposit or distribute any handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, in case of inhabited private premises which are not posted, as provided in this chapter, such person, unless requested by any person upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places and except that mail boxes may not be so used when so prohibited by federal postal law or regulations.

(b) The provisions of this section shall not apply to the distribution of mail by the United States nor to newspapers (as defined herein), except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

Sec. 4-2023U. - Posting notices prohibited.

No person shall post or affix any notice, poster, handbills or other paper or device, calculated to attract the attention of the public, to any lamppost, public utility pole or tree, sign or upon any public structure or building, except as may be authorized or required by law.

Sec. 4-2023V. - Litter on occupied private property.

No person shall throw or deposit litter on any occupied property within the city, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

Sec. 4-2023W. - Dropping litter from watercraft, aircraft.

No person in a watercraft or aircraft shall throw out, drop or deposit any litter within the city.

Sec. 4-2023X. - Private property to be maintained free of litter.

The owner, occupant, or person in control of any private property shall at all times maintain the premises free of litter; provided, however, this section shall not prohibit the storage of litter in authorized receptacles for collection.

Sec. 4-2023Y. - Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant private property within the city, whether owned by such person or not.

Sec. 4-2023Z. - Anti-graffiti ordinance.

(a) Graffiti is a public nuisance and destructive of the rights and values of property owners as well as the entire community. This chapter is not intended to conflict with any existing antigraffiti state laws.

(b) For the purpose of this section, the following words shall have the following meanings:

(1) Aerosol paint container means any aerosol container that is adapted or made for the purpose of applying spray paint or other substances capable of defacing property.

(2) Broad-tipped marker means any felt tip indelible marker or similar implement with a flat or angled writing surface that, at its broadest width, is greater than one-fourth of an inch, containing ink or other pigmented liquid that is not water soluble.

(3) Etching equipment means any tool, device, or substance that can be used to make permanent marks on any natural or man-made surface.

(4) Graffiti means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization, is otherwise deemed a public nuisance by the city commission.

(c) It shall be unlawful for any person to apply graffiti to any natural or man-made surface on any city-owned property or, without the permission of the owner or occupant, on any noncity-owned property.

(d) Any person applying graffiti on public or private property shall have the duty to remove the graffiti within 24 hours after notice by the city or private owner of the property involved. Such removal shall be done in a manner prescribed by the chief of police, the director of the department of public works, or any additional city department head, as authorized by the city manager. Any person applying graffiti shall be responsible for the removal or for the payment of the removal. Failure of any person to remove graffiti or pay for the removal shall constitute an additional violation of this chapter. Where graffiti is applied by an unemancipated minor, the parents or legal guardian shall also be responsible for such removal or for the payment for the removal.

Sec. 4-2023AA. - Vandalizing trash containers and garbage containers.

(a) As used in this section, the term "household garbage" means animal, vegetable, and fruit refuse matter and other refuse matter ordinarily generated as by-products of a household or restaurant, such as tin cans, bottles, paper, cardboard, plastics, and wrapping or packaging materials.

(b) If a container is clearly marked "household garbage only," it shall be unlawful for any person to dump any refuse or other material into the container other than household garbage.

(c) It shall be unlawful for any person to set fire to the contents of, indiscriminately scatter or disperse the contents of, or otherwise vandalize any containers provided by the city for the dumping of trash or garbage.

Sec. 4-2023BB. - Penalties.

(a) Any person who violates the City of Savannah Litter Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as follows;

(b) The punishment imposed for any violation of this chapter shall not exceed a fine of \$500.00 or 30 days imprisonment or both; however, the minimum fine which will be imposed shall be not less than \$50.00 for a first offense, \$75.00 for a second offense, and \$150.00 for a third or subsequent offense. Each occurrence and/or day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder;

(c) The person may be directed to pick up and remove from any public property or private right-of-way, for a distance not to exceed one mile, any litter the person has deposited and any and all litter deposited thereon by anyone else prior to the date of execution of sentence;

(d) The person may be directed to pick up and remove from any private property upon which it can be established by competent evidence that the person has deposited litter, any and all litter deposited thereon prior to the date of execution of sentence so long as the legal owner or tenant in lawful possession of such private property has given prior permission; or

(e) If in the sound discretion of the judges of the Recorder's Court of Chatham County, removal of the litter by the person would be unsafe, impractical, not feasible, or impossible, the person may be directed to reimburse the city for the cost of removal and/or cleanup of the litter that the person deposited on public property.

