

Special Meeting to Consider the Use of Eminent Domain
Meeting Begins at 5:30pm

October 10, 2019 Special City Council Meeting

**SAVANNAH CITY GOVERNMENT
SUMMARY/FINAL MINUTES
CITY COUNCIL SPECIAL MEETING
October 10, 2019 – 5:30 p.m.**

The Special Meeting of the City Council was held at 5:30 p.m. in Council Chambers of City Hall.

PRESENT: Mayor Eddie W. DeLoach, Presiding
Alderman Julian Miller, Chairman of Council
Alderman Brian Foster, Vice-Chairman of Council
Alderman Van R. Johnson, II, District 1
Alderwoman Dr. Estella E. Shabazz, District 5
Alderman Tony Thomas, District 6

ABSENT: Mayor Pro-Tem Carolyn H. Bell
Alderman Bill Durrence, District 2
Alderman John Hall, District 3

OTHERS PRESENT:
Assistant City Manager Heath Lloyd
Special Projects Coordinator Glenn Hull
City Attorney Bates Lovett
Assistant City Attorney Denise Cooper
Clerk of Council Mark Massey
Deputy Clerk of Council Margaret Fox
Real Estate Director David Keating
Real Estate Officer Eric Chin

Upon calling the meeting to order, Mayor DeLoach recognized Assistant City Attorney Denise Cooper who made an opening statement regarding the purpose for the meeting. Attorney Cooper introduced Real Estate Director David Keating who outlined each of the parcels being considered, one-by-one. In each case, an agreement on value had not been reached.

Date: Oct 10 2019 (5:30pm)

Special Meeting Agenda Items

[1. Motion to Approve Resolution to Authorize the Use of Eminent Domain to Acquire a Portion of 2110 Delesseps Avenue.](#)

Mr. Keating described Parcel 73, owned by Mr. James Woods. The City was unable to come to an agreement with the owner. The owner has secured legal counsel but there has been no resolution.

Alderman Johnson asked if counsel for the owner was in attendance and if the owner was here and notified. Attorney Cooper replied they were notified but there has been no communication from the owner or their counsel.

Alderman Foster moved to approve Item #1, Alderman Miller seconded. The motion carried unanimously.

[2. Motion to Approve Resolution to Authorize the Use of Eminent Domain to Acquire a Portion of 2318 LaRoche Avenue.](#)

Mr. Keating described Parcel 107, owned by Ms. Ayesha Sabree. The City was unable to come to an agreement with the owner. The owner has secured legal counsel but there has been no resolution.

Alderwoman Dr. Shabazz asked if this was a linear easement. Mr. Keating described the easement as rectangular in shape which is for construction and maintenance of the slope. Mr. Eric Chin explained the easement is needed to widen the road for sidewalks and curb drainage. The property owner was not in attendance but was notified. The owner has secured the same counsel as the owner in Item #1.

Alderman Johnson indicated the issue was property value and if there will be a change in the taxable value after the sidewalk is installed. Mr. Keating stated he could not answer that question.

Alderman Miller moved to approve Item #1, Alderman Foster seconded. The motion carried unanimously.

[3. Motion to Approve Resolution to Authorize the Use of Eminent Domain to Acquire a Portion of 1302 West Gwinnett Street.](#)

Mr. Keating described Parcel 3, owned by Mr. Josey Sheppard. The City was unable to come to an agreement with the owner.

Attorney Lovett advised the Mayor and Council that there have been previous meetings with the City Manager, City Attorney, the owner and owner's counsel, Mr. Patrick Connell, with no resolution to acquiring the property. The timeline for the City to acquire bids for the project has run out and the property must be acquired prior to October 24th. The owners previously asked for ninety days, the City authorized forty-five days for a decision. It has been ninety-eight days with no resolution. Engineers have been hired by the owner to determine if the pumps and tanks will need to be moved to another location on the property when the City acquires the required easement.

Alderman Miller asked what the property will look like once the City acquires the property. Attorney Lovett explained that if the pumps and tanks do not have to be moved, because of the slope on the property, the property will look similar to what it looks like now.

Alderman Johnson questioned if the property will remain a community store and a gas station. Attorney Lovett explained that he is requesting authorization of eminent domain no earlier than October 22nd, and that will give an additional twelve days to work with the engineers to determine if the slope will work and the property remains as is. If no resolution is reached by October 22nd, the City will exercise eminent domain, but the City will continue to work with the owners after eminent domain to resolve the issues.

Attorney Connell, representing the owner, described the placement of the pumps/tanks (if moved) in the displayed drawings. Attorney Connell has spoken with the City Attorney who is willing to connect City Engineers Hussey Gay & Bell Architects with John Kern of Kern & Company Engineers (owners), to determine the status of the property slope as it relates to the pumps/tanks.

Alderwoman Dr. Shabazz requested the alignments be adjusted to make the slope fit.

Mr. Sheppard asked the Assistant City Manager for the master plan to see how all issues will be worked out. He indicated he wanted friendly negotiations.

Alderman Miller moved to proceed with Item #3, Alderman Foster seconded. The motion carried unanimously.

Hearing no objections, the meeting adjourned at 5:54 p.m.

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

<https://savannahgovtv.viebit.com/player.php?hash=4cwNeRMesaFo>

Mark Massey, Clerk of Council

Date Minutes Approved: October 24, 2019

Initials: mm