

November 7, 2019 City Council Regular Meeting

**SAVANNAH CITY GOVERNMENT
SUMMARY/FINAL MINUTES
CITY COUNCIL REGULAR MEETING
November 7, 2019 – 2:00 p.m.**

The Regular Meeting of the City Council was held at 2:03 p.m. in Council Chambers of City Hall.

PRESENT: Mayor Eddie W. DeLoach, Presiding
Mayor Pro-Tem Carolyn H. Bell
Alderman Julian Miller, Chairman of Council
Alderman Brian Foster, Vice-Chairman of Council
Alderman Van R. Johnson, II, District 1
Alderman Bill Durrence, District 2
Alderman John Hall, District 3
Alderdwoman Dr. Estella E. Shabazz, District 5
Alderman Tony Thomas, District 6

OTHERS PRESENT:
City Manager Pat Monahan
Assistant City Manager Heath Lloyd
Assistant to the City Manager Bret Bell
City Attorney Bates Lovett
Assistant City Attorney William Shearouse
Clerk of Council Mark Massey
Deputy Clerk of Council Margaret Fox

Following the Pledge of Allegiance, which was recited in unison, Mayor Pro-Tem Bell offered the invocation.

Date: Nov 07 2019 (2:00pm)

APPROVAL OF AGENDA

[1. Motion to Adopt the Agenda for the November 7, 2019 City Council Regular Meeting](#)

- a. Mayor Pro-Tem Bell moved to authorize the Mayor to sign an Affidavit and a Resolution indicating an Executive Session was held for the purpose of discussing Real Estate for which no action was taken, Alderwoman Dr. Shabazz seconded. The motion was carried unanimously.
- b. Mayor Pro-Tem Bell moved to approve the Agenda for the November 7, 2019, City Council Regular Meeting, Alderwoman Dr. Shabazz seconded. The motion carried unanimously.

APPROVAL OF MINUTES

[2. Motion to Approve the Minutes for the Work Session & City Manager's Briefing on October 24, 2019](#)

Mayor Pro-Tem Bell moved to approve Items #2 and #3, Alderwoman Dr. Shabazz seconded. The motion carried unanimously.

[3. Motion to Approve the Minutes for the Regular City Council Meeting on October 24, 2019](#)

Mayor Pro-Tem Bell moved to approve Items #2 and #3, Alderwoman Dr. Shabazz seconded. The motion carried unanimously.

PRESENTATIONS

[4. An Appearance by Chief Vonnie McCormick and Delegation to Receive a Proclamation Designating November as National American Indian Heritage Month](#)

Mayor DeLoach read and presented a Proclamation and a Key to the City to Chief Marian 'Vonnice' McCormick, designating November as National American Indian Heritage Month. Chief McCormick presented two white feathers, symbolizing peace, to Mayor DeLoach. She spoke in regards to the sanctity of the land and the responsibility of the people to preserve the land that holds the bones of our ancestors. Ms. Daphne Sevilling further described the story of General Oglethorpe and Chief Tomochichi in regards to Georgia History.

[5. A Proclamation Recognizing November as National Runaway Prevention Month and November 16th through November 24th as National Hunger and Homelessness Awareness Week](#)

Mayor DeLoach recognized November as National Runaway Prevention Month and November 17th through November 23rd as National Hunger and Homelessness Awareness Week. He read and presented a Proclamation to the agencies listed below.

Ms. Julie Wade, Executive Director of Park Place Outreach introduced the following agency representatives: Ms. Katrina Bostick, Executive Director of Family Promise, Ms. Linda James and Larry Haskell from The Salvation Army; Ms. Cindy Kelley, Executive Director of Chatham Savannah Authority for the Homeless; Ms. Yvonne Pryor, Executive Director of Inner City Night Shelter; Mr. Kevin Veitinger, Missioner of the Community of St. Joseph; Ms. Patricia Youngquist, Executive Director of Union Mission; Ms. Cheryl Branch, Executive Director of Safe Shelter; Ms. Ariana Berksteiner, Executive Director of Emmaus House Soup Kitchen and Ms. Gina Taylor, Executive Director of Greenbriar Children's Center. Ms. Wade spoke in regard to ending teen homelessness.

Ms. Youngquist thanked the citizens and City for the progress made thus far to end homelessness and expressed their desire for a continued partnership. Ms. Kelley thanked the Mayor and Council for all the support for the homeless population.

