

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA**

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 Reverend Dr. Steven Williams of First Presbyterian Church.

PRESENT: Mayor Eddie W. DeLoach, Presiding
Mayor Pro-Tem Carol Bell
Alderman Julian Miller, Chairman of Council
Brian Foster, Vice-Chairman of Council
Aldermen Bill Durrence, Van Johnson, II, Tony Thomas
Estella Shabazz and John Hall

City Manager, Rob Hernandez
City Attorney W. Brooks Stillwell
Assistant City Attorney Lester B. Johnson, III
Assistant City Attorney William Shearouse

Upon motion of Alderman Bell, seconded by Alderman Miller, and unanimously carried the agenda was amended to add item 12.1 for the purpose of Litigation was approved.

Upon motion of Alderman Bell, seconded by Alderman Shabazz, unanimous approval was given for the Mayor to sign an affidavit and resolution on Litigation for an Executive Session held today where no votes were taken. **(SEE RESOLUTIONS)**

MINUTES

Upon motion of Alderman Bell, seconded by Alderman Shabazz and unanimously carried the summary/final minutes for the City Manager's briefing of January 5, 2017 was approved.

Upon motion of Alderman Bell, seconded by Alderman Shabazz and unanimously carried the summary/final minutes for the City Council meeting of January 5, 2017 was approved.

APPEARANCES

Representatives Antwan Lang and Shirley James, Festival Coordinator of the 2017 Savannah Black Heritage Festival Committee appeared to issue a formal invitation to the community and City Council to attend the 28th Annual Savannah Black Heritage Festival scheduled February 1 - 26, 2017. Antwan stated he is happy to be here to introduce the best organizations that are a part of because it does so much for the community. The City has a partnership with Savannah State and the Black heritage Festival and it has been a successful venture. He gave recognition to his school president, Dr. Dozier, Mrs. Shirley James and the dedicated volunteers who have help with the festival. The Black Heritage Festival has 66 events targeting over 16,000 young people. Most of the programs expand beyond entertainment to provide real life learning skills

and that is one of the most important attributes that he loves about the black Heritage Festival. They are focus on educational, skill development, health and entrepreneurial strategies. He introduced Ms. Shirley James. Mrs. James thanked Antwan and greeted Council, City Administrators and the citizens of Savannah. She stated she wanted to extend the formal invitation to council and citizens of Savannah to be present and participate in the activities of the 28th Black Heritage festival that will take place in Savannah. All the activities are free admission and open to the public. She is very proud to stand with Mr. Lang who is a commissioner with the Cultural Arts Commission along with Ms. Eileen Baker who is the Director. On behalf of Dr. Dozier who was out of town, she brought greetings, and if Mr. Philip Adams attends the festival he will be her representative. This year there theme is focused on the future acknowledging echoes from the past. They hope the theme will resonate through the programs that are planned which are geared towards every age in reference to presenting cultural education and exposure to the performing and visual arts as well as the health and wellness fair, culinary arts activities and numerous youth programs. She highlighted the dance performance by Cleo Parker Robertson Dance ensemble from Denver, CO. The performance will take place Friday February 3rd at 7:30 p.m. in the Johnny Mercer Theater at the Civic Center. Please note they will not issue the traditional free ticket for admission for the dance performance. Tickets are not needed they are only inviting all the citizens and visitors to attend. They are doing this to encourage more organizations to bring their youth groups. There will be special seating for the Mayor and Council, however; ten minutes prior to curtain call in they are not there their seats will be given to the citizens. Another important event is Echoes Walk. This event will be held on the first, third and fourth Saturday mornings and they will take place in the historic areas of East, West, and historic Savannah. They will visit sites that are significant to African American history in those areas. For the first time in the City they will have the National Great Blacks and Wax Museum exhibition which will be at the Beach Institute of African American Cultural Center February 4th -8th. The W.W. Law lecture will be Juliana Richardson, Founder and Director of History Makers. The annual Grand Festival Day will take place Saturday, February 11th at the Savannah Civic Center. It will be a full day of fun, activities, and performances that are family friendly. She asked Council to take the poster that was issued to them and post it in their districts to help advertise and get the word out about the festival. Alderman Johnson Thanked Ms. James and stated this is one of the most anticipated events of the year on their cultural calendar. He has attended many of the events throughout the years and thanked them for everything. Alderman Shabazz commended Mrs. James on a job well done especially on the poster because it grasped the attention on young people especially young African-American males. The Echoes Walk is one of the events she wanted to emphasize because a lot of people live in the city and does not know the African American history within the city. She encouraged the public to be excited and save the dates to be a part of the Black Heritage Festival. She stated she takes her hat off to Mrs. James and Savannah State University for a job well done.

ALCOHOLIC BEVERAGE LICENSE HEARINGS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of these licenses.

Charles F. Schmitt for Savannah Music Depot, LLC t/a The Stage on Bay, requesting liquor, beer and wine (drink) and Underage Permit at 1200 West Bay Street, which is located between Kirkland Street and Lehwald Street in District 1. The applicant plans to operate a music event venue. (New location/request/ownership).

Alderman Johnson asked the petitioner, Mr. Schmitt and Judy Jones, of the Revenue Department to come forward. He asked Mr. Schmitt have he met with the Neighborhood Associations.

Mr. Schmitt replied he met with the West Savannah Neighborhood Association President, Mr. Williams and they had a productive meeting. He sent two emails and made two phone calls to their neighborhood association and unfortunately he has not heard anything from them. Alderman Johnson asked are you referring to Hudson Hill and when did you send those emails. Mr. Schmitt replied yes, he sent one on email on Wednesday, December 21 and another on Thursday December 29th and he also has copies. He made phone calls December 21st and 28th to invite representatives of the association to come to the venue.

Alderman Johnson stated you sent them during the Christmas holiday which is not the best time to send anyone anything. What is the concept of this venue.

Mr. Schmitt replied it is a live concert venue that can hold 150 to 1000 people. Their vision is to attract live nationally known touring talent. Before, touring talent have been coming from New York and Nashville and bypassing Savannah to go to Florida and other places. They saw a market for live national talent such as the Marsha Tucker band, Mark Broussard, C and C Music Factory, Sister Hazel, and Tyler Farr all of who they have booked to perform at this venue to enhance Savannah's cultural diversity, attraction to tourism destination, and put Savannah on the map for these performers.

Alderman Johnson asked do you realize Savannah is on the map for the people that live there every day and did you consider how their lives will be affected by having 150 to 1,000 seat complex that directly effects where they live.

Mr. Schmitt stated in their opinion they believe they are helping with South Brewing who are their neighbors and bring development and activities to that neighborhood. They took the former Grainger building and turned it into a performance venue that will bring in first class national talent to the low country and coastal empire.

Alderman Johnson asked have you addressed issues with parking.

Mr. Schmitt stated they have leased an acre that is immediately adjacent to the venue and another three quarters of an acre that is half a block away. They have also addressed it with their site engineer. He gave kudos and thanks to the City of Savannah Developmental Service office who he has been working with since July. They are very cognoscente of parking, safety of persons and property. They have coordinated with the Savannah Police Department for off duty officers. This is not new to them so they are aware of what the concerns may be.

Alderman Johnson stated being transparent he have major issues with this. The reasons are (1) sending a notice asking to meet with a neighborhood association after the 20th of December is not a good faith in effort; (2) he is tired of people dumping things into their communities. It can be first class but it is also another liquor establishment in an area that is saturated with liquor establishments and you want to add an underage drink permit. The entertainment district is across the viaduct and there are also a number of places other than that venue that can fit your bill. As members of Council, they made it a requirement that a petitioner communicate with the people within the neighborhood before coming before Council and they will not hear a petition until those requirements are fulfilled. It is a good concept but it is the wrong place.

