



October 11, 2018, 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

Brooks Stillwell, City Attorney

Jen Herman, Deputy City Attorney

ABSENT: William Shearouse, Assistant City Attorney

The regular meeting of Council was held this date 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 Bishop Jackie Gilbert of Sanctuary of Praise in Garden City.

In the absence of the City Council Work Session due to the storm, City Manager Hernandez reviewed modifications of the agenda, including the continuance of Items 6, 7, 8, and 31 to the meeting of October 25, 2018 at the request of the petitioners, and the withdrawal of Items 22 and 23 for staff review.

APPROVAL OF MINUTES

[1. Motion to Approve the Summary/Final Minutes for the City Council Work Session and City Manager's Briefing of September 27, 2018](#)

[09.27.18 WS minutes.pdf](#)

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

[2. Motion to Approve the Summary/Final Minutes for the City Council Meeting of September 27, 2018](#)

[09.27.18 Minutes.pdf](#)

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

ALCOHOLIC BEVERAGE LICENSE HEARINGS

[3. Motion to Approve Alcohol License for Louis J. Valoze of Savannah Spirits Distilling Co.](#)

[Measurement Report - Savannah Sprits Distilling Co20181002_16425771.pdf](#)

[Density Map - Savannah Sprits Distilling Co20181002_16441739.pdf](#)

[Alcohol Documents - Savannah Sprits Distilling Co20181002_16451232.pdf](#)

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

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

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

[4. Motion to Approve Alcohol License for Charles H. Morris of Kehoe Venues](#)

[A summary is being provided due to technical difficulties with the video recording.]

City Manager Hernandez gave a brief overview of why this item is being brought back before Council stating it was originally heard at the Council meeting on August 30th when Council approved it. He stated the item was properly advertised however, a sign was not posted on the property. Staff has since gone back and amended the City's procedures. He concluded stating there were members of the community that wanted to address Council about the matter.

Alderman Johnson stated he personally asked staff direct questions related to this property and they testified that there were postings. He stated upon speaking with individuals in the area he learned no sign had been posted on the property.

Mayor DeLoach stated going forward the process will be that a sign will be posted on the property regardless.

Alderman Johnson referred to Attorney Stillwell stating Council previously took legislative action on this item with the understanding that the posting had been done. He asked if Council needed to take action to void the previous action.

Attorney Stillwell replied since the City and the petitioner agrees that posting did not occur, a motion should be made to reconsider the item.

Upon motion of Alderman Johnson, seconded by Alderwoman Shabazz, and unanimously carried the item was reconsidered.

Harold Yellin, attorney for the petitioner, came forward to answer any questions.

Alderman Johnson stated he still has the same questions, because a few months ago this was not permissible.

Attorney Yellin stated the license being requested is for the license that has been approved by the City of Savannah. He stated the petitioner is requesting approval for a license which is now permitted by the ordinance, it is a Class J license. The license has earlier hours of operation and is not allowed to be open on a daily basis. He continued stating since Council approved the license two months ago, three events have been held where alcohol was served, and there have been no complaints of any kind.

Alderwoman Shabazz stated for the record when that vote was taken she did not vote for the approval. She then asked City Manager Hernandez about the ordinance and houses of worship as it relates to distance, stating she still doesn't see it in the City's policy where it denotes houses of worship and distances. She concluded stating she will be voting against this item again.

Alderman Johnson stated his question is about a particular area where there is a church across the street and parking and overflow.

Attorney Yellin replied he is happy to talk with the church anytime. He also stated parking would be an issue whether alcohol is served or not.

Alderman Miller stated this is not a bar, it's an entertainment venue that already sells beer and wine that just wants to add alcohol.

Alderman Thomas asked if this action will only deal with this facility.

Attorney Yellin replied yes, just this facility.

Alderman Durrence asked if the parking satisfies the zoning requirement?

Attorney Yellin replied the certificate of occupancy was issued based on satisfying parking requirements.

Alderman Durrence stated permission to renovate the facility was approved by a previous administration.

Attorney Stillwell asked if this is a Class J license in addition to a Class C?

Attorney Yellin replied it is his understanding that this is a Class J license.

City Manager Hernandez asked staff to clarify the type of license being requested.

Judee Jones, Revenue Department, replied this will be a Class C license. A Class J license is for live entertainment.

Attorney Stillwell replied this is a Class C license, not a Class J license.

Alderman Durrence asked if a Class C license allows live entertainment?

Ms. Jones replied yes.

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

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

5. Motion to Consider Alcohol License for Jacqueline Somesso of Liquid Cafe

[Density Report- Liquid Cafe20180919_18035649.pdf](#)

[Measurement Report- Liquid Cafe20180919_18032786.pdf](#)

[Alcohol Documents - Liquid Cafe20180921_16235285.pdf](#)

[Liquid Cafe Applicant Background Memo.pdf](#)

[Code Compliance Report - Liquid Cafe20181002_17384510.pdf](#)

[City's R to ORA & Show Cause Hearing Notice - Liquid Cafe.pdf](#)

City Manager Hernandez briefly reviewed the item, stating this is a show cause hearing. He stated an overview will be provided by the City Attorney's office.

Jen Herman, Deputy City Attorney, reviewed the applicant's history with the City. She stated staff is prepared to present history to support the recommendation to deny.

Deputy City Attorney Herman: Ms. Jones, you've identified yourself earlier today, for the record can you just give an overview of your duties with the Revenue Department?

Deputy City Attorney Herman swore in all the witnesses.

Ms. Jones: My duties in the Revenue Department are to ensure that the alcohol applications are processed and to ensure that the information that is received from the various departments is correct and the recommendation for approval is in order to move forward for City Council's approval.

Deputy City Attorney Herman: Did you receive an application from Jacqueline Somesso and if so, for what property?

Ms. Jones: Yes, I did. I received an application for Ms. Somesso for 11508 Abercorn.

Deputy City Attorney Herman: What type of license has she applied for?

Ms. Jones: She has applied for a beer, wine and liquor with Sunday sales.

Deputy City Attorney Herman: Were you provided a business plan in connection with the licensing, did you review that?

Ms. Jones: Yes, I did.

Deputy City Attorney Herman: What information was provided in the business plan?

Ms. Jones: The information provided in the business plan was that she will operate as a restaurant, that she will be serving food and she has hours indicating that she will be closing at 12:00 on Tuesday and Wednesday, Thursday and Friday until 3, and Sunday she will be closing at 11.

Deputy City Attorney Herman: Was there anything else significant for your analysis with respect to the business plan?

Ms. Jones: The business plan also indicated that she will have off duty officers. She is requesting to have six to eight off duty officers at the establishment while the business will be operating.

Deputy City Attorney Herman: In the course of processing this application did you learn that Ms. Somesso, either alone or in conjunction with others, has possessed an alcohol license in the City of Savannah?

Ms. Jones: Yes.

Deputy City Attorney Herman: In response to an open records act request from Mr. Scheer's office, did you compile a series of documents that was provided to the City Attorney's office and did you review those documents?

Ms. Jones: Yes, I did.

Deputy City Attorney Herman: Are you familiar with an establishment known as Oz?

Ms. Jones: Yes.

Attorney Steve Scheer: I'm making an objection for the record. I would once again reiterate that matters that occurred over 10 years ago are not relevant to this proceeding at this time and I'd like a continuing objection to them.

Mayor DeLoach: I'm not going to pick a bone with you but that's our opinion to decide not yours. It might be just as relevant as you've ever seen, so let's not assume anything, because you might get in trouble. Go ahead.

Attorney Scheer: I just want to say Mr. Mayor, by remaining silent I would be waiving objections.

Deputy City Attorney Herman: I'll agree to a standing objection.

Attorney Scheer: Thank you.

Deputy City Attorney Herman: Directing your attention back to Oz. Did Ms. Somesso apply for an alcohol beverage license in 2004 for location known as Oz?

Ms. Jones: Yes, she did.

Deputy City Attorney Herman: And where was that?

Ms. Jones: That was at 641 Indian Street.

Deputy City Attorney Herman: Do you recall what type of license she applied for?

Ms. Jones: She applied for a beer, wine and liquor license with a minor's permit, operating as a bar.

Deputy City Attorney Herman: And we no longer have a minor's permit do we?

Ms. Jones: That is correct.

Deputy City Attorney Herman: What was a minor's permit?

Ms. Jones: A minor's permit was to allow people between the age of 18 to 20 to enter an establishment and to be identified with some type of identification indicating that they were under age.

Deputy City Attorney Herman: Was a hearing held on that request on February 5, 2004?

Ms. Jones: Yes it was.

Deputy City Attorney Herman: What happened at that hearing?

Ms. Jones: At that hearing the application was approved, no withdrawn.

Deputy City Attorney Herman: Would it be more fair to say that the minor's permit application...

Ms. Jones: The minor's permit application request was withdrawn.

Deputy City Attorney Herman: Was that hearing was continued to February 19, 2004?

Ms. Jones: Yes it was.

Deputy City Attorney Herman: Did you appear and participate?

Ms. Jones: Yes, I did.

Deputy City Attorney Herman: Was Ms. Somesso there?

Ms. Jones: Yes, she was.

Deputy City Attorney Herman: Do you recall her giving assurances to the Council that the business would be operated properly in compliance with the law?

Ms. Jones: Yes.

Deputy City Attorney Herman: Was that license granted to her at that time?

Ms. Jones: Yes.

Deputy City Attorney Herman: After that did you come to determine that the operation of the business was not consistent with how it was presented to Council?

Ms. Jones: That is correct.

