

CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
November 1, 2012

The regular meeting of Council was held this date at 2:00 p.m. in the Council Chambers of City Hall. The invocation was given by City employee and Elder Margaret Williams, followed by the Pledge of Allegiance to the Flag.

PRESENT: Mayor Edna Jackson, Presiding
Alderman Van Johnson, II Mayor ProTem
Aldermen Tony Thomas, Chairman of Council
Alderman Mary Osborne, Vice-Chairman of Council
Alderman Tom Bordeaux, John Hall, Estella Shabazz,
Mary Ellen Sprague and Carol Bell

Acting City Manager Stephanie S. Cutter
City Attorneys James B. Blackburn, Sr. and W. Brooks Stillwell
Assistant City Attorneys William W. Shearouse and Lester B. Johnson

The Minutes of the following meetings were approved upon a motion by Alderman Osborne, seconded by Alderman Thomas and unanimously carried:

- Approval of the Council Minutes of October 18, 2012; and
- Approval of the summary/final minutes of the City Council Work Session/City Manager's Briefing of October 18, 2012; and

Approval was given for the Mayor to sign two affidavits and resolutions for Executive Sessions held on November 1, 2012 to discuss litigation, upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried.

PRESENTATIONS

Lady Mahogany Bowers of Clear Channel Communications was present to invite the Mayor and Aldermen to a fund-raiser for the Blessings in a Backpack program that feeds over 50 children every Friday at Bartow Elementary. Monday through Friday the children eat at school, but the weekends present a need for food. Ms. Bowers gave her personal testimony for helping to feed the children. Also in attendance were Savannah State University Alpha Phi Alpha Fraternity and SCAD International Club. The fund-raiser, a luncheon will be held at Savannah State University on November 15, 2012, from 11:00 to 1:00 pm. Ms. Bowers stated they had a drop off location at Clear Channel Communications. Citizens could also make donations to 245 Alfred Street in Garden City or call 912-964-7794.

David Acuff Interim Director and Kim Bockius-Suwyn Board Chair of United Ministries/Emmaus House was present to invite the Mayor and Aldermen to the annual Empty Bowl event that raises money to help feed those in need in Savannah. The event is November 11, 2012 at 18 Abercorn Street. It is the only organization that serves breakfast to the homeless.

Robert P. Taylor, former Georgia State Vice-President of Vietnam Veterans of America was present to request that the POW/MIA flag be flown over City Hall 24 hours a day, every day of the year. Also present was Susan Stevens-Harvey, Allen Harvey, Jimmy Ray, and Doug Andrews. Mr. Taylor gave various cities that continuously fly the flag. Mayor Jackson requested the City Archives Specialist research the flags flying over City Hall, and said they were taking it very seriously.

Representatives of the Competitor Group were present to give an update on Rock 'n' Roll Savannah, Marty Johnson stated that many City employees volunteered again this year to assist on race day. Joe Marinelli with Visit Savannah said 20,000 people participated last year with 17,000 runners. This year all 50 states are represented along with 17 countries. Josh Furlow was present from the Competitor Group. Mayor Jackson stated the event was economic driven and was looking to continuing the marathon past 2013. Kids Rock the children's marathon, will be held on the following Sunday.

LEGISLATIVE REPORTS

ALCOHOL BEVERAGES LICENSE HEARING

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of these licenses. Upon a motion by Alderman Osborne, seconded by Alderman Bell and unanimously carried, the public hearing was closed. Upon a motion by Alderman Thomas, seconded by Alderman Sprague, and unanimously carried, they were approved:

Bharat Kumar H. Patel for Doubles Night Club, requested to transfer a beer, liquor and wine (drink) license from Harry S. Hutson, III at 7100 Abercorn Street, which has a 2012 liquor, beer and wine (drink) license and is located between Eisenhower Drive and Stephenson Avenue in District 4.

Daksha Patel for Aakash Trading Corp. t/a Hare Krishna Food, requested a beer and wine (package) license at 2008 W. 52nd Street, which is located between Mills B. Lane and Ogeechee Road in District 5.

Tan Sengmany for Pad Thai, requested a beer and wine (drink) license with Sunday sales at 12409 White Bluff Road, which is located between Windsor Road and Rendant Avenue in District 6.