Mr. Schmitt stated it was the first building they looked at back in February and they wasn't sure if it was the right building in the right place either, so they looked at other buildings throughout Savannah. In August they signed their lease for that venue because the proximity to the Historic District is positive for tourist and the distance being a mile away from the Historic District was potentially positive for local residents to come to a show and not worry about parking and transient through the Historic District. In terms of dropping in, the only thing they have dropped was \$1.5M. They have shown their commitment and this is not a drop in. His wife's family is from Savannah. They looked at Savannah as being a wonderful market. There is not a facility like this in the Historic District or within two hours. He has been in the entertainment business over 32 years; he's a practicing attorney and practicing entertainment attorney. With little money he have made as a plaintiff attorney suing bars he put into this venture, so he is aware of the safety of the public and what he needs to do to ensure this is a successful operation. He can't address the email and phone call issues and he can't make someone return his phone calls. He looks at all of his emails and phone calls. Everyone gets them on their phones and he can't make someone engage with him.

Alderman Johnson stated he will help facilitate a meeting with the neighborhood associations.

Mr. Schmitt stated he must implore the members Council. They have the Marsha Tucker band coming February 3rd for their grand opening everyone in the city administration has been wonderful about understanding the importance of this. They are spending hundreds of thousands of dollars and have gone above and beyond to be able to do that. In today's music business if he doesn't have a liquor license all the ticket sale money will be lost.

Alderman Johnson stated you are saying how important this is to you but what about the people in the community.

Mr. Schmitt stated their past experiences with other businesses in New York had mixed feelings. The Denny's down the street gave them a sheet cake thanking them, and the diner a mile in half away wouldn't allow them to buy a meal because all of those businesses received additional business in that neighborhood after a show. It uplifts everyone.

Alderman Johnson concluded by thanking him for coming.

Alderman Durrence asked at any point did you envision having a D.J operated event as opposed to live music performances.

Mr. Schmitt stated the only time he will anticipate that is with EDMs and he doesn't see that happening because it tends to be a very young audience. He prefers not to be all ages, but most of the major talent agencies require all ages.

Alderman Durrence stated he wanted him to understand that if it is a D.J. event your underage permit will not prohibit anyone underage. This only allows underage for live music not D.Js.

Mr. Schmitt stated right now they are only anticipating being a live music venue.

Alderman Thomas stated that part confuses him as well because that genre of music that Alderman Durrence is referring to is a form of art and not a D.J. This is Alderman Johnson's district and he tries not to cross district lines. One thing that bothers him is that if he genuinely reached out to the neighborhoods in question whether it's Christmas or not and no one responded there needs to be an explanation from whoever you tried to reach out to so it won't become a trending problem for the future.

Mr. Schmitt stated Mr. Williams is here and they had a productive meeting at the venue where he also gave him a tour. Another thing he wanted to address is that he has been reaching out to the Revenue Department for the alcohol application since mid-October and because of the new statue the new application for 2017 was not available.

Alderman Thomas stated he is only interested in the communication process with the neighborhood association and people within those neighborhoods. A venue to 150 to 1,000 people has a direct impact on the people in that neighborhood. How will you handle parking, what goes on after the show, security and protection of the surrounding neighborhoods. This is an area that has had some challenges and they don't want to do anything that will damage the work that the people have been working for many years to accomplish.

Mr. Schmitt stated they have mutual concerns as well. They have addressed in their site plan parking which will be for a fee and they are employing their own private parking attendants to control parking they also will be on duty until the end of the show. There will be three off Duty City of Savannah police officers in uniforms in their cars. One will be at the front door watching the main parking lot and being on standby in case they may need him, the other in the overflow parking lot which is immediately adjacent to the venue, and another officer will be patrolling the neighborhood in their police car. They also met with the off duty coordinator of the Savannah Police Department. They hired a third party licensed security firm, The Security Guys from Augusta, GA, to provide security for major shows.

Alderman Miller asked when is Marsha Tucker scheduled to perform.

Mr. Schmitt replied Friday, February 3rd.

Alderman Miller stated Alderman Johnson has offered to facilitate a meeting between you and the neighborhood associates and some of the representatives are here. The next City Council meeting is February 2nd if this hearing is continued and meet with the neighborhood associations will that allow you to move forward.

Mr. Schmitt replied not likely because they have to get a state license. Before they receive a State license they would have to get their local license and get the products in the building and conduct an inventory. This may have to discontinue the venue.

Alderman Miller asked when did you start this process.

Mr. Schmitt replied he tried to start this process in October but the new application was not available as he stated earlier. The new application was available on December 13th and he went to the Broughton Municipal Building two hours before it became available. Ms. Judee went through the application process with him and accommodated him to be on this agenda.

The Mayor asked Ms. Jones to come forward. He asked her what can you tell me about his process.

Ms. Jones stated Mr. Schmitt has met with her in reference to the event venue. She informed him as she does all applicants to reach out to the people within the neighborhood and contact the neighborhood association office. He informed her this week that he was able to meet with Mr. Williams but was still in the process of getting in contact with the Ms. Lemon. She also informed Mr. Schmitt that Council requires all applicants to meet with the neighborhood before coming before City Council to ensure everyone is in agreement with the business that will take place in that community.

Ronald Williams, West Savannah Neighborhood Association President, stated he serve his community as he served his Country and is in opposition for this business to receive an alcohol license within a one mile stretch. He just received a memo from the City Manager on alcohol density. Within a mile there are seven alcohol establishments and with this new venue will be eight and that is too many. With this type of venue the alcohol will bring the drugs which will lead to crime. Across the street from this venue is Substantial Fellwood Apartments Senior building the noise will be a nuisance to those people living there. The citizens in that community have the right to live in peace without any added crime. He pleaded to Council to

deny or delay the alcohol license until they can find another way to accommodate this type of venue.

Lucille Jackson, resident of Hudson Hill stated she expected Ms. Lemon the neighborhood association president to be in attendance, but she can say on her behalf that she has not been in contact with any one in reference to this location. The citizens in the Hudson Hill community are opposed to another alcohol establishment. No one has contacted them and this is becoming an ongoing theme that businesses can come into their community and not make contact with the neighborhood associations. They are not against him having the venue but it is a direct opposition to the Civic Center. He can use that venue to for their entertainment but this type of venue should not be in their area. If he wants to have a meeting they will be happy to sit down with him.

Alderman Miller stated Mr. Schmitt said he sent two emails and made two phone calls can you give us any indication why no one returned his messages.

Ms. Jackson replied I can't answer that question. She spoke to Ms. Lemon earlier in the week and she told them she has not been in contact with anyone regarding this business. She only heard about this venue on the news.

Mr. Williams stated he would like to make a correction. Mr. Schmitt stated he met with the community and he did not, he only met with him. He met with Mr. Schmitt because he received a call from the City about this venue so he decided to contact Mr. Schmitt to get an understanding of what he was doing. He also has not come to any of their community meetings.

Pamela Howard Oglesby, resident of the West Savannah neighborhood stated over the years she has been fighting trying to save their neighborhoods. This is not the time for this venue and they don't need it. She would like to know have they sound proof the building to ensure the noise will not be an issue in the neighborhood and neighboring businesses. There are a lot of dynamics Mr. Schmitt did not think about. As far as the people who are performing at this venue, it will not be an interest of the people living in that community. He also stated he will bring outside people in to work at this venue so there will not be any jobs for the people in the community. How will this help the community and what are they supposed to get from it besides the noise and other hazardous side effects. They are pleaded that Council object to approving this alcohol license.

Curtis V. Cooper, Jr. stated on June of last year they had the arena discussion which supposed to be located at Stiles. It seems as if this venue being half a mile from the arena will be a conflict. There has to be a way to configure his venue and the arena into one. If Ms. Lemon was being contacted there should have been a lot more effort put into it. He has been the neighborhood association president of Cloverdale for 10 years and if someone wanted to make contact they will do so by any means necessary, even if they have to knock on your door; and that did not happen in this case.