Deputy City Attorney Herman: What did you determine?

Ms. Jones: I determined based on observation to the location the business was allowing underage people in the establishment during some enforcement activities that occurred at that time.

Deputy City Attorney Herman: Did Ms. Somesso at some point in 2005 apply for a minor's permit?

Ms. Jones: She did.

Deputy City Attorney Herman: And did she receive it?

Ms. Jones: She did.

Deputy City Attorney Herman: On November 21, 2006 did you receive an email from Ms. Somesso about a change in operations?

Ms. Jones: Yes, she did. She asked to have the application, the minor's permit withdrawn.

Deputy City Attorney Herman: And what was your understanding of why, if any?

Ms. Jones: My understanding is based on the activity that was occurring, she wanted to go back to being an adult establishment.

Deputy City Attorney Herman: In 2007, did Ms. Somesso apply to transfer that alcohol license to another location?

Ms. Jones: That is correct.

Deputy City Attorney Herman: Where was the proposed new location?

Ms. Jones: 11508 Abercorn Street.

Deputy City Attorney Herman: I have to apologize, I misspoke earlier. The actual address for the license issue here is 10201 Abercorn. What was the proposed name of that location?

Ms. Jones: It was Vision, One Vision.

Deputy City Attorney Herman: Was it trading under a different name under a prior owner?

Ms. Jones: It was trading as Club Ice.

Deputy City Attorney Herman: At that time did City staff through the Revenue Director make a recommendation on the license to the Council?

Ms. Jones: Yes.

Deputy City Attorney Herman: Did that take the form of a memo from Buddy Clay?

Ms. Jones: Yes, it did.

Deputy City Attorney Herman: Are you familiar with that document?

Ms. Jones: Yes.

Deputy City Attorney Herman: In the interest of expediency, did Buddy Clay at that time note that the operation of Ms. Somesso's business had been problematic since its opening.

Ms. Jones: That is correct.

Deputy City Attorney Herman: Did he discuss in there the primary complaints?

Ms. Jones: Yes.

Deputy City Attorney Herman: Could you identify what those were?

Ms. Jones: The primary complaints were the noise, the loitering, under age, litter, illegal parking, trespassing, and disturbance of guests for the hotel.

Deputy City Attorney Herman: In 2006, did the Council amend the alcohol ordinance to prohibit persons under the age of 21 from entering bars or lounges?

Ms. Jones: Yes, they did.

Deputy City Attorney Herman: Do you recall at that time if Ms. Somesso or her business partner have any reaction to that proposal?

Ms. Jones: She requested...

Deputy City Attorney Herman: They appear before Council and testify in opposition, is that correct?

Ms. Jones: That is correct.

Deputy City Attorney Herman: On April 6, 2007, was there an enforcement operation conducted at Ms. Somesso's business Oz?

Ms. Jones: Yes.

Deputy City Attorney Herman: What was detected?

Ms. Jones: It was several minors present at that location.

Deputy City Attorney Herman: And due to the alcohol ordinance change, they would have been prohibited at that time, correct?

Ms. Jones: That is correct.

Deputy City Attorney Herman: Did you become aware at any point in time that Ms. Somesso was again proposing to change her business plan?

Ms. Jones: Yes.

Deputy City Attorney Herman: Approximately, when did that occur?

Ms. Jones: That occurred in November 2007, to return the club back to over 21.

Deputy City Attorney Herman: Did Mr. Clay in his memo also indicate that during the spring of 2007 minors again were found inside the business?

Ms. Jones: That was correct.

Deputy City Attorney Herman: And do you recall whether Ms. Somesso was there at the time?

Ms. Jones: Yes.

Deputy City Attorney Herman: And was she?

Ms. Jones: She was there.

Deputy City Attorney Herman: And is that the basis for the staff recommendation for denial of that licensing requests?

Ms. Jones: That is correct.

Deputy City Attorney Herman: Are you aware also at that time that the City Manager created and sent a memo to the Council opposed to the issuance of the license?

Ms. Jones: Yes.

Deputy City Attorney Herman: Have you reviewed that memo?

Ms. Jones: Yes.

Deputy City Attorney Herman: Did then manager Michael Brown advise the Council that Ms. Somesso had made a series of pledges in 2004 to properly operate the club although those pledges were not fulfilled it?

Ms. Jones: That's correct.

Deputy City Attorney Herman: Do you recall what licensing action the Council took at that time?

Ms. Jones: It was denied by Council.

Deputy City Attorney Herman: On April 12, 2007 did you receive any correspondence from Ms. Somesso?

Ms. Jones: 2007, yes. On April 12, 2007 I received a letter from Ms. Somesso surrendering her license. She was seeking a transfer to a license at 11508 Abercorn Street indicating her last day at Oz was on April 5, 2007.

Deputy City Attorney Herman: So, she turned in her license and wanted to transfer it to One Vision, the property we talked about a minute ago, correct?

Ms. Jones: Right.

Deputy City Attorney Herman: Did the One Vision operation open that spring without an alcohol license?

Ms. Jones: Yes it did.

Deputy City Attorney Herman: Lieutenant Young will address this, but to the best of your knowledge, were there incidents of fights and other unruly disruptive behavior while that club was operating without a license?

Ms. Jones: Yes there was.

Deputy City Attorney Herman: On July 19, 2007 did you receive an alcohol beverage license application from Michael Somesso, husband for the One Vision property.

Ms. Jones: Yes I did.

Deputy City Attorney Herman: Was there a staff recommendation at that time?

Ms. Jones: Staff recommended denial of the license.

Deputy City Attorney Herman: Do you recall a show cause hearing on August 2, 2007 concerning Mr. Somesso's request?

Ms. Jones: Yes I do.

Deputy City Attorney Herman: Do you recall what action was taken by Council?

Ms. Jones: At that time Council denied the license.

Deputy City Attorney Herman: Did Ms. Somesso again apply for an alcohol license for One Vision approximately the fall of 2007?

Ms. Jones: Yes she did.

Deputy City Attorney Herman: Was a show cause hearing recommended?

Ms. Jones: Yes it was.

Deputy City Attorney Herman: What happened with respect to that licensing request?

Ms. Jones: That license was withdrawn by Ms. Somesso.

Deputy City Attorney Herman: Ms. Somesso withdrew it?

Ms. Jones: Yes.

Deputy City Attorney Herman: In early 2008 did she apply again?

Ms. Jones: Yes she did.

Deputy City Attorney Herman: What type of business did she propose to operate?

Ms. Jones: She proposed to operate a restaurant with alcohol sales.

Deputy City Attorney Herman: And the current application she's proposing to operate a restaurant, is that correct?

Ms. Jones: That is correct.

Deputy City Attorney Herman: And did Oz open as a restaurant?

Ms. Jones: Oz opened as a club.

Deputy City Attorney Herman: Was there a show cause hearing conducted on the fourth request by the Somessos?

Ms. Jones: Yes, it was.

Deputy City Attorney Herman: Do you recall what the City Manager recommended at that time?

Ms. Jones: The recommendation was hours of operation and the operation of the business to allow for underage in the establishment.

Deputy City Attorney Herman: Could it also have been that the operation not conduct special events and limited its occupant load to 200 persons?

Ms. Jones: That's correct.

Deputy City Attorney Herman: Did the Council issue the license to Ms. Somesso under those terms and conditions.

Ms. Jones: Yes they did.

Deputy City Attorney Herman: On July 17, 2008, just a few months later what happened?

Ms. Jones: Ms. Somesso surrendered the license for One Vision.

Deputy City Attorney Herman: Do you have any understanding as to why?

Ms. Jones: I do not.

Attorney Scheer: Ms. Jones, going back to the Indian Street operation, did subsequently a bar called Frozen Paradise get a license for that same location?

Ms. Jones: Yes they did.

Attorney Scheer: And you had a lot of problems with Frozen Paradise 11, 12 years ago as well?

Ms. Jones: Yes we did.

Attorney Scheer: Now did your investigation go back, start going forward for the past, let's say five years, seven years, eight years since she was last here?

Ms. Jones: Can you repeat the question?

Attorney Scheer: Were you aware of her activities in the past 10 years?

Ms. Jones: No.

Attorney Scheer: Were you aware that she received an award from the Urban Chamber of Commerce for operating the best small business in 2017? Were you aware of that?

Ms. Jones: I was just made aware of that.

Attorney Scheer: Were you aware that she was awarded by that same organization the best restaurant of 2016?

Ms. Jones: No, I was not aware of that.

Attorney Scheer: Were you aware that she has been active in her community, especially in political arenas by hosting or giving in kind contributions last year to the Democratic Party to hold I believe it's their Jefferson-Jackson dinner.

Ms. Jones: I was not aware of that.

Attorney Scheer: Do you have any information other than matters that happened 10 or 11 years ago that this woman is not fit to hold an alcohol license?

Ms. Jones: I do not have any information.

Attorney Scheer: Did you interview any of the people in the community, including the clergy person who gave the invocation today as to her moral character for the past at least five years?

Ms. Jones: No, I did not.

Attorney Scheer: Were you aware that she had, all the things that happened in 2011 were the result of her operation of for better words, a nightclub or a club activity, correct?

Ms. Jones: That is correct.

Attorney Scheer: And it wasn't for a restaurant that served alcohol or might have live entertainment, correct?

Ms. Jones: That is correct.

Attorney Scheer: Now were you aware that she's been operating a business in the City of Pooler, Georgia called Honey BeeZzz for approximately five years?

Ms. Jones: Yes. I'm aware that.

Attorney Scheer: Do you know of any indication that anything untoward has happened while she's been operating that business?