Timothy A. Butler for End Zone, Inc. t/a End Zone, requesting to transfer a liquor, beer and wine (drink) license with Sunday sales from Susan Lingerfelter at 11414 Abercorn Street, which has a 2012 liquor, beer and wine (drink) license with Sunday sales and is located between Largo Drive and Idlewood Drive in District 6. Recommend authorizing the City Attorney to notify Timothy A. Butler to appear at the November 15, 2012 Council meeting to show cause why the application should not be denied as Recommended by the Savannah-Chatham Metropolitan Police Department. The attorney for the petitioner requested the hearing be continued until November 26, 2012. Alderman Johnson asked if the business was presently operating, and was there an issue with the police and public safety as to why it should not continue in the interim. City Attorney Brooks Stillwell stated the police did not address the public safety issue but they were opposed to the particular individual getting the license. Their concern was not with the existing license holder and the activities at the bar at this time. Alderman Thomas stated the bar was Bogeys and now the signage indicates it is the End Zone and wanted to know if it was operating legally under the name End Zone. Attorney Dana Braun stated it had always been End Zone Inc as the enterprise and they were doing business as Bogeys. Revenue Supervisor Judee Jones stated they were supposed to legally change before operating under a new name and they did change it to End Zone without getting the City's approval. Alderman Thomas stated that raised a question because it had operated as Bogeys for years and years and any issues involved were with Bogeys and now the place is remodeled and called the End Zone. It is operating under a new name and a license that was given to an old name. City Attorney Stillwell consulted with Attorney Blackburn who told him the ordinance does not require the applicant to go before Council to change the trade name; as long as they did not change the ownership they were legally operating. The police had an issue with the ownership not the trade name. Alderman Bordeaux suggested that the ordinance include the change of a trade name of a bar to protect the public. Alderman Johnson requested the attorney research if the bar was in violation of the City's administrative policy. Alderman Thomas wanted to assure that the Council was not being misled because it was more than a name change. The place had been remodeled, was infused with cash, was completely re-branded and is not what Bogeys used to be. No person would ever realize that it was the same place. There has been a significant amount of money placed in the building and it was not simply a name change. Alderman Osborne stated it should be a requirement that the individuals go to the Revenue Department to get approval of a name change. Alderman Thomas stated to accommodate the attorney, he made a motion to continue the hearing to the November 26, 2012 meeting, seconded by Alderman Bell and unanimously carried.

PUBLIC HEARINGS

2013-2017 Consolidated Housing and Community Development Plan and 2013 One-Year Action Plan. This is the second public hearing to receive public comments concerning the City's 2013-2017 Consolidated Housing and Community Development Plan and 2013 One-Year Action Plan for the allocation of Community Development Block Grant (CDBG), HOME, and Emergency Solutions Grant (ESG) funds. The five-year consolidated plan and one year action plan are required by the U.S. Department of Housing and Urban Development (HUD) and are prerequisites to receiving federal entitlement funds. The plans respond to community needs, HUD requirements, and City Council priorities through a range of stated goals, objectives and strategies.

An advocate for the homeless, Marvin Heery thanked the City for following through to get the proposals for HUD. The funds provide critical services to the homeless. He also thanked the organizers of the Rock and Roll Marathon who reached out to the nonprofit and the people who help the homeless. He pointed out other areas and cities have a Housing First program that is a model providing housing to individuals who experience various types of homelessness and it reduces the demand on shelters. It is a model that many communities have embraced and he wanted to present it to Council and City management in hopes to engage with them on the project. He stated they were looking at other organizations for support as well. Mayor Jackson stated the Council and City would take the program under consideration; also, there were programs in the community for veterans and the homeless. Alderman Johnson thanked Mr. Heery for being an advocate for the homeless and that it was a 24/7 issue and obviously Mr. Heery had researched the project and knew that Council would receive a formal request at a later date.

Interim Director Janice Sheffield with the Chatham County Authority for the Homeless stated she had spoken with Mr. Heery about the initiative of Housing First. It is used in other communities but the authority had determined that it was not an initiative they wanted to pursue for a number of reasons. Mayor Jackson stated this was a subject for another meeting and hoped the different organizations could work together, and if there was a need for the City to get involved they would. She stated the City of Savannah had competent employees managing the programs. There are certain federal guidelines that the City must follow or they would lose all of the funding for CDBG. Alderman Shabazz was interested in the dynamics of the housing of the homeless in Savannah and was looking forward to a work session on the subject. Alderman Hall asked who was responsible for putting the funding of Union Mission in jeopardy by missing the deadline because they were the City's most venerable citizens that need the help. Dr. Frances Carter, CEO of Union Mission stated she takes full responsibility for everything that happens in her office. Alderman Johnson stated that Mr. Heery did admit he was not prepared to move forward at this time and Alderman Johnson stated he was interested in his proposal. Mayor Jackson stated there were other issues with the homeless and it would be discussed at another meeting. Alderman Sprague commended the staff and the agencies because there was more collaboration in that proposal than any ever presented to her. Upon a motion by Alderman Bell, seconded by Alderman Osborne and carried the public hearing was closed with Aldermen Bell, Bordeaux, Osborne, Sprague, Hall, Shabazz, and Mayor Jackson voting in favor. Aldermen Thomas and Johnson were out of the room.