Ms. Bernetta Lanier stated she is a fourth generation resident of Hudson Hill, founding director of Ivory Bay Community Development Corporation. They are in opposition of this project and allowing the alcohol license. They understand by law based on the zoning Mr. Schmitt has a right to do business there and that is the problem. Throughout history there have been major municipal issues such as zoning, street paving, and traffic and engineering pertaining to Hudson Hill. That is why the Hudson Hill Community Organization was organized and it also was the first in the City of Savannah. Zoning was used to control black residential change and historically zoning has been used against the minorities and the less fortunate. In the 1960's

Hudson Hill received the worst zoning that was available at the time which was R-4 and I-L (Light Industrial), Heavy Industrial, and commercial on Bay Street. Since the early 2000s and now they have met with four City Managers including the current City Manager and three Mayors and nothing has happened as of yet. They had an opportunity to oversee the comprehensive plan and they were pleased because they thought their voices would be heard. Since 2004 they have been asking for a development plan for the Westside so they would not have the same problems as Mr. Michael and his funeral home. She has concerns with the overall comprehensive plan because the Westside is not included. Bringing this type of business into their community will contribute to the generational poverty, blight, population exodus and crime in that area. They would like to help with the design of their community and work with City Council to bring about the change to the Westside. She concluded by thanking Council for hearing their concerns.

The Mayor thanked the citizens and asked Attorney Stillwell what are their options on this matter.

Attorney Stillwell stated unless there is a show cause hearing or due process notice of reasons for denying a license that meet all the requirements of the ordinance there is no reasons to deny it. If they would like to continue it for two weeks they have a right to do that. The applicant will suffer some issues and that is something they will have to factor into your decision.

Mr. Schmitt stated the difference with his venue, the new arena, and the Civic Center is that the performers that will come to their venue will never play for a 10,000 seat venue. Performers are booked by the seating. More seating requires more money for them to perform and he does not have the money to book them at a venue that seats 10,000 people. In regards to sound proofing the building, they have spent a lot of money to ensure noise would not be a factor for residents or surrounding businesses.

The Mayor stated Mr. Schmitt jump the gun and should not have booked any performers before obtaining all of the necessary licenses. They are in a tight position. Before they do anything the citizens have the right to meet with him regardless if they agree or disagree. His job is to make sure he meets with the citizens no matter what. He will not vote on this license today, but he will continue it for two weeks to give Mr. Schmitt the opportunity to meet with the residents and if he doesn't he will not vote in favor of the license. They will have to go to court to see what will happen next.

Mr. Schmitt stated he respects that and he expects that will be the outcome. He does resent the implication and outreach was made and he has the copies to prove it. He concluded by thanking Council for their time.

Alderman Thomas stated one important factor is alcohol density. They have heard that a lot especially from the Westside citizens. It is probably time they task the new City Manager and MPC to start looking at possible options and solutions regarding alcohol density issues especially as they come back pertaining to these neighborhoods. Citizens have to understand zoning grants some rights, so the position that they are in will be difficult for them to vote no when it is the right thing that should be done. In fairness as zoning is crafted there are certain things that are allowed under current zoning where some businesses will be grandfathered in unless they change the zoning. He asked the Mayor, Council, City Manager, and City Attorney to have a discussion to find possible solutions regarding these issues.

The City Manager stated they recently sent the Council a memorandum addressing alcohol business license and density along certain commercial corridors and it included three options

for City Council consideration. The staff's preferred option is to work with any impacted communities and create overlay districts as part of the new Zoning Ordinance.

Alderman Shabazz stated from Ms. Lanier's facts they need to do something about this because it directly involves her district. She and Alderman Johnson have to have a serious talk in reference to a master plan for the entire Westside of Savannah because there been issues when it comes to the Westside and zoning laws.

Alderman Johnson stated there is a distinct difference between zoning, use of land by right, and Council discretionary powers with granting an alcohol license. Just because someone has zoning for a particular place does not entitle them to have an alcohol license. That is in the discretionary powers of Council.

Alderman Bell asked Alderman Johnson to explain. Alderman Johnson stated the zoning is what the land can be used for the license is a privilege that is granted by Council which is why they have the hearings. The Hudson Hill community is currently engage in a comprehensive community plan which includes zoning. Mediating factors can include the density of other alcohol establishments and other factors that can be considered. Mr. Schmitt may have noble intentions but his business will not work in that location. He asked Council to exercise their discretionary powers in terms of not granting the alcohol license for that establishment. The City Manager's report in regards to those corridors is a result from a discussion they previously had. They asked his office to review those corridors and tell them about the density. There are areas within the city that are over saturated with alcohol establishments and they happen to be in the same areas that have issues with poverty, crime, and homeliness. It may not be a conspiracy but it looks like one.

Alderman Bell asked Ms. Lanier with the research and planning that they have done in her area as it relates to land use and zoning have she worked with her elected officials in that process. Ms. Lanier replied no.

The Mayor stated they will help speed up that process.

Alderman Hall asked will the same rules apply if someone wanted to open a bar across this street and there are already seven alcohol establishments in that area.

The City Manager stated currently they don't have any restrictions in terms of the zoning code and minimum distance between other alcohol establishments. If there was another applicant requesting an alcohol license they will have the same issue as they do today. The only minimum requirements are found in State law and that pertains to other type of uses.

Attorney Stillwell stated he agrees with the City manager. If they want to address a zoning change an overlay district is a great option. Each neighborhood or area in the city have different restrictions so what goes for one may not go for another.

Alderman Thomas stated this is a policy change that they need to address.

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried. Continued to February 2, 2017 and during that time the applicant, Alderman Johnson, and the neighborhood associations will meet upon motion of Alderman Thomas, seconded by Alderman Miller.

The City Manager stated in regards to the policy change they will bring it back to a future Work session for further discussion.

The Mayor asked Liz to follow up with Ms. Lanier.

Krishna Patel for Shree Maha Laxmi, Inc. t/a Fairfield Inn & Suites – Historic Downtown Savannah, requesting liquor, beer and wine (drink) with Sunday sales at 135 Martin Luther King Boulevard, which is located between Oglethorpe Avenue and Zubley Street in District 1. The applicant plans to operate a hotel. (New location/ownership). Hearing closed upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried. Approved upon motion of Alderman Bell, seconded by Alderman Foster, per the City Manager’s recommendation.

Kip B. Bacon for Red Lobster Restaurant, LLC t/a Red Lobster, requesting liquor, beer and wine (drink) with Sunday sales at 11 West Montgomery Crossroad, which is located between White Bluff Road and Abercorn Street in District 5. The applicant plans to continue to operate a restaurant. (New management/existing business). Hearing closed upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried. Approved upon motion of Alderman Bell, seconded by Alderman Foster, per the City Manager’s recommendation.

ORDINANCES **Second Readings**

Local Amendments to the International Residential Code 2012 Edition. Recommend approval to amend the International Residential Code (IRC) 2012 Edition, Section R304.1, to replace it with Section R304.1 from the IRC 2015 Edition, as authorized by O.C.G.A. 8-2-25.

ARTICLE A. BUILDINGS IN GENERAL

[Sec. 8-1001. Title; adoption of codes.](#)

[Sec. 8-1002. Reserved Local Code Amendments.](#)

[Secs. 8-1003—8-1030. Reserved.](#)

Sec. 8-1001. Title; adoption of codes.

There are hereby adopted by reference the following Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs and the Office of Insurance and Safety Fire Commissioner:

Standard Building Code (International Building Code with Georgia State Amendments, (except for chapter 1, Administration).)

Standard One and Two Family Dwelling Code (International Residential Code for One and Two-Family Dwellings with Georgia State Amendments).

Standard Fire Code (International Fire Code with Georgia State Amendments, (except for chapter 1, Administration).)

Standard Plumbing Code (International Plumbing Code with Georgia State Amendments) Further amended by the adoption of a new Appendix C, Gray Water Recycling Systems, by adopting the

standards as approved by the Georgia Department of Community Affairs and attached hereto as an Amendment to Appendix C to said International Plumbing Code as the requirements of said Code for a Gray Water Recycling System.

Standard Mechanical Code (International Mechanical Code with Georgia State Amendments, (except for chapter 1, Administration).)