(f) Judges of the Recorder's Court of Chatham County may publish the names of persons convicted of violating this chapter.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This Chapter shall become effective when the Mayor affixes his signature below.

ADOPTED and APPROVED: FEBRUARY 28, 2019

Mayor DeLoach: We're putting teeth in our overall plan as far as trying to get the City cleaned up and actually taking care of those folks that are littering. I hope that we have an opportunity to make an example of some folks so that we can make this kind of take hold because it's really important. We're spending an additional \$1.5 million dollars on maintenance of the right of ways and trying to make those areas that have not been taken care of in years and upgrade the quality that we have in our neighborhoods and in streets going into our neighborhoods. All I ask is as a community that we make a special effort just to pick up in front of our house. If everybody would just pick up in front of their house, it would go a long way to making sure we have a cleaner place for... it's not for the visitors it's for you, it's what you live in daily. So, if you would please make an effort to take care of our community and make it a part of your daily habit, just to pick up what you see out in front of your house.

RESOLUTIONS

[26. Motion to Approve a Resolution Accepting a \\$6,250 Donation from Bank OZK for the Savannah Affordable Housing Solutions Fund](#)

[Exhibit 1: Resolution 2019 Bank OZK Donation.pdf](#)

RESOLUTION OF ADOPTION

BY THE CITY OF SAVANNAH CITY COUNCIL

WHEREAS, Bank OZK presented a \$6,250 donation to the Mayor and Aldermen for deposit into the Savannah Affordable Housing Solutions Fund (SAHSF); and

WHEREAS, this is the first year that Bank OZK has made a donation to the Mayor and Aldermen for deposit into the SAHSF; and

WHEREAS, the Mayor and Aldermen have determined that there is a need for local investment to address local workforce and affordable housing needs and have encouraged banks, businesses, non-profits and other private entities to invest in the SAHSF along with the City of Savannah; and

WHEREAS, the SAHSF helps leverage private investment to address local workforce and affordable housing without using the SAHSF to pay administrative costs; and

WHEREAS, the City of Savannah Housing & Neighborhood Services Department and the Community Housing Services Agency, Inc. oversee administration of the SAHSF.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah do hereby accept a donation of \$6,250 from Bank OZK for deposit in the Savannah Affordable Housing Solutions Fund.

ADOPTED and APPROVED February 28, 2019 upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and unanimously carried.

[27. Motion to Approve a Resolution Accepting a \\$2,500 Donation from Community Housing Services Agency, Inc. for the Savannah Affordable Housing Solutions Fund](#)

[Exhibit 1: 2019 Donation Resolution - District II Property Improvement Initiative.pdf](#)

RESOLUTION OF ADOPTION

BY THE CITY OF SAVANNAH CITY COUNCIL

WHEREAS, Community Housing Services Agency, Inc. (CHSA) presented \$2,500 to the Mayor and Aldermen for deposit into the Savannah Affordable Housing Solutions Fund (SAHSF); and

WHEREAS, these funds were provided to CHSA for deposit into the SAHSF for the purpose of helping low-income homeowners living in Savannah's 2nd District pay for minor property improvements; and

WHEREAS, the Mayor and Aldermen have determined that there is a need for local investment to address local workforce and affordable housing needs and opportunities; and

WHEREAS, the Mayor and Aldermen have encouraged banks, businesses, non-profits and other private entities to invest in the SAHSF along with the City of Savannah; and

WHEREAS, the SAHSF helps leverage private investment to address local workforce and affordable housing needs without using the SAHSF to pay administrative costs; and

WHEREAS, the City of Savannah Housing & Neighborhood Services Department and the Community Housing Services Agency, Inc. oversee administration of the SAHSF.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah do hereby accept a donation of \$2,500 from Community Housing Services Agency, Inc. for deposit into Savannah Affordable Housing Solutions Fund.