Alderman Miller personally thanked the agencies for all the hard work they do in the community.

Alderman Hall as a Board Member and Alderman addressed Ms. Wade and thanked her and the agency for all their tireless work for the citizens of Savannah.

Mayor Pro-Tem Bell thanked all the agency heads for their service to the community and personally recognized Ms. Gina Taylor and congratulated them on their seventy years of community service.

CONSENT AGENDA - (This section shall include all routine items for which it is anticipated there will be no debate or requests for public input. Any Alderman can remove consent items for discussion or separate consideration.)

[6. Motion to Authorize the City Manager to Execute the First Renewal of an Annual Contract with Colliers International for Real Estate Brokerage Services in an Amount Not to Exceed 3% of the Sales Price \(Event No. 6085\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[7. Motion to Authorize the City Manager to Execute the Final Renewal of an Annual Contract with Advanced Environmental Management for Groundwater Compliance and Consulting Services in the Amount of \\$36,028 \(Event No. 6584\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[8. Motion to Authorize the City Manager to Execute the Second Renewal of an Annual Contract with L&H Welding for Structural Welding and Fabrication Services in the Amount of \\$43,412 \(Event No. 4961\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[9. Motion to Authorize the City Manager to Execute the Final Renewal of an Annual Contract with SureBill for Printing, Insertion, and Mailing of City Correspondence in the Amount of \\$58,150 \(Event No. 3273\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[10. Motion to Authorize the City Manager to Execute the First Renewal of an Annual Contract with Atlantic Coast Consulting, Inc. for Environmental Compliance Services in the Amount of \\$75,834 \(Event No. 6411\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[11. Motion to Authorize the City Manager to Execute Contract Modification No. 1 with Johnson-Laux Construction for the Atwood Park Construction in the Amount of \\$15,917.40 \(Event No. 7247\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[12. Motion to Authorize the City Manager to Execute a Revenue Generating Contract with Southern Metal Recycling, Inc. for Scrap Metal Recycling in the Amount of \\$105 Per Ton \(Event No. 7334\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[13. Motion to Authorize the City Manager to Execute a Six-Month Lease with Williams Scotsman, Inc. for a Mobile Office Trailer in the Amount of \\$26,261.30 \(Event No. 7472\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[14. Motion to Authorize the City Manager to Execute an Annual Contract with Osburn Associates, Inc. for Traffic Sign Faces in the Estimated Amount of \\$70,000 \(Event No. 7308\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[15. Motion to Authorize the City Manager to Procure an Emergency Standby Power System for Lift Station No. 14 from Energy Systems Southeast in the Amount of \\$26,357 \(Event No. 7356\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[16. Motion to Continue the Request for a Class E \(Beer,Wine\)\(By the Package\) Convenience Store License to Megha Patel of Marathon at 329 E. Montgomery Cross Road \(Aldermanic District 4\)](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[17. Motion to Continue the Zoning Hearing for the 1.7 Acres Located on the East Side of Ogeechee Road in the Vicinity of Gamble Road Until December 5, 2019](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

[18. Motion to Authorize the City Manager to Execute a Water and Sewer Agreement with ALDI, Inc. for an ALDI Grocery Store at 14070 Abercorn Street](#)

Mayor Pro-Tem Bell moved to approve Items #6 through 18, Alderman Miller seconded. The motion carried unanimously.

PURCHASING ITEMS

[19. Motion to Authorize the City Manager to Execute the First Renewal of an Annual Contract with SABE, Inc. for Landfill Cover Material in the Amount of \\$1,632,000 \(Event No. 6350\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

[20. Motion to Authorize the City Manager to Execute the Second Renewal of an Annual Contract with Landmark Preservation, LLC for Conservation of City Cemeteries in the Estimated Amount of \\$300,000 \(Event No. 5349\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

[21. Motion to Authorize the City Manager to Execute the Second Renewal of an Annual Contract with Delinquent Tax Services, Inc. for Delinquent Property Tax Collection Services in the Amount of \\$104,800 \(Event No. 4799\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

[22. Motion to Authorize the City Manager to Execute the Third Renewal of an Annual Contract with Keystone Plastics, LLC. for Street Sweeper Brooms in the Amount of \\$172,410 \(Event No. 3990\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

