

**CITY GOVERNMENT  
OFFICIAL PROCEEDINGS OF CITY COUNCIL  
SAVANNAH, GEORGIA  
January 7, 2016**

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 Reverend Terrance L. Burrell, Sr., Connor's Temple Baptist Church Pastor, followed by the Pledge of Allegiance to the Flag.

**PRESENT:** Mayor Eddie W. DeLoach, Presiding  
Van Johnson, II, Tony Thomas, John Hall, Estella Shabazz,  
Carol Bell, Julian Miller, Brian Foster, Bill Durrence

City Manager Stephanie Cutter  
City Attorney W. Brooks Stillwell  
Assistant City Attorney William Shearouse  
Assistant City Attorney Jennifer Herman

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

Upon motion of Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried the agenda was amended to grant Attorney Stillwell authorization to represent Police officers in a lawsuit.

**MINUTES**

Upon motion of Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried the summary/final minutes for the City Manager's briefing of December 22, 2015.

Upon motion of Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried the summary/final minutes for the City Council meeting of December 22, 2015.

**LEGISLATIVE REPORTS**

**ALCOHOLIC BEVERAGE LICENSE HEARINGS**

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

**Darin D. Sehnert for Chef Darin's Kitchen Table, LLC t/a Chef Darin's Kitchen Table,** requesting wine (drink) license at 2514 Abercorn Street, which is located between 41st Street and 42nd Street in District 2. The applicant plans to operate as a cooking school. (New ownership/location) **Recommend approval.** Hearing closed upon motion of Alderman Johnson,

seconded by Alderman Shabazz, and unanimously carried. Approved upon motion of Alderman Thomas, seconded by Alderman Hall, per the City Manager's recommendation.

**Wesley Daniels for El-Rocko Lounge**, requesting liquor, beer and wine (drink) license at 117 Whitaker Street, which is located between State Street and Broughton Street in District 2. The applicant plans to operate as a bar/lounge. (New ownership/management) **Recommend approval**. Hearing closed upon motion of Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried. Approved upon motion of Alderman Thomas, seconded by Alderman Hall, per the City Manager's recommendation.

**Colleen K. Smith for Cohen's Retreat, LLC t/a Cohen's Retreat**, requesting to add liquor (drink) license to existing beer and wine (drink) license at 5715 Skidaway Road, which is located between Bona Bella Avenue and Bacon Park Drive in District 3. The applicant plans to continue to operate as a full-service restaurant. (New request/existing business) **Recommend approval**. Hearing closed upon motion of Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried. Approved upon motion of Alderman Thomas, seconded by Alderman Hall, per the City Manager's recommendation.

### **ZONING HEARINGS**

**Paul Shealy, Owner/Agent (MPC File No. 15-005873-ZA)**, requesting to rezone 325 and 335 Stephenson Avenue from the PUB-IS-B (Planned Unit Development – Institutional – Special Use) and the P-I-P (Planned Institutional Professional) zoning classifications to an O-I (Office-Institutional) zoning classification.

The petitioner seeks to expand an existing veterinary facility that provides specialty medical services, emergency medical services, and physical therapy including rehabilitation services. The specialized veterinary facility is not permitted as a matter of right in a PUD-IS-B zoning district. The expansion of the current use into the adjacent property can be accomplished by rezoning the parcel to O-I, which permits the veterinary facility as a matter of right.

The subject site (presently two separate lots) is 1.23 acres in size and is located on the south side of Stephenson Avenue, approximately 175 feet east of Hodgson Memorial Drive. A vacant commercial structure (formerly Patrick's Uniforms) is located on the two westernmost parcels and a vacant single family residential structure is located on the easternmost parcel.

The proposed expansion would not be detrimental to the properties within the general area and would be compatible with the existing land uses along Stephenson Avenue. The MPC recommended approval. **Recommend approval**. Marcus Lotson, Metropolitan Planning Commission briefly described the petitioner's request. Alderman Bell asked if the owners of the adjacent properties were contacted and if there were any objections. Mr. Lotson replied yes they were notified and there were no objections to the petitioner's request. Hearing closed upon motion of Alderman Johnson, seconded by Alderman Hall, and unanimously carried. Approved upon motion of Alderman Hall, seconded by Alderman Johnson, per the City Manager's recommendation.

**Walter R. Lee, Petitioner (MPC File No. 15-005936-ZA)**, requesting to rezone 11014 White Bluff Road from the R-6 (Single-family Residential) zoning classification to the B-N (Neighborhood Business) zoning classification.