Standard Gas Code (International Fuel Gas Code with Georgia State Amendments, (except for chapter 1, Administration).)

Standard Electrical Code (National Electrical Code).

Standard Energy Code (International Energy Conservation Code with Georgia State Amendments). **International Property Maintenance Code**, with Georgia State Amendments (except for chapter 1, Administration).

Standard Swimming Pool Code (except for chapter 1, Administration).

National Fire Protection Association (NFPA)101, Life Safety Code as adopted

A copy of the codes listed in this section shall be and are on file in the office of the clerk of council and in the city's development services department.

(Ord. of 3-12-1998(3), § 1; Ord. of 12-18-2003(3), § 1; Ord. of 5-27-2004(5), §§ 1, 2; Ord. of 3-13-2008(1), § 1)

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Hall, and unanimously carried.

Local Amendments to the International Building Code 2012 Edition. Recommend approval to amend the International Building Code (IBC) 2012 Edition, Section 1612.4 to add new sections from IBC 2015 Edition referenced standard ASCE 24-14, Section 6.2.

Sec. 8-1002. Reserved Local code amendments.

Pursuant to §OCGA 8-2-25 the following additions, deletions or revisions to the International Residential Code and the International Building Code 2012 edition, as amended by the State of Georgia and this article constitute the minimum Standard Building Code for the City of Savannah, Georgia.

- (1) *Section R304.1* of the International Residential Code is revised to read as follows:
R304.1 Minimum area. Habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).
Exception: Kitchens.
- (2) *Section R304.2* of the International Residential Code is amended by deleting the section in its entirety without substitution.
- (3) *Section 1612.4* of the International Building Code is amended by adding the following:

1612.4.1 All materials that are below the elevations specified in ASCE 24-05, Table 6-1 shall conform to the requirements of Chapter 5, except materials on the interior of dry flood proofed portions of buildings.

1612.4.2 Dry flood proofed structures shall have at least one door satisfying building code requirements for an exit door, or a door, window, or other opening meeting the criteria of the building code for an emergency escape and rescue opening, above the applicable elevation specified in ASCE 24-05 Table 6-1, and capable of providing human ingress and egress during the design flood.

Secs. 8-1003—8-1030. Reserved.

ADOPTED AND APPROVED: January 19, 2017 Approved upon a motion by Alderman Johnson, seconded by Alderman Hall, and unanimously carried.

First and Second Readings

Ordinance read for the first time in Council January 19, 2017, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Johnson, seconded by Alderman Hall, and unanimously carried.

An Ordinance to Amend Article A (Generally), Section 8-3002 (Definitions) to Revise the Name and Definition of Bed and Breakfast Guest Unit; and to Article B (Zoning Districts), Sec. 8-3025(a)(12) (Index for C&R Use Schedule, Bed and Breakfast Guest Unit) and Sec. 8-3025(b)(9c) (Index for B&I Use Schedule, Bed and Breakfast) to Revise the Use Name. Recommend approval.

AN ORDINANCE **To Be Entitled**

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING, TO RENAME THE BED AND BREAKFAST GUEST UNIT USE TO BED AND BREAKFAST HOMESTAY; AND TO REVISE THE DEFINITION; 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 regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be amended as follows:

Article A, Section 8-3002 (Definitions)

REPEAL

Bed and Breakfast Guest Unit. A bedroom within a dwelling unit rented for lodging with breakfast to transient guests.

ENACT

Bed and Breakfast Homestay. An owner-occupied principal use dwelling where no more than one bedroom within the dwelling is rented to no more than two adult transient guests. The bedroom must contain a sleeping accommodation that includes but is not limited to a bed, sleeper sofa, sofa, futon or other accommodation intended for sleep, and the bedroom must comply with applicable building code(s). If breakfast is served, it shall be the only meal provided and can be served only to guests.

REPEAL & ENACT

Text recommended to be repealed shown in the strikethrough; text proposed to be enacted shown in boldface type and underlined.

Article A, Sec. 8-3025(a) (Index for C&R Use Schedule)

	<i>C-A</i>	<i>C-M</i>	<i>C-R</i>	<i>R-20</i>	<i>R-10</i>	<i>R-6</i>	<i>R-6-A</i>	<i>R-6-B</i>	<i>R-6-C</i>	<i>R-4</i>	<i>R-M</i>	<i>RIP</i>	<i>RIP-A</i>	<i>RIP-A- I</i>	<i>RIP-B</i>	<i>RIP-B- I</i>	<i>RIP-C</i>	<i>RIP-D</i>	<i>I-P</i>	<i>RMH</i>	<i>RMH-I</i>	<i>R-D</i>
(12) Bed and- Breakfast Guest Unit <u>Bed and Breakfast Homestay</u>	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X	-	-	X
<i>[Note: Existing use conditions to remain]</i>																						

Article B, Sec. 8-3025(b) (Index for B&I Use Schedule)

	<i>R-B</i>	<i>RB-I</i>	<i>B-H</i>	<i>B-N</i>	<i>BN-I</i>	<i>B-C</i>	<i>BC-I</i>	<i>B-G</i>	<i>BG-I</i>	<i>BG-2</i>	<i>B-B</i>	<i>I-L</i>	<i>IL-B</i>	<i>I-H</i>	<i>P-IL-T</i>	<i>R-B-C</i>	<i>RB-C-I</i>	<i>O-I</i>

(9c) Bed and Breakfast Bed and Breakfast Homestay [Note: Existing use conditions to remain]	-	-	-	-	-	-	X	X	-	-	-	X	-	X	-	-	-	-

SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That 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 16th day of December, 2016, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

An Ordinance to Rezone 5111 Abercorn Street from the current R-M-25 (Multi-family, 25 units per acre) zoning classification to an O-I (Office Institutional) zoning classification. Recommend approval.

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM ITS PRESENT R-M-25 (MULTI-FAMILY RESIDENTIAL-25 UNITS PER NET ACRE) ZONING CLASSIFICATION TO AN OFFICE-INSTITUTIONAL (O-I) 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 R-M-25 zoning classification to an O-I zoning classification:

Beginning at a point [X: 983565.38913 Y: 740264.828172], located at the approximate intersection of the street centerlines of Bull Street and Berkeley Place, said point being, THE POINT OF BEGINNING

Thence proceeding in a NE direction along the approximate centerline of Bull Street for

approximately 223.374 ft. to a point,

Thence proceeding in a SE direction [S 73-12-26 E] along a line for approximately 885.084 ft. to a point, said point being located on the approximate centerline of the right-of-way of Abercorn Street,

Thence proceeding in a SW direction [S 16-50-5 W] along the approximate centerline of the right-of-way of Abercorn Street, for approximately 599.632 ft. to a point, said point also being located on the approximate centerline of the right-of-way of Abercorn Street,

Thence proceeding in a NW direction [N 72-44-31 W] along a line for approximately 878.257 ft. to a point, said point being located on the approximate street centerline of Bull Street,

Thence proceeding in a NE direction [N 18-27-18 E] along the approximate centerline of Bull Street for approximately 220.082 ft. to a point,

Thence continuing in a NE direction [N 15-1-7 E] along the approximate centerline of Bull Street for approximately 149.358 ft. to a point, [X: 983565.38913 Y: 740264.828172], located at the approximate intersection of the street centerlines of Bull Street and Berkeley Place, said point being, THE POINT OF BEGINNING

Property Identification Number: 2-0128-02-001

SECTION 3: That the requirements of Section 8-3182(f)(2) 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 16th day of December, 2016, a copy of said notice being attached hereto and made a part hereof.

SECTION 4: 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: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

Change of Parking Restrictions – East 34th Street. An ordinance to amend the City Code to lift the parking prohibition for the shoulder area of the western end of the south side of East 34th Street east of Waters Avenue to allow parking. Recommend approval.

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 219 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SECTION 7-1091 OF SAID CODE TO PROVIDE THAT THE STREET NAMED HEREIN SHALL PROHIBIT STOPPING, STANDING AND PARKING AT ALL TIMES; TO

REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND,
FOR OTHER PURPOSES.