ADOPTED and APPROVED February 28, 2019 upon motion of Alderwoman Bell, seconded by Alderwoman Shabazz, and unanimously carried.

[28. Motion to Approve a Resolution Extending a Temporary Stay on the Issuance of Alcoholic Beverage Licenses within Portions of Aldermanic District 1 and 5](#)

[Exhibit 1: Resolution - Temporary Stay on the Issuance of Alcoholic Beverage Licenses \(Aldermanic Districts 1 & 5\).pdf](#)

[Exhibit 2: Aerial - Temporary Stay on the Issuance of Alcoholic Beverage Licenses \(Aldermanic Districts 1 & 5\).pdf](#)

Alderwoman Shabazz: On December 6, 2018, the Mayor and alderpersons approved a 90-day stay on the issuance of alcoholic beverage licenses within portions, which run along the Victory Drive and Ogeechee Road and 516 on the side of the First District and a larger space on the Fifth District side to allow for the establishment of reasonable and ascertainable standards for the regulation and control of alcoholic beverages in a manner designed to promote health, safety and general welfare to the community. To date, staff has met to analyze data, explore best practices and develop options to begin addressing the issues associated with the continued issuance of licenses to sell alcoholic beverages in certain portions of the 1st and 5th Districts. A resolution extending the temporary stay that we voted on December 6, 2018 for an additional 60-days is needed to formalize these strategies and obtain public comment prior to presenting to the Mayor and Aldermen and

Alderwomen for adoption. I want to add to those statements is that the City Manager and Ms. Bridget Lidy has been working extremely hard, with myself and Alderman Johnson as we have along with our neighborhood association presidents, we have been meeting to get their input along with our residents of both the First and Fifth Districts. I won't prolong this because it's a good thing Mayor and Council what's going on because this is the first time in history and herstory that we have been spending the significant amount of time on how we want our City to look especially and specifically in the Fifth and First Districts. So, Mr. Mayor, if you don't mind and Mr. City Manager, if you don't mind, if we can call Ms. Lidy up since she's been working extremely hard and if she can just spend about 60 seconds in talking about what has been going on, the good things and the hard work that she's been doing thus far.

Bridget Lidy, Director of Planning and Urban Design: Thank you so much Dr. Shabazz and Alderman Johnson for your assistance with this matter. We have been diligently working with some of the neighborhood presidents in your district to really understand what the issues are in order for us to craft recommendations to bring forth that address, the issues at hand. In addition to that, we've also been doing outreach meetings with the industry. We had one today about 12 o'clock noon and had about 35 to 40 people at that meeting. We have another one tonight at 6:00. We intend to roll out a survey via Survey Monkey on Monday along with a neighborhood paper survey just in case individuals don't have access to the Internet. That will run for about two and a half weeks. We'll have another public meeting to formalize our recommendations and then come back to you at the tail end of April.

Alderman Hall: What you hear today from the public meetings, how will it affect what we about to vote on now?

Ms. Lidy: So, right now we don't have anything formalized. We have some assumptions that staff has been making and we're trying to get feedback and input to verify those assumptions and what we want to do is make sure that we incorporate that feedback as we move forward prior to coming to you.

**EXTENSION OF RESOLUTION IMPOSING TEMPORARY
STAY ON ISSUANCE OF ALCOHOLIC
BEVERAGE LICENSES WITHIN
CERTAIN PORTIONS OF THE FIFTH AND FIRST
ALDERMANIC DISTRICTS**

WHEREAS, the Alcoholic Beverage Ordinance of 2017 declares that, inter alia, the sale of alcoholic beverages is considered to be a privilege within the City of Savannah; and

WHEREAS, the Alcoholic Beverage Ordinance of 2017, as amended, was enacted for the purpose of establishing reasonable and ascertainable standards for the regulation and control of alcoholic beverages in a manner designed to promote the health, safety and general welfare of the community while giving effect to zoning and land use plans, preserving the residential areas with reasonable consideration for their character and with the general intent of promoting desirable living conditions and sustaining the stability of neighborhoods and property values; and