Ms. Jones: No, I do not.

Attorney Scheer: Were you aware that she intends and she showed you the menu that is going to operate at Liquid Cafe, correct?

Ms. Jones: That's correct.

Attorney Scheer: Are you aware of that's the same menu that's being offered at Honey BeeZzz?

Ms. Jones: I haven't seen a menu for Honey BeeZzz.

Attorney Scheer: But this is an entirely different operation than the operation that happened 11 years ago, is that correct?

Ms. Jones: That is correct.

[Deputy City Attorney Herman called Lieutenant Shinita Young forward, and asked her to identify herself for the record. Lt. Shinita Young stated her name.]

Deputy City Attorney Herman: You're a lieutenant with the Police Department?

Lt. Young: That's correct.

Deputy City Attorney Herman: Are you responsible for the day to day oversight of the ABC unit?

Lt. Young: That's correct.

Deputy City Attorney Herman: And does that include reviewing applications for alcoholic beverage licenses?

Lt. Young: Yes.

Deputy City Attorney Herman: And do you pull licensing history where appropriate?

Lt. Young: Yes.

Deputy City Attorney Herman: At some point in time did you become aware of Ms. Somesso's application?

Lt. Young: Yes ma'am.

Deputy City Attorney Herman: Did you review it?

Lt. Young: I did.

Deputy City Attorney Herman: Can you describe the proposed use.

Lt. Young: The applicant submitted an application for a restaurant, which was a Class C retail dealer for distilled malt beverage and wine and also Sunday sales.

Deputy City Attorney Herman: At some point after reviewing the application was there a site visit conducted?

Lt. Young: Yes, we do interviews and site visits.

Deputy City Attorney Herman: At this particular site visit what did you learn and what did you see?

Lt. Young: Actually, ABC staff went out and did the site visit with Ms. Somesso. There she described a stage that will be constructed inside the business and also a patio lounge for hookah.

Deputy City Attorney Herman: So, it was to be a restaurant?

Lt. Young: That's correct.

Deputy City Attorney Herman: With an outdoor patio for hookah lounge?

Lt. Young: Yes.

Deputy City Attorney Herman: And a stage.

Lt. Young: Right.

Deputy City Attorney Herman: Did the proposal contain any information about the use of security?

Lt. Young: Yes, we actually got the security plan. There were some concerns and questions in reference to the crowds and the lines that we're going to be expected on the outside, employment of four to six off duty SPD officers, and actually using a wristband in order to indicate persons under 21 inside the establishment.

Deputy City Attorney Herman: Let me ask you this, have you ever had an applicant for a restaurant propose four to six security officers?

Lt. Young: No.

Deputy City Attorney Herman: How about armbands?

Lt. Young: No, not for a restaurant.

[Alderman Hall asked for clarity.]

Deputy City Attorney Herman: Armbands to differentiate minors from adults.

Mayor DeLoach: This is a restaurant, right?

Deputy City Attorney Herman: That's the proposed use.

Mayor DeLoach: So, you're going to wear a wristband to a restaurant? Unusual.

Deputy City Attorney Herman: In connection with the processing of the application did you look into Ms. Somesso's past history of license holding within the City?

Lt. Young: I did.

Deputy City Attorney Herman: Did you determine that she had operated an establishment known as Oz?

Lt. Young: Yes.

Deputy City Attorney Herman: Did you pull police records regarding calls for service and or criminal activity associated with that property?

Lt. Young: I did from 2004 to 2007.

Deputy City Attorney Herman: What did that show you?

Lt. Young: It showed 139 calls for service in that area. When we reviewed and researched every report that was taken, there were 70 reports that actually pertained to that business. 48 of importance and 22 that were unrelated basically to that business of importance.

Deputy City Attorney Herman: When you say 48, is that part one crimes?

Lt. Young: That's correct.

Deputy City Attorney Herman: What is a part one crime? Give us an example.

Lt. Young: Part one crimes would be robberies, shootings, rape, really severe crimes that are against our citizens.

Deputy City Attorney Herman: And did those records also reveal complaints from neighbors about noise?

Lt. Young: That's correct. We actually reviewed the reports, there was a nearby hotel that had numerous complaints from the guests that were there calling the security officer, letting them know there was loud noise and it was disturbing them and that hotel actually had issues for weeks.

Deputy City Attorney Herman: Were there instances of bottles used as weapons?

Lt. Young: That's correct.

Deputy City Attorney Herman: Did you locate records that showed extra duty officers had been assaulted by patrons?

Lt. Young: Right, when officers tried to deescalate fights they were also assaulted and dealing with crowd control, those were the things that was expressed in the reports.

Deputy City Attorney Herman: Did the reports also show the use of drugs on the premises within the establishment?

Lt. Young: Yes.

Deputy City Attorney Herman: Was there a carjacking associated with the property?

Lt. Young: That's correct.

Deputy City Attorney Herman: And what about shootings?

Lt. Young: Yes.

Deputy City Attorney Herman: Lt. Young, do you have a report, looks like CRN040923171 with you?

Lt. Young: Yes.

Deputy City Attorney Herman: And that's dated September 23, 2004?

Lt. Young: That's correct.

Deputy City Attorney Herman: And that's an incident involving loud music, correct?

Lt. Young: Yes.

Deputy City Attorney Herman: Can you describe for the Council just generally the substance of that report?

Lt. Young: To summarize the report, the security guard at Comfort Suites at 630 West Bay Street called to complain about the loud music because he received several calls coming from the guests that were actually at the hotel. He expressed that the loud noise, once the officer got there, the officer was able to hear the loud noise. He also encountered patrons that would walk through the parking lot, use threatening threats towards him, and also will yell racial slurs towards him. When the officer left the security guard and went to the club, he asked for the person that was in charge. The officer came in contact with Ms. Somesso, she came out and said that she was in charge. She became argumentative towards the officer once he told her what the complaint was about. From there he tried to educate her on the City Ordinance and the Loud Music Ordinance and she left without receiving that education from the officer.

Deputy City Attorney Herman: Did she complain that the hotel and the police had been harassing her?

Lt. Young: Yes, that's correct.

Deputy City Attorney Herman: And at some time thereafter, did Ms. Somesso, either alone or in conjunction with someone else, begin operating an establishment known as Club Visions, excuse me, Visions?

Lt. Young: That's correct.

Deputy City Attorney Herman: Was that operated for some period of time as a restaurant without any alcoholic beverage license?

Lt. Young: Yes.

Deputy City Attorney Herman: Were there instances of a large deployment of police resources as a result of the activity at that establishment?

Lt. Young: Yes, there were two incidents that were noted in May and June of that year where there were juveniles standing out in front of the club, it was a lot of loitering and officers had to respond in order to deescalate and deal with problems from...

Attorney Scheer: I'm sorry can you give me the year again, I didn't catch it.

Lt. Young: 2007 sir. Officers had to respond in order to handle crowd control and there were arrests made in reference to juveniles refusing to leave the area or if it was fights outside. There was another report where an officer indicated that it was about a thousand people in the area between Largo and Abercorn Street. A lot of the businesses along that area were affected in reference to the loud noise, the children walking, refusing to move. There were actually vehicles on Abercorn Street calling into the officers letting them know that they could not move about Abercorn Street because of pedestrian traffic in the streets. A lot of officers came in contact with the juveniles that used vulgar language and would not move. Those juveniles were cited and parents were notified.

Deputy City Attorney Herman: So, at this time she doesn't have an alcoholic beverage license, correct?

Lt. Young: That's correct.

Deputy City Attorney Herman: Let's fast forward to January 16, 2008. Did Ms. Somesso file, a police report with respect to her business at that time?

Lt. Young: Yes, there was a burglary incident where she indicated that someone came into her establishment and stole several items that would have been a television, a camera system, projector and alcohol.

Deputy City Attorney Herman: Under your understanding of the law, is it allowable for a person that operates a commercial establishment to possess alcohol in such business without a license?

Lt. Young: No, as indicated in the report, she was able to walk the officers over to the area where the alcohol was stored. The officer actually witnessed alcohol and boxes on the floor and shelves and alcohol still in place since she actually closed the business up until this point that she reported the burglary.

Attorney Scheer: Your last operation or last examination into this woman's character was over 10 years ago?

Lt. Young: That's correct, sir.

Attorney Scheer: And other than what happened over 10 years ago, is there any indication whatsoever that she is a threat to society, to anyone, period.

Lt. Young: No.

Attorney Scheer: Did you check and see that for the past five years she's operated a business in Pooler, Georgia?

Lt. Young: Yes.

Attorney Scheer: And would you agree or disagree that it's a very similar operation to the one she is proposing to do in the City of Savannah?

Lt. Young: It's a restaurant, sir.

Attorney Scheer: Same restaurant, it's got the same menu, doesn't it?

Lt. Young: I haven't seen the menu sir.

Attorney Scheer: And the one in Pooler you know has live entertainment?

Lt. Young: Yes sir.

Attorney Scheer: And did you know that when she was talking about having police with bands that would only be when there was live entertainment?

Lt. Young: No sir, what's indicated on her security plan is in order to distinguish between someone as over 21 and under 21, that's when she would have the wristbands used for juveniles.

Attorney Scheer: Did she tell you she wanted to make sure that there would be no infractions?

Lt. Young: In reference to?

Attorney Scheer: The operation of the new business?

Lt. Young: Yes, we actually discussed that during the interview.

Attorney Scheer: And she was more than cooperative, correct?

Lt. Young: She was, we had two interviews.

Attorney Scheer: And were you aware of the awards that she's received?