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

SECTION 1: That Appendix I, Section 219 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1091 of said Code, as amended, shall be amended by adding thereto the following:

AMEND SECTION 219, STOPPING, STANDING AND PARKING
PROHIBITED AT ALL TIMES TO INCLUDE

DELETE

34th STREET

On the south side of 34th Street beginning at a point 140' west of
Live Oak Street and continuing to Waters Avenue.

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

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 219 OF
THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003)
PERTAINING TO SECTION 7-1091 OF SAID CODE TO PROVIDE
THAT THE STREET NAMED HEREIN SHALL PROHIBIT
STOPPING, STANDING AND PARKING AT ALL TIMES: TO
REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND
FOR OTHER PURPOSES.

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

SECTION 1: That Appendix I, Section 219 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1091 of said Code, as amended, shall be amended as follows:

AMEND SECTION 219, STOPPING, STANDING AND PARKING
PROHIBITED AT ALL TIMES TO INCLUDE

ENACT

34th STREET

On the south side of 34th Street beginning at Waters Avenue and continuing east for 415', except for that portion of the shoulder beginning 65' east of Waters Avenue and continuing east for 150'.

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

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

An Ordinance to Prohibit Lewd or Obscene Conduct in Establishments with Alcoholic Beverage Licenses.

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO BE ENTITLED AN ORDINANCE TO AMEND SECTION 6-1209 OF THE CITY CODE PERTAINING TO THE PROHIBITION OF LEWD OR OBSCENE CONDUCT ON THE PREMISES OF ESTABLISHMENTS WITH AN ALCOHOLIC BEVERAGE LICENSE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH AND FOR OTHER PURPOSES; SUCH SECTION SHALL BECOME EFFECTIVE UPON ITS PASSAGE

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

SECTION 1: That Section 6-1209, License Conditions and Restrictions of the Alcoholic Beverage Ordinance of 2017 shall be amended by adding thereto:

(o) *Lewd or obscene conduct prohibited; findings and statement of purpose.* The Mayor and Aldermen find that live, public human nudity (either partial or total) under certain circumstances, particularly in circumstances related to the sale or consumption of alcoholic beverages, tends to beget criminal behavior and to create undesirable community conditions. Among the acts of criminal behavior identified with nudity and alcohol are prostitution, violent and sex-related offenses, drug trafficking and use, illegal dispensing of alcoholic beverages and disorderly conduct. Among the undesirable community conditions identified with nudity and alcohol are depression of property values in the surrounding neighborhood, increased expenditure for and allocation of law enforcement personnel to preserve law and order, increased burden on the judicial system as a consequence of the criminal behavior hereinabove

described, and acceleration of community blight by the concentration of such establishments in particular areas. Therefore, in the interest of public health, safety, and welfare, the limitation of nudity and sex-related conduct in establishments holding an alcoholic beverage license is a matter of compelling governmental interest and concern because it will discourage and reduce the criminal behavior and undesirable community conditions normally associated with license-holding establishments that allow and/or encourage nudity or sex-related conduct.

- (1) *Licensee's responsibility.* A licensee is guilty of permitting obscene, lewd, or indecent conduct when the license holder, either actively or with constructive knowledge, allows performances which expose to view portions of the pubic area, anus, anal cleft, vulva or genitals or where the licensee fails to make reasonable and timely effort to halt or abate such activity or conduct.
- (2) *Prohibited under state law.* No licensee shall permit a person to perform any acts upon its premises that are in violation of O.C.G.A. § 16-6-8, as amended, regarding public indecency, nor permit any obscene, lewd, or indecent entertainment therein.
- (3) *Prohibited acts.* No licensee or agent thereof shall allow any person, regardless of such person's business or personal relationship (or lack thereof) to the license holder, to initiate or continue, in or around the premises:
 - (A) The employment or use of any person in any capacity in the sale or service of alcoholic beverages while such person is unclothed or in such attire, costume, or clothing as to expose to view any portion of the female breast below the top of the areola or any portion of the male or female pubic hairbands, anal cleft, vulva or genitals;
 - (B) Live entertainment where any person appears in the manner described in the preceding subparagraph of this subsection or where any person engages in or simulates any of the following acts:
 - (i) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual act which is prohibited by law;
 - (ii) The caressing or fondling of the breasts, buttocks, anus or genitals;
 - (iii) The displaying of the male or female pubic hair, anus, vulva, or genitals;
 - (C) The holding, promotion, sponsoring, or allowance of any contest, promotion, special night, event, or other activity where patrons of the licensee are encouraged or allowed to engage in any of the conduct as described in the preceding subparagraph of this subsection.

This subsection shall not apply to or be construed to prohibit the live performance of a play, opera, or ballet at a theater, concert hall, museum, or educational institution which holds an alcoholic beverage license and which derives less than 20 percent of its gross receipts from the

sale of alcoholic beverages.

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

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried.

RESOLUTIONS

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

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

At the meeting held on the 19th day of January, 2017 the Council entered into a closed session for the purpose of discussing Litigation, Real Estate and Personnel. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

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

ADOPTED AND APPROVED: January 19, 2017

Resolution to Adopt the Chatham County-Savannah Comprehensive Plan. The Georgia Department of Community Affairs (DCA) requires that local governments update Comprehensive Plans every five years in order to achieve “Qualified Local Government” status. Metropolitan Planning Commission staff has been working on the Comprehensive Plan since September 2015, including a widespread community engagement effort to help shape the plan. This plan provides a unified, long-term vision for the City of Savannah and Unincorporated Chatham County in the topics of land use, housing, economic development, transportation, and quality of life.

RESOLUTION OF ADOPTION BY THE CITY OF SAVANNAH COUNCIL

WHEREAS, the Comprehensive Plan for Chatham County and the City of Savannah, Georgia, was last amended in November 2012; and

WHEREAS, since the plan was first developed in 2006, issues and challenges facing the community have arisen that were not addressed in the Goals and Objectives in the original Comprehensive Plan; and

WHEREAS, community input was gathered by the Chatham County – Savannah Metropolitan Planning Commission through open house meetings, a survey, and other channels to determine the public priorities for land use, infrastructure, and policy; and

WHEREAS, the Chatham County – Savannah Metropolitan Planning Commission developed a new Comprehensive Plan to address economic development, community health, education, and public safety; and

WHEREAS, those Goals and Objectives have been incorporated into the Short Term Work Program of the Comprehensive Plan for Chatham County and the City of Savannah, Georgia; and

WHEREAS, the Department of Community Affairs requires written notice that the Comprehensive Plan for Chatham County and the City of Savannah, Georgia was adopted;

BE IT THEREFORE RESOLVED, that the City of Savannah Council does hereby adopt the Chatham County – Savannah Comprehensive Plan and authorizes the City Manager to transmit the Resolution of Adoption and to the Coastal Regional Commission and Department of Community Affairs as required by the Georgia Planning Act of 1989.

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

Resolution Encouraging Intergovernmental Collaboration to enhance athletic and recreational programs, services and facilities to meet the needs of the citizens of Savannah and Chatham County. Recommend approval. Alderman Thomas stated he is encouraged to see both parties meeting. He does not fully support them taking on this task in financially without exploring their exposure and the benefit to the citizens. Subsidizing recreational needs for county citizens that may or may not have the facilities they want is not what he feels is the best interest of their citizens. He will be supportive of the resolution but it will only be a resolution until the results of the frame work that explains the details comes back. The most important factor is the bottom line which is the cost to the citizens and benefit to the citizens if they engage into an intergovernmental agreement after this is done. Alderman Bell stated to for the sake of the City Council and the public she will read what the Council will be agreeing to if it is approved.