[23. Motion to Authorize the City Manager to Execute an Annual Contract with JCS Associates for Demolition of Structures in the Amount of \\$102,857 \(Event No. 7385\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

[24. Motion to Authorize the City Manager to Execute a Construction Contract with E&D Contracting Services for Riverwalk Wharf Repairs in the Amount of \\$180,000 \(Event No. 7291\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

[25. Motion to Authorize the City Manager to Execute a Contract with Total Systems Commissioning, Inc. for Arena LEEDv4 Commissioning Agent Services in the amount of \\$183,850 \(Event No. 7339\)](#)

Item #25 was postponed/continued to the November 18, 2019, City Council Regular Meeting, as requested by the City Manager.

[26. Motion to Authorize the City Manager to Execute an Annual Contract with Complete Precast for Ready Mix Concrete in the Amount of \\$250,000, and Savannah River Utilities in the Amount of \\$50,000 \(Event No. 7227\)](#)

Mayor Pro-Tem Bell moved to approve Items #19 through #24, and #26 per the City Manager's recommendation, Alderman Miller seconded. The motion carried unanimously.

ZONING HEARINGS

[27. Motion to Zone 504.8 Acres Located on the East Side of Interstate 95 in the Vicinity of Little Neck Road](#)

Mayor DeLoach opened the Zoning Public Hearing for Items #27 and #28.

There were no speakers.

Alderman Miller moved to close the public hearing, Alderman Hall and Alderwoman Dr. Shabazz seconded. The motion carried unanimously.

[28. Motion to Amend the Official Zoning District Map to Correct Scrivener's Errors and Incorporate Recently Approved Map Amendments for Distinct Properties in Five Areas Throughout the City \(Petitioner: Bridget Lidy for the City\)](#)

Mayor DeLoach opened the Zoning Public Hearing for Items #27 and #28.

There were no speakers.

Alderman Miller moved to close the public hearing, Alderwoman Dr. Shabazz seconded. The motion carried unanimously.

ORDINANCES - FIRST AND SECOND READING

[29. Motion to Zone 504.8 Acres Located on the East Side of Interstate 95 in the Vicinity of Little Neck Road](#)

After the first reading was considered the second, Alderwoman Dr. Shabazz moved to approve Item #29, Alderman Miller seconded. The motion carried unanimously.

[30. Motion to Amend the Official Zoning District Map Regarding Certain Property \(Petitioner: Bridget Lidy for the City\)](#)

After the first reading was considered the second, Mayor Pro-Tem Bell moved to approve Item #30, Alderman Durrence seconded. The motion carried unanimously.

[31. Motion to Amend the 2019 Revenue Ordinance By Amending Article F, Entitled Excise Tax On Rental Motor Vehicles, Section 11, Entitled Use Of Tax Proceeds](#)

After the first reading was considered the second, Alderman Miller moved to approve Item #31, Alderman Foster seconded. The motion carried unanimously.

Alderman Johnson requested explanation.

ORDINANCES - SECOND READING

[32. Motion to Amend the Zoning Ordinance by Creating the Savannah Harbor Parcel 5 PD \(Petitioner: Joseph R. Ross\)](#)

Alderman Johnson moved to approve Item #32, Alderman Miller and Alderman Hall seconded. The motion carried unanimously.

[33. Motion to Rezone a 39.4-Acre Property to the Savannah Harbor Parcel \(A-2.18.05\) Planned Development Zoning District \(Petitioner: Joseph R. Ross\)](#)

Alderman Johnson moved to approve Item #33, Alderman Miller seconded. The motion carried, 8-0-1 with Mayor Pro-Tem Bell not voting.

[34. Motion to Approve the Annexation of 504.8 Acres Located on the East Side of Interstate 95 in the Vicinity of Little Neck Road](#)

Alderwoman Dr. Shabazz moved to approve Item #34, Alderman Miller seconded. The motion carried, 8-0-1, with Mayor Pro-Tem Bell not voting.

[35. Motion to Amend the Parks and Playgrounds Ordinance: Identifying, Recognizing, and Designating Property Subject to the State Recreational Property Act](#)

Alderman Miller moved to approve Item #35, Alderman Hall seconded. The motion carried, 8-0-1 with Mayor Pro-Tem Bell not voting.