Lt. Young: I've heard of that which was just mentioned.

Attorney Scheer: A best small business in 2017, best restaurant in 2016, and community involvement by giving in kind contributions to political parties.

Lt. Young: Which you just mentioned, sir.

Attorney Scheer: Nobody bothered to check on what has happened in the past 10 years, did they?

Lt. Young: I have in reference to Pooler or any other business, yes.

Attorney Scheer: And you found nothing untoward in that?

Lt. Young: She has affiliations with another business that's in South Carolina, not just Pooler.

Attorney Scheer: But the business in South Carolina, that liquor license is not in her name, is it?

Lt. Young: The business license is not in her name, she's under an umbrella of a company with four other parties at that business, sir.

Attorney Scheer: And that's not any reason for the denial at this time, is it?

Lt. Young: When we discussed the business history that is also taken into account, the calls for service of all the businesses that she has owned not just the ones in Savannah.

Attorney Scheer: Was it listed in the notice?

Lt. Young: What notice?

Attorney Scheer: That we were given for today.

Attorney Scheer: I don't know the notice you're referring to.

Attorney Scheer: You have any information that you, I think I've already asked this, do you have any indication that at least for the past 10 years prior to all those other incidents that she's done nothing wrong and been an active and good citizen to the community?

Lt. Young: No sir, she hasn't done anything wrong.

Attorney Scheer: In fact she has done some pretty good things hasn't she?

Lt. Young: I don't know what she's been involved in sir.

Attorney Scheer: But you know of nothing bad.

Lt. Young: I don't know anything bad sir.

Attorney Scheer: Thank you, that's all I have.

Deputy City Attorney Herman: Mr. Scheer asked you a series of questions about an operation in Pooler and then he alluded to something in South Carolina. Can you identify that establishment?

Lt. Young: It's called Club Karma, it's a strip club that's in Hardeeville, South Carolina.

Deputy City Attorney Herman: Thank you.

Attorney Scheer: Nothing further.

Deputy City Attorney Herman: That's all the evidence on behalf of the City.

Mayor DeLoach: Can I ask a question too, is that okay?

Alderman Hall: This is directed to the City Attorneys, Mr. Scheer was referring to 10 years ago, 10 years ago is there anything in our code related to licenses that precludes a person from applying again for a license after x amount of years?

Deputy City Attorney Herman: Yes, but it's not necessarily applicable here. We recently changed the Alcohol Ordinance to provide that where an applicant, and I think that it was in response to a concern from Alderman Thomas, where an applicant had surrendered a license that there'll be a five year period during which time they would not be able to submit a new license. Again, that doesn't apply here. Mr. Scheer's argument is that there's a 10 year window. That language does not appear in our ordinance. He's making a constitutional argument of equal protection.

Alderman Hall: But my question is, in spite of all of these infractions, does she still have a right to apply?

Deputy City Attorney Herman: Yes sir.

Alderman Hall: And do we allow that?

Deputy City Attorney Herman: The decision is yours, the ordinance allows her to apply, the Section is 6-1207, and what that says is that this Council can look back at its relationship with the applicant during the time she possessed an alcohol beverage license. It doesn't say 10 years, it doesn't limit it temporarily.

Alderman Hall: Okay, but it does not, it's not a death sentence. In other words, don't ever come back.

Deputy City Attorney Herman: Yes sir, that's correct.

Alderman Johnson: Lieutenant, I guess, well, I mean obviously the entire record might be germane, but I'm also more interested in the recency. So, in your investigation of the applicant's license, where you investigated the most recent business activity and you identify what is being Pooler, I guess where she is the primary business holder.

Lt. Young: In Mediterranean, and I know they said it was Honey BeeZzz, we asked Pooler for their documentation, there isn't any calls for service when we spoke to the officer indicating that there were problems there. In contrary to that, when we actually spoke to Hardeeville, South Carolina we got in touch with Jasper County Sheriff's department they have 115 reports at that location.

Alderman Johnson: But she's not the primary, the license is not in her name and she's part of a conglomerate.

Lt. Young: The way that South Carolina works is by company. The license is actually the company as listed, then you basically have an umbrella and you have members up under that umbrella. So, her along with four other individuals are listed up under that business.

Alderman Johnson: I'm part of the City government in which we get sued all the time, all nine of us, and I didn't do anything wrong at all, maybe they did it but I didn't do it. So, I guess the question and going back to where she's a primary.

Lt. Young: By those standards it would be the one in Pooler, which we don't have any incidents.

Alderman Johnson: And so you talked with their police, she's operating and in business obviously they offer a business license as well, which is a privilege in which they have to reapply for, correct?

Lt. Young: That's correct, and under the business license there and the alcohol license there it's actually up under someone else's name, not Ms. Jackie Somesso but she works as the manager there.

Alderman Johnson: In comparing the bar experience to the recent experience obviously it appears that she's learned some lessons between the 10 year mark and the last five years, correct?

Lt. Young: There hasn't been any incidents, sir.

Mayor DeLoach: I've got a couple of questions, the first one is what position does she hold in the South Carolina job? What is her position in the South Carolina operation? I'm asking her.

Attorney Scheer: Well, we're prepared but it wasn't on the agenda, but what I can tell you is in South Carolina, unlike Georgia, your security people are actually vested with the power of arrest, and if you want to go back and look at all those reports which were not part of this, it's where they arrest people unlike Savannah.

Mayor DeLoach: I asked a question, what is her position in that company? Do you work over there every day or do you never go over there, or do you just have some money in the job? Because there's two different operations, we have a strip club and then we got a restaurant. I'm not speaking about either one, I just want to know do you run the restaurant every day or you run the strip club every day? How do you operate?

Jacqueline Somesso: I run the restaurant every day and I have persons over in Karma and they run Karma everyday, but Karma is not open every day.

Mayor DeLoach: My question is, do you own that company over there in South Carolina? Yes or no?

Ms. Somesso: There are several owners.

Mayor DeLoach: How many is several?

Ms. Somesso: Five.

Mayor DeLoach: Five, but you are a part of that five?

Ms. Somesso: Yes.

Mayor DeLoach: But the Bee restaurant, is that correct?

Ms. Somesso: Honey BeeZzz.

Mayor DeLoach: Honey BeeZzz, you're good there though, right? You operate that things are...

Ms. Somesso: I operate that, five days a week.

Mayor DeLoach: This has got the same menu, I'm assuming it's going to be the same thing as what's in Pooler so, why wouldn't it be a restaurant?

Ms. Somesso: The concept is it's a full service restaurant with live entertainment.

Mayor DeLoach: Okay, but I mean you have that in a lot of restaurants and they have a restaurant license. Why wouldn't you just asked for a restaurant license?

Ms. Somesso: I applied for a restaurant license. I was told by Lt. Young and by Ms. Judee Jones that I can be a restaurant with live entertainment is what we discussed. We had a second police interview whereby I explained to her, she asked me why I needed so many police and I explained to her that that was only on event nights to make sure that the patrons were safe.

Mayor DeLoach: Okay, but she could apply for a restaurant license just like she has in Pooler, why would we have a problem with her having a restaurant license?

Deputy City Attorney Herman: I think there's some confusion. She's applied for an alcoholic beverage license. I think the import of Lt. Young's testimony was that there were indications that despite the fact that she stated she wanted to run a restaurant, that there were indications that it might morph into something else that would be more consistent with past operations. That was the suggestion.

Mayor DeLoach: Why didn't you apply for a restaurant license, I'm just asking.

Attorney Scheer: She did.

Mayor DeLoach: Why did we turn her down? Did we turn her down for a restaurant license?

Deputy City Attorney Herman: There's no restaurant license, she would apply for a business tax certificate. This is an alcohol license request. I'm not sure I'm following you Mr. Mayor are you asking about prior applications that were going on?

Mayor DeLoach: No, I'm not. I'm talking about she wants to open a restaurant like she did in Pooler and she walks up here and says I want a business license to run a restaurant. In addition to that, I need to have an alcohol license because I'm going to serve alcohol. So, what if she applied for like everybody else does and ask for a restaurant license, and they get alcohol with it. What's the difference? What is the rub here? Other than to say what I'm getting from you is we're going to open an alcohol establishment and we're going to serve a few wings and say everybody's happy. That doesn't appear what's taken place over in Pooler, it's a restaurant that also has alcohol and I'm just trying to see why don't we have her open a restaurant that has alcohol.

Attorney Scheer: She has that in Pooler too. She has an alcohol license in Pooler.

Mayor DeLoach: And you haven't had any problems, what is the...

Deputy City Attorney Herman: There's no objection to the restaurant component. The only issue is whether she satisfies the criteria to obtain an alcohol license and if it's the will of Council to grant it, then so be it. We've just presented evidence here today about the prior history.

Mayor DeLoach: I'm just trying to clarify because I mean, it sounds like she wants a restaurant but I'm not sure. I mean, it sounds like she had a shot house one time. I mean that's what I would call it, I don't know I've heard that term, shot house running on the back side there or the back door. But with that being said, I'm not going to question it one way or the other because I wasn't there. I want to make sure everybody understands that, but theoretically speaking, why would you have alcohol in the back of the place when it wasn't an alcohol establishment. You know, cases of alcohol, then you get upset because somebody stole all your alcohol. You know, you wonder, well why was it there if it wasn't open as an alcohol establishment, but I'm not going to question that today because that was a long time ago wasn't it Steve? But my point is can we have a restaurant and everybody be happy or do you feel like it's going to morph back into an alcohol stand, because it has not done that in Pooler.