The subject property is presently occupied by a single-family residence which was constructed in the late 1950s. The petitioner acquired the property on the death of his mother and after two years of unsuccessful attempts to sell the property as residential, the heirs seek to sell the property for commercial redevelopment.

It is the intent of the Neighborhood Business district to provide convenient shopping facilities consisting of convenience goods and personal services in neighborhood market areas of from 3,000 to 5,000 people. The White Bluff Road corridor and the adjacent property between White Bluff Road and Abercorn Street are in the process of redevelopment to a vital commercial area serving the existing and established residential neighborhoods. Rezoning the subject site to B-N would permit the redevelopment of the subject property to a use more in keeping with the increasingly commercial character of the area, with minimal impact on the residential neighborhood on Rimes and Bliss avenues.

MPC Staff has contacted all property owners on the two residential streets, and the pastor of the adjacent church, and received no negative comments concerning the proposed rezoning. **Recommend approval.** Marcus Lotson, Metropolitan Planning Commission briefly described the petitioner's request. Alderman Miller stated this request is in his district and he has no objection to it. Hearing closed upon motion of Alderman Miller, seconded by Alderman Bell, and unanimously carried. Approved upon motion of Alderman Miller, seconded by Alderman Bell, per the City Manager's recommendation.

**Walter R. Lee, Petitioner (MPC File No. 15-006167-FLUM)**, requesting to amend the Tri-Centennial Comprehensive Plan future Land Use Map to change the future land use category of the property identified as PIN 2-0586-06-002 from Residential Suburban Single Family to Commercial Neighborhood.

The petitioner is requesting that the Future Land Use Category for the subject properties be changed from Residential Suburban Single Family to Commercial Neighborhood. The subject property is a one-acre parcel at the intersection of White Bluff Road and Rimes Avenue. The parcel is currently developed as a single-family residence. The petitioner's intent is to sell the site for development as a retail space. In conjunction with this petition, a zoning map amendment has been filed to rezone the property from R-6 (Single-family Residential) base district zoning classification to a BN (Neighborhood Business) base district zoning to accommodate the proposed use. **Recommend approval.** Hearing closed upon motion of Alderman Johnson, seconded by Alderman Bell, and unanimously carried. Approved upon motion of Alderman Bell, seconded by Alderman Durrence, per the City Manager's recommendation.

**Advent Dental, PC, Petitioner (MPC File No. 15-004442-ZA)**, requesting to rezone 2423 Martin Luther King, Jr. Blvd; 510, 512, 514, 516 & 518 West 41st Street from the current R-4/P-N-C (Four Family Residential/Planned Neighborhood Conservation) zoning classifications to the R-B/P-N-C (Residential Business/Planned Neighborhood Conservation) zoning classifications.

The subject properties include six lots which make up the majority of the block bounded by Martin Luther King Jr. Boulevard, West 41<sup>st</sup> Street, Burroughs Street and West 41<sup>st</sup> Street Lane. The lots, which are vacant, have maintained the existing R-4 base zoning district since the establishment of zoning in the City of Savannah. In 2003, these properties were granted Planned Neighborhood Conservation status by the Mayor and Aldermen with the adoption of the Cuyler – Brownville P-N-C overlay district. The Cuyler – Brownville overlay requires that additional consideration, above the standards of the base zoning, be given to development and restoration within the boundaries of the district.

MPC Staff found that the rezoning of the petitioned properties to the R-B district for the purpose of addressing development standards was not appropriate. The proposed rezoning would allow both uses and standards that are inconsistent to a point in the neighborhood where these uses and standards would not typically be found. However, the development pattern along Martin Luther King Jr. Boulevard includes the R-B zoning classification and uses typically associated with that district. MPC Staff found that this zoning was appropriate for that portion of the petitioner's property that abuts this corridor.

MPC Staff recommended denial of the request to rezone properties along West 41<sup>st</sup> Street to R-B/P-N-C, but approval of the request to rezone the property along Martin Luther King Jr. Boulevard. The MPC, however, voted to recommend approval of the petitioner's rezoning request. **Recommend denial of the request to rezone the properties on 41<sup>st</sup> Street, however recommend approval to rezone the property along Martin Luther King, Jr. Boulevard.**

Marcus Lotson, Metropolitan Planning Commission briefly described the petitioner's request. Alderman Johnson stated this is in his district and he has concerns about maintaining residential integrity particularly in historic neighborhoods. Over the years staff has tried to ensure that residential neighborhoods remain residential. An intrusion of this type would cause the neighborhood's character to be compromised. He continued stating he is in support of rezoning the properties on Martin Luther King, Jr. Blvd. but not the properties on 41<sup>st</sup> Street.