AGREEMENTS

[36. Motion to Authorize the City Manager to Execute a Development Agreement with the Owner of Parcel 5, Hutchinson Island \(Savannah Harbor Partners, LLC\)](#)

Alderman Johnson moved to approve Item #36, Alderwoman Dr. Shabazz seconded. The motion carried, 8-0-1 with Mayor Pro-Tem Bell not voting.

Alderwoman Dr. Shabazz requested an explanation of the project.

[37. Motion to Authorize the City Manager to Execute an Agreement with OVG Facilities Inc. for Arena Operations and Management Services](#)

Alderman Johnson requested details about the contract. He requested Bret Bell to give an overview of the contract and the terms.

Mr. Bret Bell gave an overview of the RFP process and the selection of OVG. He outlined the responsibilities and the revenues that will be received by the City. Council approved Phase I Design, and Phase II Management of the current Civic Center in August. OVG hired a professional manager, Mr. Jones, to manage the staff at the current Civic Center. Now Council is considering Phase III Operations of the Arena. Mr. Bell outlined the Phase III basic contract terms.

Alderman Johnson outlined his understanding of the contract process, Phase I was approved and Phase II and III would be brought back before Council. He is concerned with the loss of leadership at the current Civic Center. It was his understanding from Mr. Bell that the operations at the Civic Center would not be affected. All OVG would do is manage the Civic Center. Alderman Johnson has heard a lot of negative incidents concerning security services at the Civic Center. He asked Mr. Bell to be very clear in regards to the management agreement with OVG at the Civic Center.

Mayor DeLoach shared an incident about an elderly couple (75 years of age) from out of town concerning the security at the Civic Center. The security at the Civic Center was obnoxious and rude. The City needs to have reputable representation of security at the Civic Center.

Mr. Bell detailed the agreement with OVG as it relates to the management of the Civic Center. The existing employees would remain, OVG would bring in a professional manager. OVG was brought in to maximize operations and revenue, improve the conditions at the Civic Center, and to transition into the new Arena. As City staff retired/left the Civic Center positions, OVG would replace those positions with their own contract employees. OVG was to honor all existing contracts. The security contract was on a month-to-month basis. OVG was not pleased with the performance of the existing security company, after consultation with the City, OVG replaced the security company.

Alderman Johnson stated for the record what was presented to

Council is different from what is being done now. The City did not follow its own rules and this agreement was not handled appropriately. This is a significant contract and since there will be a majority different Council after the November 5th vote, he doesn't see any time sensitive issues and would like to hold the vote and defer the decision until January.

The City Manager asked if there will be any financial benefit to the City from OVG before January 2020, since OVG will be contributing \$5 million to the Arena project. If the \$5 million is not contributory to program expenses, then the decision can be delayed.

Mr. Bell indicated the City will receive a capital contribution of \$1.5 million next year.

Alderman Dr. Shabazz stated she voted against the current OVG contract, but the majority of Council did vote for the two phases. She has concern with the current timeline completion of the Arena and it might take longer than anticipated. Since this is not time sensitive, she feels it's unfair for the current Council to move forward with a decision on the agreement.

Alderman Hall emphasized that the terms of the current Council does not end until January 2020 and it's Council responsibility to vote today.

Alderman Thomas stated that since Council approved the design phase a couple weeks ago, why is Council being forced so quickly to approve an operational management agreement of the Arena now?

Mr. Monty Jones of OVG explained the process of needing time to put people in place to secure sponsorships, events and partners. This is a time sensitive issue that should be addressed now, so processes can be started.

Alderman Durrence asked if OVG will be handling all of the lease space in the building.

Mayor DeLoach called the question on the main motion.

a. Alderman Hall moved to approve Item #37, Alderman Durrence seconded.

The Board reflected the following: 5-2-2 with Mayor Pro-Tem Bell and Alderman Dr. Shabazz not voting. The vote was not sounded.

Yes

Durrance

DeLoach

Miller

Hall

Foster

No

Johnson

Thomas

Alderwoman Dr. Shabazz requested a Board Vote.

Mayor DeLoach called a five minute recess at 2:58 p.m.

Alderman Johnson verbally requested to change his vote to a yes.

Mayor DeLoach reconvened the meeting at 3:03 p.m.

Clerk of Council Massey recapped the board vote and informed Mayor and Council that Alderman Johnson verbally requested his no vote for reconsideration and that Alderwoman Dr. Shabazz had not voted.