ZONING

As advertised, David W. Thorne, Petitioner and Property Owner (Z-120504-39852-2), requesting to rezone 4219 Bull Street from B-G-1 (General Business – Transition) to B-G (General Business). The Metropolitan Planning Commission (MPC) recommends denial. The proposed zoning is not consistent with the Traditional Commercial designation depicted on the Tri-Centennial Comprehensive Plan Future Development Map. The B-G zoning district is intended to accommodate large scale, intense commercial and industrial development. This portion of Bull Street was specifically rezoned to B-G-1 in order to prevent the types of uses permitted in B-G. The establishment of the B-G zoning district on this property would allow for land uses that are not compatible with the adjacent low density residential development. (Continued from October 4, 2012.)

Marcus Lotson with MPC was present to give their recommendation which was a denial. He stated the City's Citizens Office organized a neighborhood meeting to address the request of Mr. Thorne. Alderman Osborne stated the petitioner's intentions were to have a low density bar, someone could purchase the property from him and open a "hot spot." Therefore, she agreed with MPC's recommendation of denial to rezone. Alderman Sprague stated there were citizens from her district as well as Alderman Shabazz's and although everyone was happy with Mr. Thorne's business in City Market, it would not be feasible for this location.

Upon a motion by Alderman Shabazz, seconded by Alderman Sprague and carried the public hearing was closed with Aldermen Bell, Bordeaux, Osborne, Thomas, Sprague, Hall, Shabazz, and Mayor Jackson voting in favor. Alderman Johnson was out of the room. Upon a motion by Alderman Shabazz, seconded by Alderman Sprague and carried the request was denied with Aldermen Bell, Bordeaux, Osborne, Thomas, Sprague, Hall, Shabazz, and Mayor Jackson voting in favor. Alderman Johnson was out of the room.

PETITIONS

Garden Club of Savannah – Petition 120270, requesting that the City accept the donation of a triangular parcel of land located at the intersection of Paulsen Street, Chatham Crescent and E. 46th Street. The subject property, consisting of approximately 2,573 square feet, is a vacant parcel of land known as 600 Chatham Crescent, PIN 2-0076-26-002, which was deeded to the trustees of the Garden Club of Savannah in 1991. The Garden Club has requested that the property be maintained as green space for the benefit of the community. They have also requested permission to erect a plaque on the property acknowledging their gift to the City of Savannah. The Public Facilities, Events and Services Bureau, and the Park and Tree Department, have agreed to take over maintenance of the property. Recommend approval of Petition 120270 and the related resolution that appears elsewhere on this agenda. Further recommend granting permission for the erection of a plaque acknowledging the club's gift, with the understanding that said sign will be subject to the approval of the Savannah- Chatham Site and Monument Commission and meet the City's signage requirements. Alderman Sprague stated the property was given to the garden club by the owners who lost the house due to fire. Upon a motion by Alderman Osborne, seconded by Alderman Thomas and unanimously carried the request was granted.

ORDINANCES

First Reading

General Development Plan Amendment – One West Victory (P-120222-32609-2). An ordinance to amend the General Development Plan approved in conjunction with the rezoning of 1 and 109 W. Victory Drive from I-L (Light Industrial) and R-B (Residential Business) to R-I-P-B (Residential-Medium Density) in 2007(Z-070220-43024-2). (The Zoning Hearing was held and approved on May 3, 2012.). Ordinance to cover on the November 15, 2012 Council Meeting.