Attorney Scheer: Well, you have a guarantee of that because unlike the other establishment, this is Sunday sales and they have to certify that over 51 percent of their business is food oriented.

Alderman Thomas: I have several questions, some are going to be for you and some are going to be for staff. The first one is going to be for the Attorney and staff, the teen club that was at Largo and Abercorn, what was the name of that again?

Lt. Young: It was Visions and it still had the marquee outside as Club Ice. So, a lot of our reports would have indicated Club Ice or Visions.

Alderman Thomas: And we had multiple issues with that stemming from the community and complaints. The one that bothers me the most was when mothers would call concerning their children that had been there and worried about the actions that were going on and the response when police response had to be there, putting their kids in jeopardy, with all kinds of issues. So, that's my major concern. Now Mr. Scheer says, you know, it's not relative because its 11 years later or whatever but I think it's very relative because whatever decision that we make here is based upon the past and the history. I personally don't have anything against Ms. Somesso, but I do have some serious concerns when she is managing a business in Hardeeville, South Carolina and a business in Pooler, Georgia, and a third business on Abercorn Expressway. I just, can she do that, Mr. Scheer?

Attorney Scheer: She's testified that she has no supervisory capacity, once again in the operation in Hardeeville. She does work every day in the restaurant in Pooler.

Alderman Thomas: Well, let's not talk about Hardeeville, you know, even though there's 115 calls and all, every place has calls for service. But let's talk about Pooler. Let's talk about the security plan. The numbers that I heard four to six officers when she has an event. Can you explain to me what an event is and how an event is promoted here?

Attorney Scheer: Well, in the other establishments, they were geared to younger people. This is going to be geared to people over 25 because they have money.

Alderman Thomas: Well, I understand that, but I'm also confused by that because you've raised the issue about wristbands for people that are under 21. So, where's the wristband discussion?

Attorney Scheer: She's trying to make sure that nothing happens.

Alderman Thomas: If we're talking about 25 years old, why are we talking about wristbands for under 21 too?

Attorney Scheer: I've been told, and Lt. Young correct me, the wristbands were canceled, I believe after the second interview.

Lt. Young: When we had the second interview Ms. Somesso said that she was going to submit a second security plan, which we have yet to get. During the interview we went over the security plan and instructions and I explained to her when she described everything, some of the things she felt like she had to have an answer for everything that was on the instruction list. So, when it came to having a

restaurant and that's what we discussed, in a restaurant you can have someone under 21. What I was trying to indicate to her if she wanted to have a bar and she wanted to have events than we do have an underage permit that she can have and work as a bar and have that permit connected. But she in turn decided that she wanted to have a restaurant and keep it that way and use the wristbands in order to identify those under 21.

Alderman Thomas: So, just for clarity, what was just said, and what was said earlier, is this a restaurant or is this a bar that allows kids in for events that's serving alcohol still?

Attorney Scheer: No one under...

Alderman Thomas: Is this a hybrid in disguise?

Attorney Scheer: No, and I believe that the wristband was withdrawn according to my client because she didn't need it.

Lt. Young: Once we meet and we receive that updated security plan from her, then I'll be able to attest to that, but we sent an email to her asking for that copy to show the changes and we haven't received that but she indicated that in the interview.

Attorney Scheer: Indicated that she was going to do away with it.

Lt. Young: That's correct sir.

Attorney Scheer: She was going to do away with the wristbands.

Alderman Thomas: I'm going to use this example. Applebee's every night of the week, you can take your family there and you can eat at Applebee's and you can have a beer with your kids if you want to. But when you start promoting quote, unquote events and the restaurant shifts to an event facility, oriented towards having some kind of special promotion and kids are coming in there that are under 21 that are wrist banded, is that kind of what we're looking at here? Because that is a hybrid and that is what we got away from and I just want to be absolutely sure that this is not what we're entering here unknowingly. I have no problems with the restaurant. I just want to clarify this with Ms. Somesso that I don't want another teen club. I want to clarify something else too, this is in District Five, this borders District Six, so you're not in my district, you're in Alderwoman Estella Shabazz's district. But there's a liquor store around the corner from this place too. So, we already, Ms. Shabazz and I have already talked about our concerns in this corridor related to alcohol. I'm not against you having a restaurant, but I want to be absolutely sure so that there are no misconceptions here that you're not trying to get a hybrid in there and put a bunch of underage kids over there that are then going to become a problem and that we're going to have a body in the middle of Tibet Avenue and Abercorn because of something that happens inside that club.

Attorney Scheer: Let me address first Lt. Young's concerns. On 9/26/18 she emailed not to you, but S.R. Richard's her security plan.

Lt. Young: I'm looking at that same email up. According to Officer Richards he emailed her back to let her know that an attachment wasn't included in that email.

Attorney Scheer: There were two emails received, did you receive it?

Lt. Young: Can I review what you're looking at?

Alderman Thomas: While they are resolving this I want to ask about the ownership of this club or this restaurant. Is this Ms. Somesso's restaurant alone or is this a partnered facility?

Attorney Scheer: It's a family, she and her husband.

Alderman Thomas: She and her husband, Michael, right?

Attorney Scheer: Dennis.

Alderman Thomas: I would like to ask, did Ms. Somesso purchase this property or is it leased?

Attorney Scheer: It's a lease/purchase.

Alderman Thomas: I still want the question with the security plan answered though.

Lt. Young: The security plan that's listed there, there are some corrections when she did take off the wristbands, everything is not indicated. The one through nine that's in our ordinance, so we will follow up with Ms. Somesso but within that email it's not listed as far as any of the wristbands being used. What they plan on doing anyone under 21 will be carded. They're going to use an ID scanner in order to identify and actually have that information uploaded to their system. But there's nothing to indicate or distinguish between someone that's over 21 or 21. So, with the security plan, what we will do is go back through with her because everything is not addressed there. It was just added onto an email. She didn't give a security plan like she did the first time. It was included in the email.

Alderman Thomas: But the caveat to that is this, promoted events. What is the way that a promoted event, because if you are promoting an event and you're using your facility, which is a restaurant but all of a sudden becomes a person driven promoted event, how are we allowing under 21 to go in there if they are still selling and consuming alcohol?

Attorney Scheer: According to the security plan and I'm going to read it to you, in order to combat underage drinking every patron will be carded on event occasions, you must be 25 to enter. We would have ID scanners at the entry point and our system has software for ID patrons as well as once a driver's license information has been entered. And that would only apply on events and you can't be 21 to get in there, you have to be 25 according to them. Now, that might cause us some equal protection problems later on, but that's our plan right now.

Alderman Johnson: One quick question back to that, that was how the whole hybrid thing came up. When a business changes use from being under 21, to now over 25, you have individuals in the establishment that were there prior to it changing to an event and I guess that would need to be addressed in your security plan.

Attorney Scheer: We don't want to be back up here on a true show cause hearing to have our license revoked.

Alderman Johnson: You really don't.

Attorney Scheer: I know we don't, so that's why we're taking precautions.

Mayor DeLoach: I don't think we have the answer to that though do we? That wasn't a good answer.

Alderman Johnson: I just wanted to make sure, I mean that that was of, I've been in that life before, we were when that hybrid thing came up. But to go back to the Lieutenant and I think the Mayor actually summed it up. Was this a case of they're applying and based on their history, you said, let's do this, let's do this, and let's do this, so that it would be palatable for Council to things that you felt that might pass if they had an overarching, huge security plan?

Lt. Young: What is my idea in reference to my investigation?

Alderman Johnson: She brings to you and you knew that there were issues in her past because I mean ultimately she said she wanted a restaurant.

Lt. Young: No, her past had nothing to do with the security plan. When I look at a security plan and see that you expect large crowds at a restaurant and you want to hire four to six officers in order to actually patrol the area on the outside to deal with your crowds, and also you're going to have, when we discussed during the interview, armed security, then that raises questions to see how you're actually operating your business. So, that's why I asked her back into a second interview for her to be able to explain if she's actually going to be a bar and want under 21 or if she really wants to be a restaurant. So, that's where all those things came about. I actually told her to go back to Revenue to discuss those matters so she can decide what type of license she really wanted to have it.

Alderman Johnson: So, taking the event thing off the table, let's just say she wanted a simple restaurant with alcohol then obviously the security plan she gave initially would have been sufficient for them.

Lt. Young: That would be correct.

Alderwoman Shabazz: This address at 10201 Abercorn Street is located in the Fifth District, am I correct?

[Staff replied yes.]

Alderwoman Shabazz: Now, it's been stated already that over in the Fifth, alcohol is a situation where we just don't tolerate all types of things going on. Now, I've heard the previous history of what has taken place involving or somewhat involving you and your name and your business and all of those practices. But I also heard in the past less than 10 years that you have been operating a very good business. When people are given awards and are chosen by committees, by other great standards and then they are actually awarded awards that really says something about a business person. With all that being said, I would like to encourage you by first saying congratulations on conducting great business and good business in the last past 10 years. That speaks volumes for me. When I spoke with you in reference to your business that will be on Abercorn Street, you also showed me some drafts and preliminary plans of how your establishment is going to be built on the inside of it and it looked very good for a family restaurant. I, also my family and I, now we frequent the Applebee's and when I looked at your plans and things that puts me in the mind of the Applebee's restaurant that's on Abercorn not too far, probably less than a mile from where your establishment is going to be. Also, in my thoughts about your restaurant it also put me in the mind when my family and I are in the Applebee's sometimes at a certain hour when the restaurant turns over to the lip sync competition and it sort of changes the atmosphere inside of the restaurant and it put me in the mind of what you were talking about, family members, children were still inside of that restaurant and that event that they were having was very wholesome and fun even for myself to look at. So, I'm thinking that with what you're talking about it's going to be similar to that and that's what I hope is going to happen. I am telling you upfront that I will be frequenting, I will be coming in to your restaurant, my family and I just to make sure that you don't come back up here anymore for a show cause hearing or any type of hearing. When your licenses are expired, that you renew them and your business license so that everything stays like it's been over in the Pooler location of your restaurant. I think it's a good thing if you can expand your business and you can have two, three, or four businesses and even go out of this state, and even out of this country, if you can expand businesses like great business persons do have more locations in different places, it's a good thing, it's a great thing and I applaud that. So, as we move forward and as you move forward, I am going to vote for this license for you to have today. I'm to vote for it with your understanding and knowing that I'm going to be there, I'm going to be watching real close so that you won't be up here. The other thing I am concerned about and I don't see why you have to spend additional dollars to have four to six officers at a site. I don't see where that's necessary for you to do that. If you're going to have a particular...