WHEREAS, the Mayor and Aldermen have the discretion to set forth ascertainable standards in the local licensing ordinance upon which all decisions pertaining to these licenses shall be based, in accordance with OCGA Sec. 3-3-2(a)(2); and

WHEREAS, the Mayor and Aldermen of the City of Savannah have been presented with evidence of a proliferation of establishments possessing licenses to sell or dispense alcoholic beverages within certain portions of the Fifth and First Aldermanic Districts; and

WHEREAS, the Mayor and Aldermen of the City of Savannah find that continued issuance of licenses to sell or dispense alcoholic beverages within certain portions of the Fifth and First Aldermanic Districts presents a condition at variance with the purpose and intent of the Alcoholic Beverage Ordinance of 2017; and

WHEREAS, the Mayor and Aldermen of the City of Savannah have instructed the City Manager to direct staff to research and propose revisions to the Code of Ordinances to address the issues associated with the continued issuance of licenses to sell alcoholic beverages within certain portions of the Fifth and First Aldermanic Districts; and

WHEREAS, the Mayor and Aldermen of the City of Savannah wish to temporarily pause the processing of new applications for licenses to sell or dispense alcoholic beverages submitted by persons owning or occupying real property to allow staff adequate time to research and propose amendments to the Code of Ordinances for the area situated in these boundaries:

Fifth Aldermanic District: Bounded on the north by the centerlines of Victory Drive and Ogeechee Road (US Highway 80); on the west by the centerline of Interstate 516 (Lynes Parkway); on the south by the centerlines of Interstate 516 (Lynes Parkway) and DeRenne Avenue; and, on the east by the centerline of Montgomery Street between the centerlines of DeRenne Avenue and 61st St and by the centerline of Bull Street between the centerlines of 61st St and Victory Drive (US Highway 80); and

First Aldermanic District: Bounded on the south by the centerlines of Victory Drive and Ogeechee Road (US Highway 80); on the east by the centerline of Martin Luther King, Jr. Boulevard; on the north by the centerlines of 37th Street, 37th Street Connector, and Interstate 16 between the centerlines of Martin Luther King, Jr. Boulevard and Stiles Avenue and by the centerline of the Ogeechee Canal between the centerlines of Stiles Avenue and the Seaboard Coastline Railroad and by the centerline of the Seaboard Coastline Railroad between the centerlines of the Ogeechee Canal and Interstate 516 (Lynes Parkway); on the west by the centerline of Interstate 516 (Lynes Parkway) between the centerlines of the Seaboard Coastline Railroad and Victory Drive (US Highway 80); and

WHEREAS, the Mayor and Aldermen deem it necessary and advisable to extend the resolution imposing a temporary stay on the processing of applications to sell or dispense alcoholic beverages in certain portions of the Fifth and First Aldermanic Districts for an additional 60-days from March 5, 2019;

WHEREAS, since the temporary stay was enacted, staff has met to analyze data, explore best practices and develop options to address the issues associated with the continued issuance of licenses to sell alcoholic beverages within certain portions of the Fifth and First Aldermanic District. An additional 60-days is needed to formalize these strategies and obtain public comment prior to presenting to Mayor and Aldermen;

NOW, THEREFORE, be it resolved by the Mayor and Aldermen of the City of Savannah that the City does hereby adopt a resolution which imposes a stay on the issuance of licenses to sell or dispense alcoholic beverages submitted by persons owning or occupying real property for a period of 90 days for the area situated in these boundaries:

Aldermanic District 5: Bounded on the north by the centerlines of Victory Drive and Ogeechee Road (US Highway 80); on the west by the centerline of Interstate 516 (Lynes Parkway); on the south by the centerlines of Interstate 516 (Lynes Parkway) and DeRenne Avenue; and, on the east by the centerline of Montgomery Street between the centerlines of DeRenne Avenue and 61st St and by the centerline of Bull Street between the centerlines of 61st St and Victory Drive (US Highway 80); and