Alderman Shabazz asked that this item be under consideration for the first reading only. Phillip McCorkle stated the first reading and public hearing was on May 3, 2012 and this item was mistakenly not put on the next meeting agenda for the second and final reading. He received a letter from the Clerk's office stating they had been approved after the May 3rd meeting; therefore, this was only a second reading for the ordinance. Mayor Jackson stated a public hearing was on May 3rd but it was never placed under ordinances for a first and second reading. Alderman Shabazz stated during the City Manager's briefing earlier that day, she and Alderman Sprague had been discussing the project. They had been in touch with the developers and the neighborhood and there was a concern about the garage and the maintenance and the plants that were proposed; also if the property is sold the esthetics of the garage would be maintained and maintenance be kept tight because it was a concern of the neighborhood. Mayor Jackson stated the minutes from May 3, 2012 do not reflect that the ordinance was on the first reading that day. She said that under the first and second reading there must be a unanimous vote and there was not one this day; therefore, the second reading would be put on the agenda for the next meeting. It was the City's understanding that the property would be sold in 3 years and the City Attorney was researching how they could assure the esthetics would stay intact. Alderman Bordeaux asked Mr. McCorkle if it was a correct statement that the developers plan to put plants, ferns and vines outside the parking garage; but if and when they sell the property the purchaser would not be obligated to maintain the plants. Mr. McCorkle stated no more than any other being in the City was obligated to maintain their property. He stated he understood Alderman Shabazz's concerns and they would be dealt with and asked that the item be placed on the next agenda. He said it was difficult to bind someone to take care of a plant in perpetuity. City Attorney Stillwell stated he and Mr. McCorkle would meet and talk with his clients and work out a plan before the next meeting. Alderman Sprague apologized to Mr. McCorkle for the misunderstanding and that she had been talking with the developers about the garage and the vines on the side. However, her concern was the owners have stated that in 3 to 5 years their intent is to sell the project and the problem would be if the next owners did not want to take on the time and expense of maintaining the vegetation. At that time the City would be stuck with a big, ugly parking garage. She was asked to look into the possibility of the maintenance of the vines on the side of the building go with the ownership of the building. Mr. McCorkle said his concern was there were too many restrictions put on the project, it would never be built.

Ordinances read for the first time in Council November 1, 2012, then by unanimous consent of Council read a second time November 1, 2012, placed upon its passage, adopted and approved upon a motion by Alderman Johnson, seconded by Alderman Osborne and unanimously carried. Ordinance to follow. Text Amendment – Maximum Building Coverage for Buildings Higher Than Three Stores (Z-1200725-36593-2). An ordinance to delete Section 8-3053 of the City of

Savannah Zoning Ordinance which limits the maximum building coverage for buildings greater than three stories in height. (The zoning hearing was held and approved on September 6, 2012.)

Ordinances read for the first time in Council November 1, 2012, then by unanimous consent of Council read a second time November 1, 2012, placed upon its passage, adopted and approved upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried. Ordinance to follow. Text Amendment – Electronically Controlled Announcement Signs in the B-N District. (Z-120628-41528-2). An ordinance to amend Section 8-3112(c)(5)c of the City of Savannah Zoning Ordinance to allow electronically controlled announcement signs in the B-N (Neighborhood Business) zoning district. (The zoning hearing was held and approved on September 6, 2012.)

Ordinances read for the first time in Council November 1, 2012, then by unanimous consent of Council read a second time November 1, 2012, placed upon its passage, adopted and approved upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried. Ordinance to follow. Rezone 205 Lissner Avenue (Z-120522-50248-2). An ordinance to rezone a portion of 205 Lissner Avenue from I-H (Heavy Industrial), R-4 (Four-Family Residential) and R-6 (One-Family Residential) to P-I-H (Planned Heavy Industrial) with conditions. (The zoning hearing was held and approved on October 18, 2012.)

Ordinances read for the first time in Council November 1, 2012, then by unanimous consent of Council read a second time November 1, 2012, placed upon its passage, adopted and approved upon a motion by Alderman Johnson, seconded by Alderman Shabazz and unanimously carried. Ordinance to follow. Rezone 608-610 Abercorn Street (12-0000126-ZA). An ordinance to rezone 608-610 Abercorn Street from RIP-A (Residential- Medium Density) to RIP-D (Residential-Medium Density). (The zoning hearing was held and approved on October 18, 2012.)

Ordinances read for the first time in Council November 1, 2012, then by unanimous consent of Council read a second time November 1, 2012, placed upon its passage, adopted and approved upon a motion by Alderman Bordeaux, seconded by Alderman Johnson and unanimously carried. Ordinance to follow. Text Amendment – Single Family Residential Structures (Z-110322-89661-2). An ordinance to amend Section 8-3133(d) of the City of Savannah Zoning Ordinance, Limitations on use of land or building by non-conforming uses, to allow existing single family residential structures to continue as a nonconforming use in all zoning districts. (The zoning hearing was held and approved on October 18, 2012.) Upon a motion by Alderman Bordeaux, seconded by Alderman Johnson and unanimously carried.

RESOLUTION

WHEREAS, the City of Savannah, Georgia expects to receive a total of \$4,024,575 from the United States Department of Housing and Urban Development in the form of Community Development Block Grant, Emergency Shelter Grant, and HOME Investment Partnerships funds for fiscal year 2013; and

WHEREAS, it is a condition for receipt of such funding that the City submit to the United States Department of Housing and Urban Development a comprehensive multi-year Housing and Community Development Plan, including a one-year action plan for fiscal year 2013, and

WHEREAS, the City has developed a 2013-2017 Housing and Community Development Plan which includes a 2013 One-Year Action Plan that have been published and made available online for public comment for a period of 30 days, and two public hearings have been held on May 2, 2012 and November 1, 2012, to discuss and receive comments on the plan; and

WHEREAS, the City of Savannah seeks to support agencies that can successfully provide services to assist low-to-moderate income persons and carry out projects to improve housing, economic development and other eligible activities;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Aldermen of the City of Savannah authorize Stephanie Cutter, Acting City Manager, to submit to the United States Department of Housing and Urban Development the City's 2013-2017 Consolidated Housing and Community

Development Plan and the One-Year Action Plan for 2013 and to enter into grant agreements with the subrecipients named therein.