Mayor DeLoach: Let's don't do that. Let's not decide the numbers, I think you should let the police do that.

Alderwoman Shabazz: Now, I understand that Mr. Mayor, but I'm just talking and stating my point here because I wrote it down. When I go to restaurants and other venues where there's not a whole lot of security and if I walked into a restaurant and I see all these police, it really brings a different type of notation to me that something is going on. So, that's why I stated that in my opinion, that that's really not needed in my opinion. The wristbands was another point that I put down but as you're moving forward that that's not going to be a part of your security plan. So, I just want to say congratulations on being awarded the best small business in 2017 and also being awarded the best restaurant in 2016 and continue to do the community work that you're doing. I know that people change, people learn and it's been 10 years ago and I'm pretty sure that in business that you have learned and have gained extreme wisdom as you move forward in business as a business woman. So, continue the good work.

Alderman Durrence: I apologize if these questions have been answered and I somehow missed it. But how long have you operated the Honey BeeZzz restaurant?

Ms. Somesso: Four years.

Alderman Durrence: I'm also not clear in the case of an event, some evening at the facility would that start from an empty building or would you have to have some type of mechanism for getting the under 25 year olds out of there and how would you do that?

Ms. Somesso: We haven't had to worry about that because usually events start at 10:00 and by then there is no one in there that's under 21.

Alderman Durrence: But how would you address it if that was the case?

Ms. Somesso: The management goes around and let them know that an event is going to start. But they know prior to coming in that we have an event on event nights.

Alderman Durrence: But from what I understand, what you were saying about the events is that you would be scanning ID's, so if there are people in the room at that point, would you scan everybody's ID that's there to have that record?

Ms. Somesso: Everyone has to get their ID checked regardless if you're sitting at the table just having dinner. So, if you order alcohol your ID is checked.

Alderman Durrence: Even when you're just operating as a restaurant that has to happen or you would do that any evening that you anticipate an event later in the evening.

Ms. Somesso: We have to check ID at every table and every person coming up to the bar, even if it's not an event because some persons may look 21 but may not be 21 if they are ordering alcohol with their meal.

Alderman Durrence: I guess my feeling is I want to believe in second chances, I really do. But I hope that if in fact you do get the license, this hearing has made you be extremely sensitive to how quickly you can lose it.

Ms. Somesso: Very much so.

Mayor DeLoach: I just want to ask do you have this same setup in Pooler?

Ms. Somesso: Yes.

Mayor DeLoach: The 25, and all that stuff and it works out?

Ms. Somesso: They really only have to be 21 to come in when there's an event.

Mayor DeLoach: Okay, but you have to check all the ID's and do all that stuff you're talking about here.

[Mayor DeLoach asked Chief Renew for his opinion since he is the former Police Chief in Pooler.]

[Alderman Johnson stated Chief Renew needed to be sworn in, if he was going to be a witness. Deputy City Attorney Herman swore him in.]

Mayor DeLoach: So, I'm just trying to get a feel for how it went over in Pooler.

Chief Mark Renew, Savannah Police Department: Obviously I haven't been in that capacity in over a year, but my experience of living there and all, I have not had any encounters with her. I haven't heard anything to disparage her credibility.

Alderwoman Bell: Attorney Scheer, you're not going to call any witnesses are you? I think I can see how this is leaning and I'd like, well, I guess that should have been a question.

Attorney Scheer: I wanted to have the witnesses here who have known her for the past 10 years to establish to this Council regardless of what happened in the past, people do change if you didn't give people second chances. They are all here to support her. No I won't have them speak.

Alderwoman Bell: So, I get that and I'm going to say after hearing all this, I leaned over to my colleague earlier and said we were not, I was not around 10, 12 years ago on this Council, so I would have to rely on their interpretation or reaction to what happened then. However, like other Council members have stated, I too believe in a second chance. So, I can say to you, I don't know you, but I do know your pastor and if your pastor who I've known for several years and she did not call me prior to this meeting and told me she intentionally did not call me to have any expressions. But if she is willing and she believes in you enough to stake her entire reputation on you that speaks volumes for me. So, I would say to you, as some of the others have said, please live up to what these people are expecting of you and please don't let us see you in here again for this kind of show cause hearing.

Mayor DeLoach: I think we've all summed it up.

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

Alderman Thomas: Well, I want to say this, you know, I've heard the testimony but I actually know the past. I, like Bill said, I too believe in second chances and I do hope that Ms. Somesso will take this one very serious and she listened to what Dr. Shabazz said about really making sure that this is operated in a manner that you're saying it's going to be operated in, because we don't want to see you back up here and we don't want to see the people calling us and complaining about the location itself. I hope you will have a successful business, I'm going to support you on this, but I want you, I'm going to beg you to please honor the commitments that you're making here today and what your lawyer has stated that you're going to do and hope you operate that facility in a manner as such.

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

ZONING HEARING

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

[Upper-story residential Draft Ordinance 18-003306-ZA.pdf](#)

Continued to the meeting of October 25, 2018 per the petitioner's request.

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

[415 E Oglethorpe Ave Rezoning Planning Commission Recommendation 18-002579-ZA.pdf](#)

[415 E Oglethorpe Ave 2012 Deed Book 378M Pages 92-93.pdf](#)

[415 E Oglethorpe Ave 2008 Plat Book 40P Page 95.pdf](#)

[415 E Oglethorpe Ave 1984 Plat Book 6P Page 29A.pdf](#)

Continued to the meeting of October 25, 2018 per the petitioner's request.

[8. Motion to Conditionally Allow Certain Special Uses on 1650 E Victory Drive \(Petitioner: Richard Mopper for Tafina LLC\)](#)

[1650 E Victory Dr 20180828 Planning Commission Recommendation RE Special Use 18-003858-ZA.pdf](#)

[1650 E Victory Dr Special Use Draft Ordinance 18-003858-ZA.pdf](#)

[1650 E Victory Dr 2018 and 2016 Concept Plans.pdf](#)

[1650 E Victory Dr 2016 Special Use City Council Minutes.pdf](#)

Continued to the meeting of October 25, 2018 per the petitioner's request.

[9. Motion to Deny the Request to Rezone 10602 White Bluff Rd from R-6 to B-N \(Petitioner: Holly Young for Victoria Guest\)](#)

[10602 Abercorn St 20180818 Planning Commission Recommendation.pdf](#)

Holly Young, Agent for Victoria Guest, Owner: there are a few things I'd like to point out this afternoon. This piece of property is located on the eastern side of the White Bluff Road. It had several residential structures on it in years past, it had been since been removed. The petitioner would like to request the zoning change to B-N from R-6. When you look at the property starting from Montgomery Crossroads going south, there are several residential structures along that corridor but there are also many commercial structures. You have Sunoco, which is a gas station; Circle K, which is a convenience store; Food Lion; Marathon, which is a gas station, closer to the piece of property in question; Whelan's Furniture, is down on the corner there; and within 500 feet on the western side there is a new Wendy's that just opened. In addition to those, there is a piece of property on the eastern side that's also zoned B-N, as we're requesting that houses the shops at Wilshire Boulevard. In trying to sell the property in the past the owner has not been successful in courting any residential takers there because of the arterial road there, there's a lot of traffic and it's not suitable for residential construction. Also during the Planning Commission meeting, we had signs posted ahead of the meeting and we did not have any of the

surrounding residential neighbors come forward to oppose the rezoning. The property is 200 feet deep, it's a very heavily wooded lot, so we feel like there could be a good buffer between the rear of this property when it would be developed and the residential neighborhoods behind it. Also I went by and took pictures of the existing businesses along that corridor and all of the ones that I mentioned do join residential properties and the proximities between the back of those and the residential properties would be no greater than what we have before you today.

Alderman Thomas: Holly, where is this exactly?

Ms. Young: If you come out of Tibet and take a right, it's going to be on your left and it'll be about 500 feet before you get to the new Wendy's.

Alderman Thomas: Is it right before the Presbyterian Church.

Ms. Young: It is.

Alderman Thomas: And it's across from the Skinner Dental?

Ms. Young: That's correct.

Alderman Thomas: And it's 843, number on it right now?

Ms. Young: That's correct, she lives in Mount Pleasant.

Alderman Thomas: It's basically where the Lorwood Fire Station is, in Alderman Miller's district. What do you think Mr. Miller?