Aldermanic District 1: Bounded on the south by the centerlines of Victory Drive and Ogeechee Road (US Highway 80); on the east by the centerline of Martin Luther King, Jr. Boulevard; on the north by the centerlines of 37th Street, 37th Street Connector, and Interstate 16 between the centerlines of Martin Luther King, Jr. Boulevard and Stiles Avenue and by the centerline of the Ogeechee Canal between the centerlines of Stiles Avenue and the Seaboard Coastline Railroad and by the centerline of the Seaboard Coastline Railroad between the centerlines of the Ogeechee Canal and Interstate 516 (Lynes Parkway); on the west by the centerline of Interstate 516 (Lynes Parkway) between the centerlines of the Seaboard Coastline Railroad and Victory Drive (US Highway 80);

This resolution shall not apply to any person that has applied for license to sell or dispense alcohol prior to the date of the enactment of this resolution.

This resolution shall expire 60 days from the date of its adoption.

ADOPTED and APPROVED upon motion of Alderwoman Shabazz, seconded by Alderman Johnson, and unanimously carried.

[29. Motion to Approve a Resolution Allowing Alcohol Sales on Sunday, March 17, 2019](#)

[Exhibit 1: St. Patrick's Day Alcohol Resolution.2019.pdf](#)

**RESOLUTION AUTHORIZING SALES
OF ALCOHOLIC BEVERAGES FOR CONSUMPTION
ON PREMISES ON SUNDAY, March 17, 2019**

WHEREAS, pursuant to state law, bars, nightclubs and similar such establishments, defined by exclusion; to wit, establishments that do not derive at least fifty percent of their annual gross sales from the sale of prepared meals or food or those that do not derive at least fifty percent of their total annual gross income from the rental of rooms for overnight lodging, are prohibited from selling or dispensing alcohol beverages for on-premises consumption on Sundays; and

WHEREAS, effective March 13, 2015, the state legislature enacted an exception to the foregoing general prohibition at O.C.G.A. § 3-3-7(r) whereby a municipality may, by resolution or ordinance, authorize that class of alcoholic beverage licensees otherwise prohibited from engaging in Sunday sales to sell or dispense alcoholic beverages for on-premises consumption on one specifically designated Sunday each calendar year; and

WHEREAS, the St. Patrick's Day holiday, March 17th, falls on a Sunday in 2019; and

WHEREAS, the Mayor and Aldermen wish to avoid inequities that may result from allowing certain alcoholic beverage licensees to operate on Sunday, March 17th, 2019, while others will be prevented from doing so under the state Sunday sales provision; and

WHEREAS, state law empowers the Mayor and Aldermen to adjust for any inequities by adopting a resolution allowing for Sunday sales on one designated Sunday per year and it is the Council's intent to invoke and rely upon that authorization in the adoption of this resolution;

NOW, THEREFORE, the Mayor and Aldermen of the City of Savannah, Georgia hereby resolve as follows:

The sale of alcoholic beverages for consumption on the premises between the hours of 12:30 p.m. and 12:00 midnight, Sunday, March 17th, 2019 is hereby authorized for all establishments that possess a Class C alcoholic beverage licenses, issued pursuant to Article H, Chapter 2, Section 6-1205 of the Alcoholic Beverage Ordinance of 2017.

ADOPTED and APPROVED February 28, 2019 upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

Alderman Hall: Why are we approving something for Sunday sales when they are already allowed?

Attorney Herman: We get one day, the Council can pick one Sunday a year to allow what are called bars to serve. Because this follows the Saint Patrick's Day parade holiday that was the day selected.

SAVANNAH AIRPORT COMMISSION ACTION ITEMS

[30. Motion to Procure Services from Altel Systems Group, Inc.](#)

[Exhibit 1: Proposal - SAV IP-108-System Improvments.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[31. Motion to Approve an Engagement Letter with Dentons US, LLC for Legal Assistance Related to Airport Certification Under the Safety Act of 2002](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[32. Motion to Approve a Co-Op Brand USA Multi-Channel Marketing Campaign with the Hilton Head Island – Bluffton Chamber of Commerce](#)

[Exhibit 1: BrandUSA Canada East MultiChannel.pdf](#)

[Exhibit 2: BrandUSA Facebook Extensions.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