ADOPTED AND APPROVED: November 1, 2012, upon a motion by Alderman Bell, seconded by Alderman Shabazz and unanimously carried.

RESOLUTION

A RESOLUTION TO AUTHORIZE THE TRANSFER OF PROPERTY LOCATED AT 600 CHATHAM CRESCENT, PIN 2-0076-26-002, FROM THE GARDEN CLUB OF SAVANNAH TO THE CITY OF SAVANNAH.

WHEREAS, the within described property was deeded to the Trustees of the Garden Club of Savannah (“Garden Club”) in 1991; and

WHEREAS, the Garden Club now desires to transfer this property to the City to be maintained as green space for the benefit of the community; and

WHEREAS, the Garden Club has requested permission to erect a sign (plaque) on the property acknowledging the gift to the City; and

WHEREAS, the City of Savannah has agreed to maintain the property and to allow the signage, subject to approval of the Savannah-Chatham Sites and Monuments Commission and compliance with the signage requirements of the City of Savannah.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, to accept the transfer of the within described property and that the City Manager be authorized to execute any documents related thereto.

All that certain parcel of land situated, lying and being in the City of Savannah, Chatham County, Georgia, and known on the map or plan of said City as Lot One Hundred Sixty (160), Dixon Ward, said lot being triangular in shape and being bounded as follows: on the North by 46th Street, with a frontage thereon of 102.93 feet; on the South and East by Chatham Crescent with a frontage thereon of 118.52 feet; and on the West by Paulsen Street, with a frontage thereon of 58.65 feet, and being further designated by the Chatham County Tax Assessor’s records as PIN 2-0076-26-002.

ADOPTED AND APPROVED this 1ST DAY OF NOVEMBER, 2012, upon a motion by Alderman Osborne, seconded by Alderman Sprague and unanimously carried.

RESOLUTION

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE DEDICATION OF 7,275 SQUARE FEET OF ADDITIONAL RIGHT-OF-WAY ALONG THE EAST SIDE OF PENNSYLVANIA AVENUE FOR THE CONSTRUCTION OF A PEDESTRIAN SIDEWALK.

WHEREAS, additional right-of-way is needed along the east side of Pennsylvania Avenue extending south from Elgin Street in order to avoid damage to existing specimen live oak trees in the construction of a pedestrian sidewalk; and

WHEREAS, this additional right-of-way will also insure the location of existing gas main will be within public right-of-way; and

WHEREAS, Mercy Housing has agreed to dedicate additional land for said use as public right-of-way; and

WHEREAS, a Right-of-Way Plat has been prepared and approved by the appropriate City departments; and

WHEREAS, the Mayor and Aldermen of the City of Savannah have accepted the dedication of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the City Manager be authorized to execute any and all documents necessary for the dedication of the additional right-of-way, to wit, a 22' strip of land along the east side of Pennsylvania Avenue running approximately 342.5 feet south from the intersection of Elgin Street and Pennsylvania Avenue as shown in the plat prepared by Stuart Spencer, GRLS No. 3066, dated February 27, 2012.

ADOPTED AND APPROVED this 1st day of November, 2012, upon a motion by Alderman Johnson, seconded by Alderman Shabazz and unanimously carried.

RESOLUTION

A RESOLUTION TO AUTHORIZE THE GRANTING OF A DEED TO ONE WEST VICTORY DRIVE L.P., FOR A PORTION OF THE NORTHERN HALF OF THE UNOPENED RIGHT-OF-WAY OF WEST 44TH STREET LYING BETWEEN BARNARD & BULL STREETS.

WHEREAS, the within described property was declared surplus to the City's needs during a City Council meeting held on October 18, 2012; and

WHEREAS, the Mayor and Alderman of the City of Savannah are authorized under O.C.G.A. § 36-7-4 to offer such property for sale to the abutting property owners for such compensation as The Mayor and Alderman of the City of Savannah deem reasonable; and

WHEREAS, the portion of West 44th Street does not serve a public purpose because it dead-ends into the Atlantic Coastline Railroad right-of-way; and

WHEREAS, One West Victory Drive, L.P. is the abutting owner of the property lying on the northern side of the right-of-way.