Alderman Miller: Well, I have to disagree with what I just heard. The western side of White Bluff has a lot of commercial and there's, I'm looking at it on the map, there's a lot of commercial between Montgomery Crossroads and the school. But this is all residential area and as you pointed out you're having a hard time selling residence there. Putting commercial in this property is going to make it harder for the people who have residences there to sell their property because they're going to have some problems there too. I contacted the Neighborhood Association President, he was not aware of this. The signs may or may not have been put up and he may or may not have seen them, but he was not aware of it until I brought it to his attention, and that's after it was brought to my attention over the weekend when I saw it on the agenda. But this is a neighborhood, it's a residential neighborhood they have no desire to have commercial in that area and the whole purpose of zoning is protect those types of areas. So, it's something I'm going to have to oppose and I think the Planning Commission did a very, very good job of explaining why.

Ms. Young: Mr. Miller, I respect that, but I will point out that both Whelan's and the Marathon Gas Station are east of this property that we have in question, south, they are south.

Alderman Miller: But they're not close to this residential area. This Paradise Park Neighborhood, and they fight very hard to keep the integrity of that neighborhood.

Alderman Thomas: And in defense of what Mr. Miller is saying too, Whelan's proceeded the development that developed behind it, the Phyllis Drive which is in your district and the other street there.

Ms. Young: Okay, and also the Marathon Gas Station, was that prior too as well?

Alderman Thomas: It was.

Ms. Young: Because you know, I went back and took pictures of those and you can see...

Alderman Thomas: The Marathon Gas Station used to be a Texaco back in the 1960's.

Ms. Young: The lady that is trying to purchase this piece of property, wants to put in a small family owned deli. I understand she's not wanting to do anything detrimental to the neighborhood. She felt like it would be an addition to that area of unit since we do have the Wendy's there.

Alderman Thomas: Well not to take away any of Mr. Miller's thunder, but on the other side of the road, there are some spaces that are available that would satisfy your client and Mr. Miller's desire.

Alderman Miller: And we would be all in favor of that. I hate to give up things to another district but I will do that for this.

Alderman Durrence: I actually have a question for Marcus. I understand the complication here, because I can see where residents on White Bluff, there might be a little awkward, but I understand the residents' concerns as well. My question, and normally MPC would have made the suggestion, so maybe it isn't something viable, but is there something not B-N that might be more of a compromise?

Marcus Lotson, Metropolitan Planning Commission: Really Alderman Durrence, when we looked at the zoning requests, we really felt like for a small commercial use that the B-N is the appropriate zoning classification for the use. It's just in our opinion was not appropriate at the location. So, we didn't feel like there was a less intense district that could be permitted there that would not have impacts on the adjacent residential.

Alderman Durrence: In the broader context of the land use map aside from this particular petitioner is there no transition zoning that might make that a more viable area for the future?

Mr. Lotson: There are some districts that we believe could go there. They would not be commercial in nature. There are some both multifamily and office districts that would serve more as a transition, you know, with the heavy traffic on White Bluff as it relates to the single family residential there in the Paradise Park Neighborhood.

Alderman Thomas: The B-N would allow a bar too, wasn't it?

Mr. Lotson: It would not, it would allow convenience stores, incidental package, alcohol sales, and things of that nature. But it would not allow a bar.

Alderman Thomas: That's my point, I mean you've got a neighborhood they're trying to preserve the the residential quality of that. So, when you open it up to a B-N like that, there's other uses that could be in there. You know, she might have the greatest intentions in the world, but her little sandwich shop might go broke next year and then the next thing you know is you have a B-N sitting there with a space that could convert to a use that might downgrade the neighborhood.

Alderman Miller: And they're in the process of renovating the school right beside it.

Alderman Thomas: Yeah, well, just a little bit up from it.

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

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

ORDINANCES - FIRST AND SECOND READING

[10. Motion to Rezone 606 Berrien St from P-RIP-B to R-B-C \(Petitioner: Jodie Quinter for Ileana Moleiro De Rivas\)](#)

[606 Berrien St Rezoning Draft Ordinance.pdf](#)

Ordinance read for the first time in Council October 11, 2018, 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 Thomas, and unanimously carried.

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM A P-RIP-B (PLANNED RESIDENTIAL – MEDIUM DENSITY) ZONING CLASSIFICATION TO AN RBC (RESIDENTIAL BUSINESS CONSERVATION) ZONING CLASSIFICATION; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

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

SECTION 1: The following described property be rezoned from its present P-RIP-B zoning classification to an R-B-C zoning classification:

Beginning at a point located at the approximate intersection of the centerlines of Berrien Street & Purse Street [X: 986086.98973 & Y: 755913.79917], said point being, THE POINT OF BEGINNING,

Thence proceeding in a NW direction along the approximate centerline of Berrien Street for an estimated distance of 174.7 ft. to a point, said point being located at the approximate intersection of the centerlines of Berrien Street & Wilson Street,

Thence proceeding in a NE direction along the approximate centerline of Wilson Street for an estimated distance of 135.5 ft. to a point,

Thence proceeding in a SE direction [S 73-26-5 E] along a line for an estimated distance of 181.5 ft. to a point located along the approximate centerline of Purse Street,

Thence proceeding in a SW direction along the approximate centerline of Purse Street for an estimated distance of 123.1 ft. to a point, [X: 986086.98973 & Y: 755913.79917], said point being, THE POINT OF BEGINNING

PINs: 2-0031-33-003; 2-0031-33-005; and 2-0031-33-006

SECTION 2: That the requirements of Section 8-3182(f) of said Code and the law in such cases made and provided has been satisfied. An opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 5th day of September, 2018, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: This ordinance shall be effective as of the date hereof.

ADOPTED AND APPROVED: OCTOBER 11, 2018

BIDS AND CONTRACTS

[11. Motion to Award Annual Contract for Fuel to Sommers Oil Company and Barrett Oil Distributors \(Event No. 6608\)](#)

[Fuel Purchasing Summary.pdf](#)

[Fuel County Contract Barrett.pdf](#)

[Fuel County Contract Sommers.pdf](#)

[Fuel Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[12. Motion to Award Annual Contract for Hydrated Lime to Mississippi Lime \(Event No. 6413\)](#)

[Hydrated Lime Specs.pdf](#)

[Hydrated Lime Purchasing Summary.pdf](#)

[Hydrated Lime Bid Tab.pdf](#)

[Hydrated Lime Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[13. Motion to Award Annual Contract for Hydrofluosilicic Acid to Savannah Brush and Chemical \(Event No. 6453\)](#)

[Chlorine and HFS Purchasing Summary.pdf](#)

[Chlorine and HFS Scope.pdf](#)

[Chlorine and HFS Bid Tab.pdf](#)

[Chlorine and HFS Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[14. Motion to Procure Biological Treatment Blower for the Wilshire Water Reclamation Facility from Kittner, LLC \(Event No. 6625\)](#)

[Blower Purchasing Summary.pdf](#)

[Blower Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[15. Motion to Award Annual Contract for Water Reclamation Facility Painting to E&D Coatings \(Event No. 6108\)](#)

[WR Painting Purchasing Summary.pdf](#)

[WR Painting Scope.pdf](#)

[WR Painting Funding Verification.pdf](#)

[WR Painting Bid Tab.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[16. Motion to Renew Annual Contract for Fire Hydrants and Parts with Ferguson Waterworks \(Event No. 4269\)](#)

[Fire Hydrants Scope.pdf](#)

[Fire Hydrants Bid Tab.pdf](#)

[Fire Hydrants Purchasing Summary.pdf](#)

[Fire Hydrants Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

17. Motion to Modify and Renew Annual Contract for Street Sweeper Brooms with Keystone Plastics, Inc. (Event No. 3990)

[Street Sweeper Brooms Scope.pdf](#)

[Street Sweeper Brooms Bid Tab.pdf](#)

[Street Sweeper Brooms Funding Verification.pdf](#)

[Street Sweeper Brooms Purchasing Summary.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

18. Motion to Renew Annual Contract for Equine Sanitation with Image Keepers (Event No. 6012)

[Equine Sanitation Scope.pdf](#)

[Equine Sanitation Funding Verification.pdf](#)

[Equine Sanitation Purchasing Summary.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

19. Motion to Award Annual Contract for Litter Receptacles and Benches from Swartz & Associates and Sitescapes, Inc. (Event No. 6102)

[Park Bench Scope.pdf](#)

[Park Bench Bid Tab.pdf](#)

[Park Bench Photos.pdf](#)

[Park Benches Purchasing Summary.pdf](#)

[Park Benches Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

20. Motion to Award Annual Contract for Traffic Signs and Blanks with Vulcan Signs (Event No. 6368)

[Traffic Sign Blanks Funding Verification.pdf](#)

[Traffic Sign Blanks Purchasing Summary.pdf](#)

[Traffic Sign Blanks Scope.pdf](#)

[Traffic Sign Blanks Bid Tab.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

21. Motion to Approve Contract Amendment No. 1 for State Street Garage Design Services to Raymond Engineering (Event No. 5575)

[State Street Purchasing Summary.pdf](#)

[State Street Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[22. Motion to Approve Contract Amendment No. 2 for Cultural Arts Center from Gunn Meyerhoff Shay \(Event No. 1173\)](#)

[Cultural Arts Purchasing Summary.pdf](#)

[Cultural Arts Funding Verification.pdf](#)

[Cultural Arts Center Weather Delays.pdf](#)

Withdrawn per the City Manager's recommendation for staff review.

[23. Motion to Award Sale of Surplus Property 6 West Henry Street to Inman Park Properties, Inc. \(Event No. 6470\)](#)

[6 W Henry Scope.pdf](#)

[6 W Henry Purchasing Summary.pdf](#)

[6 W Henry Drawings.pdf](#)

[6 West Henry St Funding Verification.pdf](#)

Withdrawn per the City Manager's recommendation for staff review.