“The City of Savannah shall seek to work collaboratively with other locally elected government

entities within Chatham County so as to enhance where possible the efficient expenditures of tax payers' funds entrusted to each entity. Consistent with the legally required mandates and policies of the City of Savannah with the goal of collaboratively providing athletic and recreational program, services and facilities to meet the needs of the citizens of Savannah and Chatham County. This shall be accomplished in a responsive and efficient manner that maximizes resources and works collaboratively to identify and plan for the long term athletic and recreational needs of Savannah and Chatham County with input from locally elected governmental entities and the citizens of Savannah and Chatham County.

There is no commitment to expenditures as of now. This is only an agreement to discuss collaboratively what they can do together.”

**Resolution on Inter-Governmental Collaboration
To Enhance Athletic and Recreational Programs, Services and Facilities**

WHEREAS, the CITY OF SAVANNAH is one of several governmental entities serving residents in Chatham County; and

WHEREAS, all such locally elected governmental entities seek to be both responsive and efficient in their provision and management of athletic and recreational programs, services, and facilities, and in their expenditure of taxpayer funds; and

WHEREAS, there is overlap in the programs, services, and facilities provided by each locally elected governmental entity; and

WHEREAS, there may be efficiencies and enhancements that can be achieved by working collaboratively on the delivery and management of such programs, services, and facilities.

NOW, THEREFORE, BE IT RESOLVED, that the CITY OF SAVANNAH shall seek to work collaboratively with other locally elected governmental entities within Chatham County so as to enhance, where possible, the efficient expenditure of taxpayer funds entrusted to each entity, consistent with the legally required mandates and policies of the CITY OF SAVANNAH, with the goal of collaboratively providing athletic and recreational programs, services, and facilities to meet the needs of the citizens of Savannah and Chatham County. This shall be accomplished in a responsive and efficient manner that maximizes resources, and works collaboratively to identify and plan for the long-term athletic and recreational needs of Savannah and Chatham County, with input from locally elected governmental entities and the citizens of Savannah and Chatham County.

BE IT FURTHER RESOLVED that in furtherance of this policy, the CITY MANAGER or designated staff, shall:

- (1) Identify athletic and recreational programs, services, and facilities presently provided or managed by the CITY OF SAVANNAH which may be enhanced through collaboration with other locally elected governmental entities;

- (2) Work with the designated representatives of other locally elected governmental entities within Chatham County to identify athletic and recreational programs, services, and facilities that can or may be enhanced or made more efficient through collaboration;
- (3) Identify and propose plans to eliminate or minimize barriers to such collaborative efforts such as inter-governmental fees, licenses, regulatory, administrative and other requirements;
- (4) Present to the CITY COUNCIL for review and approval any proposals or plans for such collaboration, prior to funds being committed or expended;
- (5) Provide a report twice annually to the CITY COUNCIL, outlining efforts to comply with and meet the goals of this policy.

ADOPTED AND APPROVED: January 19, 2017 upon a motion by Alderman Miller, seconded by Alderman Shabazz, and unanimously carried. Mayor DeLoach, Alderman Johnson, and Hall recused themselves and did not vote on this resolution.

MISCELLANEOUS

Contract to Sell Surplus Right of Way Known as Munster Street to Adjoining Property Owners in the Estimated Amount of \$382,000. On March 3, 2016, under Petition 140937, the Mayor and Aldermen declared Munster Street as surplus and available for sale. At the time, the petitioner represented a prior Buyer - ARS Ventures, LLC. However, ARS Ventures, LLC did not close on the approved transaction. Petition 160440 has been submitted by the petitioner representing all property owners adjoining the right-of-way. These property owners include: 2801 LLC, PDL LLLP, and Viet T and Patricia Hoang. Staff recommends approval based on the following conditions:

1. Munster Street contains City utilities. If the sale is approved, the deed will include a reservation of easement in favor of the City for utilities until such time, if ever, as the utilities are relocated by the Property Owner. If utilities are planned to be relocated, such relocation would be incurred at the sole cost and expense of the Property Owner and relocation plans would be subject to approval by the City.
2. If any private utilities are present in Munster Street, such as, but not limited to, electrical power, gas, cable, etc., and if such private utilities are party to a Franchise Agreement with the City, then an easement would be granted for these utilities until such time, if ever, the utilities are relocated by the Property Owner. Any such utility relocation would be incurred at the sole cost and expense of the Property Owner and relocation plans would be subject to approval by the City and the private utility Franchisee.
3. The entire right-of-way will be acquired and adjoining properties re-platted such that there will not be any landlocked lots resulting from the sale and all parcels will have access to a public street.

4. A May 2016 appraisal reported a market value of the right-of-way of \$382,000. Authorization for the City Manager to negotiate a final sale price and terms for the right-of-way and authorization to execute related deeds and closing documents.

This matter has been reviewed by the Development Services Department, Bureau of Public Works and Water Resources, and the Real Property Services Department.

Recommend approval to sell Munster Street, a surplus right-of-way, to the adjoining property owners or their assigns; subject to conditions noted. Recommend approval. **Continued to** the meeting of **February 2, 2017** upon motion of Alderman Bell, seconded by Alderman Thomas, and unanimously carried.

Settlement of Workers' Compensation Claim by Alfonso Green Mr. Green, a former water meter reader supervisor, sustained injuries to his cervical and lumbar spine in connection with his duties. His workers' compensation claim was settled for \$207,822.05, subject to Council approval. City Attorney recommends approval. Recommend approval. **Approved** upon motion of Alderman Thomas, seconded by Alderman Miller, and unanimously carried.

BIDS, CONTRACTS AND AGREEMENTS

Upon a motion by Alderman Bell, seconded by Alderman Hall, and unanimously carried, the following bids, contracts and agreements were approved per the City Manager's recommendations:

Authorization for City Manager to Sign and Administer through Sub-Grant Recipients FY2017 Adult/Dislocated Worker and Rapid Response Grant Funds. The City of Savannah has received a "Statement of Grant Award" for Workforce Innovation and Opportunity Act Adult Program (\$1,390,790), Dislocated Worker Program (\$1,445,243) and Rapid Response Program (\$57,327) from the Georgia Department of Economic Development - Workforce Development. This is the initial Rapid Response grant award and the second allocation of the Adult and Dislocated Worker grant awards for PY2016 and is a part of the annual formula funds which are distributed to the local workforce boards in each state each year.

WorkSource Coastal Region 12/Area 20 has contracted with Subgrant-recipient, Ross Innovative Employment Solutions, Corporation, to provide Adult and Dislocated Worker services throughout the 10-county region. The services are as follows:

- One-Stop Operator services include providing and/or coordinating career, training services and coordination with partners and community agencies for the designated One-Stop and Job Center sites - \$325,000.
- Resource Room Services offers universal services to the public and provides guidance in job search, resume development, use of computers and equipment and additional Career Services as needed - \$210,000.

- Business Services Compliance & Support services include job development and support to WorkSource Coastal Business Service Representatives in the development of On-the-Job (OJT), Work Experience (WEX) and Classroom Training agreements, collection of agreement and work based learning documents and records - \$600,000.
- Career & Case Management Services include recruitment and enrollment, registrant eligibility determination, and case management services - \$375,000.

The grand total awarded to the Sub-Grant Recipient is \$1,510,000. The remaining funds are budgeted for grant administration, job center operating costs, and for other program costs such as education and training. The Rapid Response grant is operated by the administration staff and is used to provide services to immediately connect dislocated workers to quickly reenter the workforce and for layoff aversion activities.

Authorization for City Manager to Sign and Administer Memorandums of Agreement with FY16 YouthBuild Savannah Program Partners.

Approval to accept the FY16 YouthBuild Grant from the US Department of Labor's Employment and Training Administration (USDOL-ETA) in the amount of \$936,000 and authorization for the City Manager to sign and administer Memorandums of Agreement (MOAs) with key primary partners identified in the YouthBuild Savannah grant: Ash Tree Organization, Inc., the City's Housing Department, Housing Authority of Savannah and St. Paul CME Church. All agencies have been key primary partners since the program's implementation year in 2006.