NOW, THEREFORE, BE IT RESOLVED by The Mayor and Aldermen of the City of Savannah, in a regular meeting of Council assembled, that City Manager is authorized to execute a quitclaim deed in to One West Victory Drive L.P. for the property described on Exhibit "A" attached hereto, and the Clerk of Council to attest said Deed and affix the City's Seal.

ADOPTED AND APPROVED this 1st day of November, 2012, upon a motion by Alderman Johnson, seconded by Alderman Shabazz and unanimously carried.

RESOLUTION

A RESOLUTION TO AUTHORIZE THE GRANTING OF A DEED TO THE GUERRY LUMBER CO., FOR A PORTION OF THE SOUTHERN HALF OF THE UNOPENED RIGHT-OF-WAY OF WEST 44TH STREET LYING BETWEEN BARNARD & BULL STREETS.

WHEREAS, the within described property was declared surplus to the City's needs during a City Council meeting held on October 18, 2012; and

WHEREAS, the Mayor and Alderman of the City of Savannah are authorized under O.C.G.A. § 36-7-4 to offer such property for sale to the abutting property owners for such compensation as The Mayor and Alderman of the City of Savannah deem reasonable; and

WHEREAS, the portion of West 44th Street does not serve a public purpose because it dead-ends into the Atlantic Coastline Railroad right-of-way; and

WHEREAS, The Guerry Lumber Co. is the abutting owner of the property lying on the southern side of the right-of-way.

NOW, THEREFORE, BE IT RESOLVED by The Mayor and Aldermen of the City of Savannah, in a regular meeting of Council assembled, that City Manager is authorized to execute a quitclaim deed to The Guerry Lumber Co. for the property described on Exhibit "A" attached hereto, and the Clerk of Council to attest said Deed and affix the City's Seal.

ADOPTED AND APPROVED THIS 1ST DAY OF NOVEMBER, 2012, upon a motion by Alderman Johnson, seconded by Alderman Shabazz and unanimously carried the resolution was approved.

MISCELLANEOUS

City Attorney. Appointment of Brooks Stillwell as City Attorney. Upon a motion by Alderman Bell, seconded by Alderman Sprague and unanimously carried Mr. Stillwell was appointed City Attorney.

City Attorney Emeritus. Recognition of James B. Blackburn, Sr. for 51 years of dedicated and distinguished service by conferring emeritus status. Alderman Johnson pointed out that Mr. Blackburn continues to work with the City. Upon a motion by Alderman Bell, seconded by Alderman Osborne and unanimously carried Mr. Blackburn was appointed City Attorney Emeritus.

TRAFFIC ENGINEERING REPORTS

Parking Prohibition – Interchange Court. Buildings and Grounds requested that Traffic Engineering review the parking conditions along Interchange Court. Parking on the shoulders of Interchange Court and in the cul-de-sac has been an ongoing issue due to the relatively narrow pavement width of 24 feet and grass shoulders with open drainage ditches. The First Student Bus Depot, and the City’s Buildings and Grounds compound and Recycling Center use Interchange Court to access their properties. In the past, First Student employees have been permitted to park in the right-of-way, and had opted to do so rather than inside the compound. This restricted the free flow of traffic and made right-of-way maintenance difficult. Traffic Engineering has installed “No Parking on Shoulder” signs along the street, and although compliance has been high, employees continue to park in the cul-de-sac. This causes difficulty for tractor trailers entering or leaving the Buildings and Ground compound. Recommend that parking be prohibited on Interchange Court from Interchange Drive west to the dead end. Ordinance to cover on the November 15, 2012 Council Meeting. Upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried the request was approved.

Parking Restrictions – Ann Street. William J Kehoe, III has submitted a petition requesting that parking restrictions on the east side of Ann Street between Zubley and Alton Streets be extended one block south to West Oglethorpe Avenue. Mr. Kehoe owns Johnston Supply, located on Ann Street and the building that fronts Martin Luther King, Jr. Boulevard that houses Utrecht Art Supply, Wasabi’s Restaurant, Carlito’s Restaurant, and Shift Creative. Mr. Kehoe asserts that by restricting parking to three hours it will help facilitate parking not just for his business on Ann Street, but also for the businesses that front Martin Luther King, Jr. Boulevard as well. Traffic Engineering has performed parking studies in this area and found that employees from the businesses in the area park here and insufficient parking turnover is occurring between 7:00 AM and 3:00 PM. Although Mr. Kehoe’s request is to limit parking to three hours on the east side of Ann Street between Alton Street and W. Oglethorpe Avenue, the City already restricts parking to two hours on Ann Street between Zubley and Alton Streets. To promote uniformity, Traffic Engineering recommends that the parking on the east side of Ann Street between Alton Street and W. Oglethorpe Avenue be restricted to two-hour parking. This restriction will provide the parking turnover necessary to support local businesses. Ordinance to cover on the November 15, 2012 Council Meeting. Upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried the request was granted.