[24. Motion to Procure Granite Software Upgrades from Adams Equipment \(Event No. 6627\)](#)

[Granite Software Purchasing Summary.pdf](#)

[Granite Software Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[25. Notification of Emergency Procurement of Dell EqualLogic Network Storage System from Dell, Inc. \(Event No. 6612\)](#)

[Dell EqualLogic Storage Shelf Purchasing Summary.pdf](#)

[DELL EqualLogic Storage Shelf Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[26. Notification of Emergency Procurement of Veeam Backup Solution from Layer 3 \(Event No. 6613\)](#)

[Veeam Backup Solution Purchasing Summary.pdf](#)

[Veeam Backup Solution Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[27. Motion to Award Annual Contract for Continuum of Care Grants Program to Chatham-Savannah Authority for the Homeless \(Event No. 6468\)](#)

[Continuum of Care Purchasing Summary.pdf](#)

[Continuum of Care Scope.pdf](#)

[Continuum of Care Funding Verification.pdf](#)

Approved upon motion of Alderwoman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

AGREEMENTS

[28. Motion to Approve Memorandum of Agreement and Cost Share for Savannah River Below Augusta Restoration Feasibility Study](#)

[SRK letter of request.pdf](#)

[MOA Savannah and SRK 9.27.2018.docx](#)

Approved upon motion of Alderman Miller, seconded by Alderwoman Bell, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[29. Motion to Approve Bacon Park Golf Course Maintenance Building Agreement and Funding Allocation](#)

[Existing Bacon Park Maintenance Building.Photos.SWB.docx](#)

[Drawings 2018.06.15.pdf](#)

[Narrative 2018-8-27.pdf](#)

[first-amendment-to-usage-agmt-bacon-park-golf1.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderwoman Bell, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

[30. Motion to Approve Intergovernmental Agreement Concerning Reimbursement of Relocation Costs for Water and Sewer Facilities in County-owned Rights of Way](#)

[Memo of Understanding re Reimbursement of WS Relocation Costs \(rev\).pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation. Alderman Hall was not present for the vote.

MISCELLANEOUS

[31. Motion to Declare Unopened Portions of Dixon Street and Two Unnamed Alleys as Surplus and Available for Sale.](#)

[Dixon St - Agenda Item Map Attachment.pdf](#)

Continued to the meeting of October 25, 2018 per the petitioner's request.

[32. Motion to Approve Naming of 201 Montgomery Street the 'Savannah Cultural Arts Center'](#)

[Application - 201 Montgomery St. Renaming Cultural Arts Center 18-004315-HM.pdf](#)

[COA - 201 Montgomery Street 18-004315-HM.pdf](#)

Alderman Thomas: Let me ask a question on that, on number 32 I assume this is our new Cultural Arts Center and we're calling it the Savannah Cultural Arts Center. Where did that name come from?

City Manager Hernandez: Just staff research and our current practice, which essentially refers to our existing facility on Henry Street.

Alderman Thomas: Was there ever in the prior Council an official naming of that?

City Manager Hernandez: For this particular facility, no. I understand that there was a prior Council action to name, I think, a room within the facility after someone.

Attorney Stillwell: That's correct, it's the theater which will be named after Ben Tucker. It's going to be named after, well, that'll be presented to you, that's a proposal.

Alderman Thomas: Well, I guess my question before we pass this on Council is do we want to take this into consideration before we take any official action to see if this is actually what we want to name this facility?

Alderman Johnson: If I may just piggyback on it, it started off in my district now it's in Bill's. I thought in naming these types of things that had to be sponsored by an Aldermen and I don't get any indication that Alderman Durrence knew anything about and certainly I did not. I think, would this not create a wonderful opportunity for us to ask the public whether they feel that name should be the name that is appropriate? Obviously this is an opportunity to name this for many years to come and maybe we should find some creative way to get Ms. Gavin involved and maybe get the public to weigh in one way or another.

Alderman Foster: I think we need to be very careful because this was a SPLOST passed project and it was presented as the Savannah Cultural Arts Center. I don't believe we can go there, in my mind, and I might ask the Attorney, but it seems to me if the voters approved it with their tax money as the Savannah Cultural Arts Center that we need to be very careful.

Alderman Johnson: In small words, in terms of naming the function. I don't believe it was named specifically I believe that it was just, it was delineated for what the function of it was.

Attorney Stillwell: I think we can look into that, but I tend to agree with Alderman Johnson there. I don't think that...

Alderman Johnson: I mean it's worth looking into for sure.

Alderman Thomas: Well, I mean Mr. Foster, just so to explain that there's allocations in there for south side parks, but that doesn't mean that south side parks are going to just be named Southside Parks. I think the funding was to build a cultural art center itself, but it did not include the naming any official names like that. So, I just, the only reason I raised the issue is I don't know, there's two reasons. One, do we want to explore naming it after someone, number two, is there a revenue opportunity for the City for a sponsorship here. You know, people name stuff after arenas, people name stuff after cultural art centers, there might be an opportunity for someone to sponsor it that could generate revenue that can help with the upkeep and maintenance of the building. So, I'm just throwing that out there for our consideration you know, you don't have to...

Mayor DeLoach: So, basically what we're saying is we just want to take a time out on this and come back to it?

Alderman Thomas: I think if we let the City Manager to, is there any rush, any specific rush for this?

City Manager Hernandez: Actually I believe there is because we are under a time crunch now to order the signage for the building, in order to have signage in place for its dedication after the first of the year.

Alderman Thomas: So, you can't get signage between now and the end of the year?

City Manager Hernandez: You need a lot of lead time...

Alderman Thomas: Now, I know about signage now... I'm just questioning is there any real rush that if we couldn't come back in 30 days, with something.

City Manager Hernandez: Well listen, we can adjust accordingly if this is something that City Council wants us to do and solicit public feedback, we're happy to do that.

Alderman Thomas: I just want to ask, what if we just took and table it for two weeks, or defer it however, for two weeks and then discuss it amongst us and what we want to do and come back and make a decision.

City Manager Hernandez: Can we do this, if I may offer an alternative? I think it's a good idea to solicit public input, and if we do solicit public input I think we're going to need more than just two weeks, so I'm going to recommend at least 30 days.

Alderwoman Bell: Here's the point I want to make, I don't want to see us delay the opening.

City Manager Hernandez: We won't delay the opening for lack of signage.

Alderman Hall: Where is the objection coming from?

Alderman Thomas: Well, it's not an objection for me. I'm just looking at opportunities for us, one, do we want to name it something other than the Savannah Cultural Arts Center, because I don't think we've ever really considered that's what we were going to name it. Number two, is there possible opportunities out there for us to look to see if there's you know, an opportunity for revenue out of this.

Alderman Johnson: I don't think there's an objection at all. Again, Alderman Thomas said it's an opportunity and again it's an opportunity to get people engaged and involved in it. I mean, you know, they might want something else, or they might say it's a great thing to name it that, but at least we've asked them.

Mayor DeLoach: Let's just do this, we're going to give him 30 days, and he's going to come back in 30 days.

City Manager Hernandez: So, let me clarify. Thirty days we're going to solicit input from the public and that will allow us to gain ideas with respect to naming the facility after either an individual or an event or a place. If we're talking sponsorship, that's a different avenue that we need to go down because in sponsorship opportunities then we would have to essentially do an RFP process and that will take several months.

Alderman Hall: A company's logo will probably be on that building too.

City Manager Hernandez: Well, it depends on what kind of parameters we establish. I don't think we have a policy that deals with sponsorship, so I'd have to go back and look at that and if we don't have a policy then I need to bring something back before you to adopt and then we would implement that policy in putting out an RFP for a potential sponsorship opportunities.

Alderman Durrence: First, I have no issue with calling it Savannah Cultural Arts Center, but I also like the idea of asking the public. I think in terms of sponsorship, I think right now we just ask that you come back in 30 days and we'll make a decision. If somewhere down the road we do an RFP and we get sponsorship we can deal with that when the time comes. The other thing though is I do think that you do need to look and see about creating some sort of policy for sponsorships because this is going to come up again.

Upon motion of Alderwoman Bell, seconded by Alderman Durrence, and unanimously carried the item was continued for 30 days.

Alderman Johnson: Is it possible Mr. City Manager just so we're not rushing it that we name it the Cultural Arts Center for now to have temporary signage and then if we need to...

Mayor DeLoach: No.

Alderman Johnson: I guess my question is obviously I don't want to delay this any more than it needs to be, but again, I don't want to have a process that is rushed either in terms of public opinion. If you think you can get it done in 30 days, fine.

Mayor DeLoach: Alright, we can name the thing the Cultural Arts Center, Savannah Cultural Arts Center and then the theater you can name it after an individual, that way you get both of them at one time. But we can take the overall concept and say that it's the Savannah Cultural Arts Center, or whatever. So, let's just wrap it up and come up with an idea in 30 days.

Announcements

Alderwoman Shabazz announced the District 5 Town Hall meeting previously scheduled for tonight has been cancelled. She stated it has been rescheduled for Thursday, October 25, 2018 from 6:30 to 8:30 p.m. at the Liberty City Community Center. The focus will be the arena and SPLOST.

Alderman Thomas announced the City will be holding a renaming ceremony for the Coffee Bluff Marina Observation Deck. He stated the Marina will be renamed to the Herbert R. "Herbie" Battise Observation Deck tomorrow at 10:30 a.m.

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=HjsOky7zhZme>

Luciana M. Spracher
Acting Clerk of Council