- Ash Tree Organization will continue to provide direct services to the participants of the YouthBuild Savannah program for four key positions: the Certified Lead GED Teacher, GED Instructor, Career Development Specialist and Youth Specialist/Case Manager in the amount of \$373,380 through February 16, 2020.
- City of Savannah's Housing Department will continue to provide temporary, part-time and full-time On-the-Job Training (OJT) opportunities to YouthBuild Savannah trainees/graduates by request and on an as needed basis as projects are presented throughout the city, payments not to exceed \$65,000 through February 16, 2020.
- Housing Authority of Savannah will continue to provide temporary, part-time and full-time On-the-Job Training (OJT) opportunities to YouthBuild Savannah trainees/graduates by request and on an as needed basis while new construction is built throughout the city, payments not to exceed \$25,000 through February 16, 2020.
- St. Paul CME Church will continue to provide transportation services to YouthBuild Savannah participants to/from Savannah Technical College, designated worksite and other program activities on an as needed basis, payments not to exceed \$5,000 through February 16, 2020.

The grand total of the MOAs proposed for approval is \$468,380. The balance of the grant funding is budgeted for other program related costs: participants' wages/stipends, tuition, books, fees, substance abuse counseling, administrative

costs, equipment, training, supplies, rent, staff development, etc.

The period of availability for these funds and sub-awards is October 17, 2016 through February 16, 2020. Recommend approval.

Probation Services for Recorder’s Court – Annual Contract Renewal – Event No. 1092.

Recommend approval to renew an annual contract for private probation services with Southeast Corrections, LLC, and authorization for City Manager to enter into a Memorandum of Understanding with Southeast Corrections concerning fees.

The Recorder’s Court of Chatham County contracts with a private probation company to provide probation services to offenders sentenced to probation in Recorder’s Court. The probation company shall provide this service at no cost to Recorder’s Court or to the City of Savannah. The offenders pay the probation company for its services and their fines and fees to Recorder’s Court.

This is the fourth of four renewal options available.

The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to cost. The criteria used for this RFP was the agency’s programmable concept, capability to perform, proposed staffing, and benefits to the City (the fee schedule).

Proposals were originally received on February 12, 2013. This contract was originally approved by Council on February 21, 2013. The contract term shall be from January 19, 2017 through January 19, 2018. Delivery: As Needed. Terms: Net 30 Days. The proposers were:

B.P. Southeast Corrections, LLC (Duluth, GA) ^(D) \$120.00*
 Sentinel Offender Services, LLC ^(D) \$122.00*

Proposer	Programmable Concept (15 pts)	Capability to Perform (40 pts)	Proposed Staffing (25 pts)	Benefit to the Court (fee schedule) (20 pts)	Total (100 pts)
Southeast Corrections, LLC	15	40	25	20	100
Sentinel Offender Services, LLC	10	35	25	19	89

Budgetary funding is not required for this contract as there is no cost to the City of Savannah or to Recorder’s Court. A Pre-Proposal Conference was not conducted as this is an annual contract renewal. ^(D)Indicates non-local, non-minority owned business. ^(*)Represents the total of the various fees charged by the vendor. Recommend approval.

Temporary Security Services for Municipal Cemeteries – Contract Modification No. 1 – Event No. 4079. Recommend approval of Contract Modification No. 1 to Saber Security and Investigation in the amount of \$14,884.00.

This contract modification is needed for additional security hours as a result of Hurricane Matthew. The hurricane created multiple safety hazards which caused Bonaventure Cemetery to shorten their hours from 8 a.m. to 5 p.m. to 10 a.m. to 2 p.m. The Department of Cemeteries had to increase security coverage to prevent visitors from entering restricted and dangerous areas and from entering the cemetery while closed. All additional security expenditures will be submitted to FEMA for reimbursement.

The original contract was last approved by the City Manager on March 7, 2016 in the amount of \$18,116.00. The total amount of this contract to date, including this modification, is \$33,000.00.

Recommend approval of Contract Modification No. 1 to Saber Security and Investigation in the amount of \$14,884.00. Funds are available in the 2017 Budget, General Fund/City Cemeteries/Security Guard Services/Hurricane Matthew Expenses (Account No. 101-6124-51241-RB0114). Recommend approval.

Scarborough Athletic Field Fencing – Contract Modification No. 1 – Event No. 4404. Recommend approval of Contract Modification No. 1 to Southern Splendor in the amount of \$1,850.00.

This contract modification is needed for approximately 42 feet of additional field fencing for the John “Jug” Knight Field at the Scarborough Complex. The scope of work included an estimate of 1,200 linear feet, however, as work progressed, an additional 42 linear feet of fencing was required to complete the project.

The original contract was approved by Council on August 18, 2016 in the amount of \$39,660.00. The total amount of this contract to date, including this modification, is \$41,510.00.

Recommend approval of Contract Modification No. 1 to Southern Splendor in the amount of \$1,850.00. Funds are available in the 2017 Budget, Capital Improvements Fund/Capital Improvement Projects/Operating Supplies and Materials/Athletic Field Turf (Account No. 311-9207-51320-RE0125). Recommend approval.

Fleet Maintenance Software – Sole Source – Event No. 4815. Recommend approval to procure an annual agreement for a fleet maintenance software program with Assetworks in the amount of \$35,124.00. The software will be used to gather, store, process, monitor, and export information related to the City’s fleet of vehicles and equipment by the Vehicle Maintenance Department. This is a sole source because Assetworks FleetFocus management software was purchased and implemented in 1999. It is the exclusive fleet management software program currently used by the Vehicle Maintenance Department. The annual agreement shall provide ongoing services and technical assistance to the department.

Delivery: As Needed. Terms: Net 30 Days. The vendor was:

S.S. Assetworks (Dallas, TX) ^(D) \$ 35,124.00

Funds are available in the 2017 Budget, Internal Service Fund/Fleet Management/ Data Processing Equipment Materials (Account No. 611-1131-51251). A Pre-Bid Conference was not conducted as this is a sole source procurement. ^(D)Indicates non-local, non-minority owned business. Recommend approval.

Corrosion Control Additive – Sole Source – Event No. 4817. Recommend approval to procure corrosion control additive from American Development Corporation in the estimated amount of \$135,000.00. The corrosion control additive will be used by the Water Supply and Treatment Department to prevent corrosion in the distribution system. This is a sole source because American Development Corporation is the only supplier of this specialized chemical as the chemical is a proprietary blend of ortho and poly phosphate.

Delivery: As Needed. Terms: Net 30 Days. The vendor was:

S.S. American Development Corporation (Fayetteville, TN) ^(D) \$135,000.00

Funds are available in the 2017 Budget, I&D Water Fund/I&D Water/Chemicals (Account No. 531-2581-51323). A Pre-Bid Meeting was not conducted as this is a sole source procurement. ^(D)Indicates non-local, non-minority owned business. Recommend approval.

Police Interceptors – Event No. 4715. Recommend approval to procure three Ford Police Interceptors from O.C. Welch Ford Lincoln, Inc. in the amount of \$78,399.00. The vehicles will be assigned to the Savannah Chatham Metropolitan Police Department Highway Enforcement of Aggressive Traffic (HEAT) program.

Notifications were sent to all known suppliers; however, only one supplier submitted a bid.

The bid was advertised, opened, and reviewed. Delivery: As Requested. Terms: Net 30 Days. The bidder was:

L.B. O.C. Welch Ford Lincoln (Hardeeville, SC) ^(D) \$78,399.00

Funds are available in the 2017 Budget, Grant Fund/Homeland Security/Fleet Addition Contribution/HEAT Grant 2016-2017 (Account No. 212-3114-51730-GT806). A Pre-Bid Conference was conducted and no vendors attended. ^(D)Indicates non-local, non-minority owned business. Recommend approval.