BIDS, CONTRACTS AND AGREEMENTS

As advertised, per the Acting City Manager’s recommendation - upon a motion by Alderman Osborne, seconded by Alderman Sprague and unanimously carried, the following bids, contracts and agreements were approved:

Savannah-Chatham Metropolitan Police Department Administrative Service Center (PB836) – Contract Modification No. 2A – Event No. 93. Approval of Contract Modification No. 2A from Dabbs-Williams General Contractors, LLC, in the amount of \$18,990.00. The original contract was for the build-out of the SCMPD Administrative Service Center facility that includes property storage rooms, conference rooms, common areas, offices, restrooms, and other ancillary areas. This contract modification includes owner-requested changes, hidden conditions, design improvements and corrections not included in the original design. These changes include: additional storage shelving, additional phone outlets for versatility of lobby area, revisions to doors and hardware for access control, additional support for roof condensers, installation of a hose bib on roof to accommodate HVAC maintenance, added sink in Property Room for test lab activities, modification of ceiling in Property Room to provide required clearance between fire sprinklers and mobile shelves, added floor outlets in lobby is to provide power and data in area.

City Council had previously approved Contract Modification No. 2 at its September 6, 2012 meeting. This modification was cancelled because part of the work has been completed under a separate annual contract for significantly less cost. The original modification was for \$34,154.00. The work that was completed by the annual contractor was for \$19,450.00. The cumulative total of the agreement requires Council approval of this modification. The original contract was \$3,683,067.00. The total of all contract modifications to date including this modification is \$23,863.00 making the contract total price \$3,706,930.00. Funds are available in the 2012 Budget, Capital Improvement Projects/Other Costs/SCMPD Administrative Services Center (Account No. 311-9207-52842-PB0836).

Flooring for Savannah Civic Center – Event No. 557. Approval to procure new flooring at the Savannah Civic Center from Center Office Systems in the amount of \$301,264.39. The flooring will be utilized by the Civic Center to enhance the infrastructure and appearance on the first, second, and third floors. The products being used are carpet tiles, matching broadloom carpet, a luxury vinyl plank product, and rubber cove base and rubber accessories. Funds are available in the 2012 Budget, Capital Improvement Projects/Other Costs/Civic Center Carpet Replacement (Account No. 311-9207-52812-CC602).

Civic Center Loading Dock – Event No. 667. Approval to procure Consultant Services from Kern-Coleman & Company, LLC in the amount of \$28,500.00. The consultant will assist the City in developing design documents to construct a new permanent loading dock structure to replace the existing temporary dock extension at the Civic Center and provide construction administration services throughout construction. The loading dock is used only for the Johnny Mercer Theater. The method used for this procurement was the Request for Proposal (RFP), which evaluates criteria in addition to costs. The criteria evaluated as part of this RFP were qualifications and experience, methodology, references and fees. The Consultant met the minimum qualifications as outlined in the RFP. Although 230 bidders were notified about this RFP, only one proposal was received. Delivery: 2 Months. Terms: Net-30 Days. Funds are available in the 2012 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Civic Center Loading Dock (Account No. 311-9207-52842-CC203).

Tree and Stump Removal – Event No. 714. Approval to award an annual contract for tree and stump removal to Bartlett Tree Experts and McKinnon, Inc. in the estimated amount of \$100,000.00. The services included the removal of trees and grinding of stumps Bidders were pre-qualified based upon the following criteria: company qualifications and experience, staff that includes a certified arborist, references, proper insurance and necessary equipment. The two qualified bidders will provide bids for a pre-determined list of work to be accomplished on a weekly basis and will be awarded that specific list of work based on the lowest bid submitted. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2012 Budget, General Fund/Park and Tree/Other Contractual Service (Account No. 101-6122-51295).

Ford Police Interceptor Utility All Wheel Drive – Event No. 715. Approval to procure two Ford Police Interceptor Utility vehicles from J.C. Lewis Ford in the amount of \$57,392.00. The vehicles will be used by the Savannah-Chatham Metropolitan Police Department as part of the K-9 patrol unit. These vehicles replace Units 7978 and 7947 which are no longer economical to operate or repair. Bids were received October 9, 2012. Delivery: 60 Days. Terms: Net-30 Days. Funds are available in the 2012 Budget, Vehicle Replacement Fund (Account No. 613-9230-51515).