PURCHASING ITEMS

33. Motion to Amend a Contract with Goodwin, Mills, and Cawood for Engineering Services for the Industrial and Domestic Water Laboratory (Event No. 4415)

[Exhibit 1: I&D Lab Purchasing Summary.pdf](#)

[Exhibit 2: I&D Lab Funding Verification.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

34. Motion to Award Annual Contract for Grounds Maintenance and Mulching Services for Various City-Wide Locations to Family Lawn Care, Inc. (Event No. 6789)

[Exhibit 1: Grounds Various Purchasing Summary.pdf](#)

[Exhibit 2: Grounds Various Scope.pdf](#)

[Exhibit 3: Grounds Various Scope Attachment A.pdf](#)

[Exhibit 4: Grounds Various Map.pdf](#)

[Exhibit 5: Grounds Various Bid Tab.pdf](#)

[Exhibit 6: Grounds Various Funding Verification.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

35. Motion to Award Annual Contract for Surveying and Drafting Services to Coleman Company (primary contractor), EMC Engineering (secondary contractor), and Brewer Land Surveying (tertiary contractor) (Event No. 6782)

[Exhibit 1: Surveying Purchasing Summary.pdf](#)

[Exhibit 2: Surveying Scope.pdf](#)

[Exhibit 3: Surveying Scope Attachment A.pdf](#)

[Exhibit 4: Surveying Bid Tabulation.pdf](#)

[Exhibit 5: Surveying Funding Verification.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

36. Motion to Award Construction Contract for Eastern Wharf Dock Repairs to Myrick Marine Contracting Corp. (Event No. 6767)

[Exhibit 1: Eastern Wharf Purchasing Summary.pdf](#)

[Exhibit 2: Eastern Wharf Plans.pdf](#)

[Exhibit 3: Eastern Wharf DBE Waiver.pdf](#)

[Exhibit 4: Eastern Wharf Bid Tab.pdf](#)

[Exhibit 5: Eastern Wharf Funding Verification.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[37. Motion to Award Contract for Interior Rehabilitation Services for the River Street Visitor Center to the Basin Company \(Event No. 6713\)](#)

[Exhibit 1: Visitor Center Purchasing Summary.pdf](#)

[Exhibit 2: Visitor Center Scope.pdf](#)

[Exhibit 3: Demolition Plan 1.pdf](#)

[Exhibit 4: Title Sheet.pdf](#)

[Exhibit 5: Demolition Plan 2.pdf](#)

[Exhibit 6: Demolition Plan 3.pdf](#)

[Exhibit 7: Demolition Plan 4.pdf](#)

[Exhibit 8: Visitor Center Funding Verification.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[38. Motion to Award Annual Contract for Roadside, Canal, and Aquatic Vegetation Maintenance to NaturChem, Inc. \(Event No. 6833\)](#)

[Exhibit 1: Roadside Purchasing Summary.pdf](#)

[Exhibit 2: Roadside Bid Tab.pdf](#)

[Exhibit 3: Roadside Scope.pdf](#)

[Exhibit 4: Roadside Scope Attachment 1.pdf](#)

[Exhibit 5: Roadside Scope Attachment 2.pdf](#)

[Exhibit 6: Roadside Funding Verification.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

AGREEMENTS

[39. Motion to Approve a Water and Sewer Agreement for Warehouse A of the Highlands Industrial Park](#)

[Exhibit 1: Warehouse A - Highlands Industrial Park.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[40. Motion to Approve a Water and Sewer Agreement for The Palms Subdivision Phase 1A](#)

[Exhibit 1: The Palms Subdivision Phase 1A.pdf](#)

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[41. Motion to Approve a Memorandum of Understanding with Chatham Area Transit \(CAT\) for Public Transportation during the 2019 St. Patrick's Day Festival](#)

[Exhibit 1: Funding Verification.pdf](#)

[Exhibit 2: CAT-CITY MOU 2019 St. Patrick's Shuttle Service.pdf](#)

City Manager Hernandez: So Mr. Mayor, members of City Council, this item before you is just to approve a memorandum of understanding with Chatham Area Transit in the amount of \$15,000. What that does is it compensates CAT for operating free shuttle rides as part of the Saint Patrick's Day holiday festivities. They will operate three shuttle routes from Westside Shopping Center, which is located on Highway 80, Island Town Center located on Highway 80 on Whitmarsh Island and also the Savannah Mall. So, we encourage individuals that are coming to the Downtown area to take advantage and participate in all the festivities during Saint Patrick's Day to leave their cars at home and to go to these three locations and hop on a shuttle bus. The CAT shuttle bus will bring you into Downtown Savannah.