Mayor DeLoach asked if an Alderman could change there vote.

Clerk Massey stated that since Alderwoman Dr. Shabazz's vote was not cast and the vote was not sounded/carried, it's possible for an Alderman to change their vote, until the vote has been carried.

Alderman Thomas asked the Clerk of Council if the Mayor adjourned or recessed the meeting at the sound of the gavel.

Clerk Massey, at the time of the gavel sounding, asked the Mayor for clarification. The Mayor clarified that he was recessing the meeting for five minutes.

Alderman Johnson stated his concerns for Item #37 and informed Mayor DeLoach he would remove his reconsideration if the Mayor would allow Alderwoman Dr. Shabazz to speak for two minutes.

The Mayor granted Alderman Johnson's request.

Alderwoman Dr. Shabazz expressed her desire not to vote against the Agreement, but wanted the public to know all the stipulations of the agreement.

Alderman Johnson removed his reconsideration and voted no on the main motion.

b. Alderman Hall moved to approve Item #37, Alderman Durrance seconded.

The final vote was as follows with Mayor Pro-Tem Bell not voting: 6-2-1.

Yes

No

Durrence
DeLoach
Miller
Hall
Foster
Shabazz

Johnson
Thomas

REAL ESTATE ITEMS

[38. Motion to Authorize the City Manager to Execute a Purchase and Sale Agreement with Gamble Partners, LLC for the Sale of Surplus Property at 2-10 East Bay Street in the Amount of \\$7,050,000 \(Event No. 7237\)](#)

Alderman Miller moved to approve Item #38, Alderman Foster seconded. The motion carried, 5-3-1. Aldermen Johnson, Thomas and Shabazz voted no and Alderman Hall not voting (Hall left the meeting at 4:02 p.m.).

Alderman Durrence and Mayor Pro-Tem Bell were going to recuse themselves for clarity sake, since they received campaign contributions from one of the vendors who submitted a proposal. After discussion with City Attorney Lovett, Alderman Durrence and Mayor Pro-Tem Bell returned to the dais and informed Mayor and Council as long as they divulged the contribution was received from one of the proposer, they would not need to recuse themselves. Both Alderman Durrence and Mayor Pro-Tem Bell announced the receipt of a campaign contribution from one of the proposers.

Alderman Thomas asked the City Manager for the number of proposals submitted and the scoring process. He requested a copy of all three proposals and asked how long the building was vacant without a tenant.

City Manager Monahan gave an overview of the proposal process and how the scoring was determined. Since this was not a bid process, the City was not obligated to award the contract to the lowest bidder. He asked David Keating, Director of Real Estate and David Maxwell, Director of Finance to further outline the proposal process.

Mr. Keating gave an overview of the prior property sale. He detailed the process of how the purchasing Department sells City property including the selection of an evaluation committee for review of the Requests for Proposals (RFP) and how the scoring process is determined. He gave a brief background of the three proposers. Staff is recommending Gamble Partners, LLC.

Alderman Thomas asked for the due diligence period of the contract and after due diligence, how long before they start construction on the building. Where is the protection for the City that once the building is sold, it will be developed as proposed.

Alderman Thomas asked for safeguards in the contract to make sure the development is completed as proposed.

At the request of Alderman Foster, Mr. Garrett Thompson of Gamble Partners outlined the source of funding for the project and

cited four other properties they are currently completing. He addressed Alderman Thomas as to the timeline of the project. Mr. Richard Mopper, President of NAI, talked about the City's RFP process and asked the City to accept his proposal over the Gamble Partner's proposal. He outlined the points assigned to each proposal and was disappointed at the scoring assigned to each proposer. He was not notified of the City's purchasing department decision of selecting Gamble Partners until this morning. He thinks the City's RFP process is antiquated and should be changed. Alderman Johnson apologized on behalf of the City for not getting the selection response back to him in a timely manner. The Mayor and Aldermen discussed the notification process of the final decision to all proposers and asked the City Manager to look at changing the current system. Alderwoman Shabazz asked the staff to reconsider their decision, as local businesses should have some priority.

The meeting was adjourned by Mayor DeLoach at 4:06 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=Oprnn2kVgtk1>

Mark Massey, Clerk of Council

Date Minutes Approved: November 18, 2019

Initials: mm