Ellis Square Bathroom Renovations – Sole Source – Event No. 4819. Recommend approval to procure bathroom renovation services at Ellis Square from Johnson-Laux Construction in the amount of \$95,042.00. It is the City's intention to move quickly to renovate the restrooms prior to St. Patrick's Day. As a result, the State of Georgia's job order contractor will be used to perform this project to meet time constraints and City ordinance requirements. The State of Georgia's job order contract is considered a convenience contract that is available for use by all

State, City, and County public entities. The purpose of this contract is to provide multi-traded general construction services to accomplish small to medium sized projects for repair, alteration, modernization, rehabilitation, and minor new construction to infrastructure, buildings, structures, or other real property. The State of Georgia used a competitive bidding procedure to select Johnson-Laux Construction to serve as the sole provider of these services for this region.

Delivery: As Requested. Terms: Net 30 Days. The vendor is:

S.S. Johnson-Laux Construction (Savannah, GA) ^(B) \$95,042.00

Funds are available in the 2017 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Parking Garages Repairs and Renovations (Account No. 311-9207-52842-PB0631). A Pre-Proposal Conference was not conducted as this is a sole source procurement. ^(B)Indicates local, non-minority owned business. Recommend approval.

Pump Repair for Stormwater – Annual Contract Renewal – Event No. 3576. Recommend approval to renew an annual contract for pump repair with Xylem Water Solutions USA (Primary) and Pete Kelly Inc. (Secondary) in the estimated amount of \$611,000.00. The Stormwater Management Department will use the services for the pump repairs for flood control.

This is the first of three renewal options available.

Bids were originally received on October 20, 2015. This contract was originally approved by Council on January 7, 2016. The contract term shall be January 19, 2017 through January 18, 2018. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

L.B.	Xylem Water Solutions USA ^(D) (Primary) (Charlotte, NC)	\$	611,000.00
L.B.	Pete Kelly, Inc. ^(D) (Secondary) (Doraville, GA)	\$	722,570.00
	Monumental Equipment, Inc. ^(D)	\$	712,400.00*
	Goforth Williamson, Inc. ^(D)	\$	750,570.00

Funds are available in the 2017 Budget, General Fund/Stormwater Management/Equipment Maintenance (Account No. 101-2104-51250). A Pre-Bid Meeting was not conducted as this is an annual contract renewal. ^(D)Indicates non-local, non-minority owned business. ^(*)Indicates bidder did not meet specifications. Recommend approval.

Temporary Construction Access and Easement Agreement. Request that Council grant the City Manager the authority to enter into an agreement with the owners of the Savannah River Landing Development site to obtain a temporary access and laydown easement for the City and its contractor for the purpose of constructing the Bilbo Canal Improvement Project. The contract for the Bilbo Canal project has been awarded by Council and the City needs the easement agreement to proceed with construction. The City Attorney has worked with City staff and the property owners to negotiate the agreement at no cost to the City. Recommend approval.

Infrastructure Repair Agreement with MMA/PSP Savannah River, LLC Concerning Savannah River Landing Development.

When the Savannah River Landing development began construction prior to the recession, the City and the Developer, ALR Oglethorpe, LLC, entered into a Development Agreement under which ALR agreed, among other things, to construct all of the streets, drainage and water/sewer infrastructure within the development to City engineering standards, and to dedicate the infrastructure to the City. ALR began the project, and spent several tens of millions of dollars before halting work, and turning the property over to the current owner MMA/PSP Savannah River, LLC, which is related to ALR's former lender. The infrastructure has not been completed, and the owner will not be allowed to develop property within the development until required infrastructure is completed, and accepted by the City.

The City is currently holding \$2,174,970.72 to apply toward completion of the infrastructure. This is comprised of performance bond proceeds, and money owed by the City to the developer for improvements to the City's previously existing water/sewer system:

- a. When the developer filed its subdivision map for the project, the infrastructure was not completed, and the City required the developer to post performance bonds to secure its obligation to complete the infrastructure. Eventually, the City sued the bonding company to collect the security, and collected \$1,458,136.10, which the City is holding to pay for a portion of the costs of completing.
- b. In addition to the bond proceeds, the City is holding \$716,834.62, which it owed to Ambling under the project's water and sewer agreement to reimburse Ambling for upgrades to the City's existing water/sewer system, which upgrades were completed by Ambling.

City staff and the City Attorney have worked with the current owner on a plan for completion of the infrastructure. The MMA has agreed to proceed with construction of repairs to some of the major infrastructure for the project, including the entrance roads which connect to President Street and General McIntosh Boulevard, and some of the drainage, and water/sewer system. The City has agreed, subject to Council approval, to utilize the funds it is currently holding to reimburse the owner for a portion of the cost of this construction.

The contract provides that the owner will construct improvements at locations approved by the City, to City engineering standards. The City will reimburse the owner for the costs, not to exceed the funds which the City is already holding for this purpose. Recommend approval.

Task Work Order No. 20 with URS Corporation Southern (AECOM). The Savannah Airport Commission requests approval of Task Work order No. 20 with URS Corporation Southern (AECOM) in the amount of \$325,062 for design services on the following projects: Construct Taxiway A/G Connector, Construct Ramp – Air Cargo Facility, Construct Taxiway G between A-1 and GA-6.

These future AIP (Airport Improvement Program) projects will be designed for the purpose of

developing the necessary plans and documents required for bidding and subsequently awarding contracts for construction. All of the projects are integral with future development within this quadrant of the Airport and having the design phase completed will allow these projects to move forward more expeditiously.

- The Construct Taxiway A/G connector will allow better circulation of aircraft traffic when development is completed in these lease parcels. The connector will also minimize congestion when Taxiway G is extended to the North by use as a bypass for dual traffic coming from the North development and South. The design fees are \$74,459.00.
- The Construct Ramp-Air Cargo Facility will include concrete apron designed for Group IV aircraft and will also include reconstruction of a section of GA-6. In addition, there will be master planning which will identify the best configuration of a new cargo facility to include the apron and landside parking. The design fees are \$152,980.00.
- The Construct Taxiway G between A-1 and GA-6 will allow complete circulation of aircraft on Taxiway G and Taxiway A. As with the A/G Connector, completion of this section of Taxiway G will allow unimpeded dual traffic from the North and South. The design fees are \$97,623.00.

URS (AECOM) designed the existing taxiways and associated lease parcels located in this vicinity which will assist them during the design of these projects. Recommend approval.

Cooperative Service Agreement with the U.S. Department of Agriculture Animal and Plant Health Inspection Service (Aphis) Wildlife Services (WS) – Savannah/Hilton Head International Airport. The Savannah Airport Commission requests approval of an Agreement with the U.S. Department of Agriculture Animal and Plant Health Inspection Service (Aphis) Wildlife Services (WS) in the amount of \$27,138.57. The purpose of this Cooperative Service Agreement is to conduct a twelve-month comprehensive Wildlife Hazard Assessment (WHA) and develop an associated Wildlife Hazard Management Plan (WHMP) for Savannah/Hilton Head International Airport. This is a sole source project to fulfill our Part 139 Airport Certification requirements specific to developing our Wildlife Hazard Mitigation Plan and requires specialization as it relates to the wildlife hazards specific to a commercial airport. Recommend approval.

Announcements

Alderman Foster asked the City Manager to update the public on the water billing process. It concerns him when he continuously hears that checks that were mailed in December were not processed. Checks should not sit longer than one day. He has heard from constituents that have made their payments on time, but they have not processed them on time. If he has to he will gladly go help process checks if needed to avoid getting another complaint. In regards to the Westside, he represents the Westside as well. He believes its time that they start to do something. No one has come to him to discuss The Stage on Bay. He is familiar with that area. It was an industrial area for many years and he has never looked at that area as an

entertainment district. It doesn't make him happy to have a facility in that area where there are 150 to 1,000 people drinking and parking. He was surprised to see the announcement in the paper because he had no idea they could have a venue as such in that area. Continuing the alcohol hearing for that facility was the right thing to do. He would like them to look at Bay Street area because if they start moving the entertainment and alcohol establishments all over the city it will eventually become a drinking and party city. We have to be aware that just as the historic district there are residents that live in this city as well and we have to be considerate of them.

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



Dyanne C. Reese, MMC
Clerk of Council