Alderman Johnson: Just to add to the City Manager's comments obviously there is a consumption of alcoholic beverages during that time so, we want people to be safe and this is a safer way to do that. And then secondly, there's an enormous amount of people who park in the wrong places and they find their cars are towed and so the way to avoid that is to use public transportation it's safe, it's convenient and it gets you there reliably. So, we really are really encouraging our folks to take advantage of it.

Approved upon motion of Alderman Durrence, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

ADDED AGENDA ITEMS

[42. Presentation of the Annual Franchise Fee Check to the City of Savannah by Representatives of Georgia Power](#)

Swann Seiler, Manager of External Affairs for Georgia Power Southeast, presented the City their annual franchise check in the amount of \$8,493,689.43, an increase of 4.96%. She stated that Georgia Power appreciates the spirit of cooperation that exists between the City and their company. Alderman Johnson noted that this is not a donation, but a reimbursement of funds. Ms. Seiler explained that the franchise fee allows Georgia Power to do work in the City's right of way.

[43. Motion to Adopt Resolution in Opposition to HB-302 and SB-172](#)

[Resolution in Opposition of HB 302 and SB 172.pdf](#)

Bret Bell, Assistant to the City Manager: Last week House Bill 302 was introduced into the Georgia General Assembly. This bill will completely remove local municipalities ability to set its own quality standards of single family homes and it would jeopardize the safety and lives of our citizens living and working in densely populated areas in the City. In a nutshell, the City of Savannah, we create zoning overlays and set standards within those overlays for new construction. So, this would take away our ability to set those standards. We believe those decisions are best made at the local level and we believe in the principle of home rule and that's what this resolution states our opposition to this bill.

A Resolution in Opposition to HB-302 and SB-172

WHEREAS, the citizens of Savannah and their elected representatives have set minimum building standards that best protect the safety of our residents and enhance the quality of construction in both the residential and commercial spaces; and

WHEREAS, these decisions were not taken lightly, and in-depth discussion and research occurred prior to adoption of these minimum safety and building standards; and

WHEREAS, HB-302 and SB-172 recently introduced in the Georgia General Assembly would completely remove the City of Savannah's ability to set its own quality standards of single-family homes, and may jeopardize the safety and lives of our citizens living and working in densely populated areas of our city; and

WHEREAS, cities use design standards to protect property values and block incompatible development. A lack of local design standards would result in diminished property values; and

WHEREAS, the Savannah City Council supports the principle of home rule, and believes such decisions of local impact are more appropriately made at the local level.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah respectfully request that the General Assembly oppose HB-302 and SB-172 and any similar bill.

ADOPTED and APPROVED upon motion of Alderwoman Bell, seconded by Alderman Miller, and unanimously carried.

Mayor DeLoach recognized Acting Clerk of Council Luciana Spracher for her work with City Council as this is her last City Council meeting as Clerk.

Alderman Thomas confirmed with City Manager Hernandez that a public meeting regarding horse drawn carriages would be held after St. Patrick's Day.

Alderman Johnson asked everyone to keep Ronald Williams in their thoughts and prayers as he is under the weather.

Alderman Hall wished Alderman Foster a Happy Birthday tomorrow. Alderman Foster wished Alderman Hall a Happy Birthday today.

There being no further business, Mayor DeLoach declared this meeting of Council adjourned.

The video recording of the Council meeting can be found by copying and pasting the below link in your url:

<https://savannahgovtv.viebit.com/player.php?hash=d2YcMM3VlzKy>



**Luciana M. Spracher,
Acting Clerk of Council**