High Density Shelving – Sole Source – Event No. 788. Approval of a high density mobile storage system from WHC-Walter Hopkins Company in the amount of \$115,150.00. This system will be installed at the newly renovated SCMPD Administrative Services Center located at 3401 Edwin Street and will work in conjunction with the system purchased under the construction contract for storage of evidence material. The capacity of shelving needed has grown since previously determined during the design phase of the project in 2009. The reason for the sole source is that this filing system is only available through the distributor and must match the existing units. Delivery: 60 Days. Terms: Net-30 Days. Funds are available in the 2012 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Savannah Public Safety Metroplex (Account No. 311-9207-52842-PB836).

Zonar Annual Service - Event No. 789. Renewed an annual contract for GPS vehicle tracking services from Zonar Systems, Inc., in the amount of \$34,973.40. The GPS equipment is installed on Sanitation Bureau vehicles to provide data and various reports of real-time locations, operational statuses and vehicle idle times. This equipment also assists Sanitation in routing vehicles in the most efficient and cost effective method. The original RFP was approved by Council on September 23, 2010. Pricing for the access to the satellite and service is based on the original contract. The City elected to standardize using Zonar's equipment in 2008 to provide

GPS vehicle tracking equipment through the RFP process. Delivery: As Needed. Terms: Net 30 Days. T. Funds are available in the 2012 Budget, Sanitation Operation Fund/Director/Other Contractual Service (Account No. 511-7101-51295).

Coffee Bluff Marina – Event No. 674. Approval to procure construction services for the Coffee Bluff Marina from Weimar Construction Company, Inc. in the amount of \$3,941,368.00. Staff has negotiated with the recommended contractor to value engineer the project in order to come within budget. State construction law allows negotiation with the lowest bidder. The project includes replacement of the existing marina store, boat hoist, shore protection, floating docks and the addition of a new fishing pier, boat storage building, a community park, paved parking area, and associated site work. Contractors were prequalified for this project and all Contractors that submitted were approved to bid the project. (M. Funds are available in the 2012 Budget, SPLOST V (Account No. 311-9207-52842-RD0309). Alderman Thomas said this project was a long time coming about. It was probably the most fought-over piece of property in Chatham County until the City bought it. The City has made a promise to the citizens to maintain an open access to the water, and this allows public access to waters that most people would be unable to access unless they went to the beach or a public boat ramp. It is a beautiful site and a great improvement for the City. He thanked the former City Managers Michael Brown and Rochelle Small-Toney, Acting City Manager Stephanie Cutter, City staff, Joe Shearouse and Pierce Deloach who worked closely together to see this project finalized. Upon a motion by Alderman Thomas, seconded by Alderman Shabazz and unanimously carried the request was granted.

ALCOHOLIC BEVERAGE LICENSE SHOW CAUSE HEARINGS

The-Hide-A-Way. A hearing for Justin Love to show cause why the liquor, beer and wine (drink) Sunday sales license at 13051 Abercorn Street, which is located between Apache Avenue and Middleground Road in District 6, should not be suspended or revoked for violations of the Alcoholic Beverage Ordinance. (Mr. Love surrendered the license on October 26, 2012.) Petitioner withdrew the request for a license.

Alderman Thomas said he was bothered by someone who ran a bar that caused as many problems as the Hide-a-Way, with the calls for police service, and surrendered their license without coming before Council then come back for a new license, under a new name and never have to go before Council and explain why there were so many problems with their last operation. He said it was a shame Council did not get the opportunity to hear the Show Cause Hearing and get some answers. He suggested changing the procedures so that the actions of the petitioner for an alcohol license would be brought to light. Assistant City Attorney William Shearouse said the City had the authority to require an applicant to appear before Council and it is usually done by the recommendation of the Revenue Department. Alderman Thomas said in 13 years he did not recall denying a license because of past actions; this is something new and that an alcohol license is a privilege and not a right.

Alderman Osborne said she held a mock election at East Broad Elementary School and they had already decided Obama would be the President of the US. She encouraged other schools to participate.

Alderman Sprague participated in the cleaning of Hayner’s Creek and she said there were many Styrofoam cups there and requested the City not provide them at meetings. She also thanked the Savannah community for cards, letters, hugs, kisses, emails, phone calls, and visits on behalf of her daughter. They are very grateful that she is home and safe.

Alderman Shabazz reminded the citizens of Tatemville of a meeting on November 19th at 6:00 pm and they are inviting the Project DeRenne Team. The Tatemville noise wall should be completed by the 4th quarter of 2013.

Mayor Jackson encouraged everyone to attend the Rock and Roll Marathon on Saturday, November 3rd.

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

Dyanne C. Reese, MMC, Clerk of Council