Attorney Harold Yellin stated the property has been a vacant lot for 17 years, no true private investment has occurred in the neighborhood in years. He continued stating when they first began they requested a rezoning of the entire 41<sup>st</sup> Street area but have evolved over time and he believes what they have now makes great sense. There will only be rezoning on MLK with the taller buildings facing MLK, interior lots will remain residential and it will look like and feel like a residential area. He stated they worked hard with all neighbors and they are in agreement with the rezoning request.

Anthony Phillips thanked Council for their consideration stating this is their second attempt to do something with the property.

Alderman Hall asked Mr. Phillips what are the intentions for the property. Mr. Phillips replied they plan to build condos, which will establish more home sites for individuals that would like to move into the area.

Mayor DeLoach thanked Mr. Phillips for taking time to invest in the community.

City Manager Cutter stated her recommendation is in line with the concerns of Alderman Johnson, the original intent of the R-4 zoning classification was to protect the integrity of the neighborhood from the problems that exist with more densely populated zoning classifications. City Manager Cutter continued stating before Council makes a decision to move forward she would like to have an opportunity to sit down to discuss this change and clearly understand the ramifications of what is being proposed. She recommended Council continue the hearing until

she has an opportunity to further review the request bringing back a recommendation that will ensure the protection and integrity of the neighborhood.

Attorney Yellin stated City Manager Cutter was present at the last meeting where the plan was changed, he stated the original plan had three story buildings that went the entire length of 41<sup>st</sup> Street, his client has made four separate changes and now today with a single family residential plan which is exactly what the City Manager and Mr. Lotson and staff requested. He stated he understands many things have transpired since the first meeting in June 2015 and wants to be sure everyone is on the same page.

City Manager Cutter stated her recommendation is line with the MPC staff recommendation. She continued stating she attended the meeting as an MPC Commissioner, and has not had an opportunity to review what is being requested today. She asked Council to give her additional time as City Manager to review and ensure this change is in the best interest of the Cuyler Brownsville Neighborhood.

Mr. Lotson stated the MPC staff's original recommendation was the same as what City Manager Cutter is recommending today, he stated he believes Attorney Yellin was on board with that decision. He then stated the Planning Commission voted to rezone all properties which is why there is a difference in the recommendations.

Marian Pelote, Board member of the West Broad Street Seventh Day Adventist Church came forward stating she isn't in opposition of the request but believes it is more than fair that the church body understands what is going on. She continued stating the Pastor is speaking but not the church and believes the request should be held off until it goes before the church.

Mr. Phillips apologized stating at no time should congregation's church matters be brought publicly. Mr. Phillips stated he has always owned the property and personally assembled it 17 years ago, to build a facility for seniors he took the matter before the MPC and it was denied. Since then the property has been being used as a public parking lot, by the church congregation and the congregation that worships in the church on Sunday. He continued stating there is crime on the corner nearly every week and believes one reason is because it is an empty lot. They have been working with the MPC since July to come up with something that will benefit the area and the City and asked Council to help them do something that will make a difference to the community.

Alderman Johnson stated it did not make good financial sense to Mr. Phillips to do anything with the property 17 years ago, but since the area is growing now it would be a better investment for him. He stated his recommendation to the City Manager stands because once a zoning classification is changed it is changed forever.

Alderman Foster asked Mr. Phillips if a design is in place and if there is financing. Mr. Phillips replied yes.

Continued to the meeting of January 21, 2016 upon motion of Alderman Johnson, seconded by Alderman Hall and unanimously carried.

**Advent Dental, PC, Petitioner (MPC File No. 15-004082-ZA)**, requesting to amend Section 8-3002 adding a definition for Dwelling, Two family over/under (A two family dwelling structure containing units which are stacked vertically and on the same lot) and Section 8-3029 to add new designation, Two family over/under (Minimum lot area 1,200 square feet per unit; Minimum lot width 20 feet per unit).

The petitioner is requesting amendments to the text of the zoning ordinance in both the definition section and the Cuyler – Brownville development standards to address a housing type definition

and residential development standards to include a reduced minimum lot area and minimum lot width.

Promoting new, compatible development is one of the tenants of the Cuyler - Brownville Planned Neighborhood Conservation overlay district. The proposed standards, while not the norm for two-family residential development, can be integrated with current standards to increase the opportunity for redevelopment in the neighborhood. The district is bounded primarily by arterial roadways and the character of those roadways is significantly different from the character of the internal streets. Allowing a scale of development along the major vehicular corridors that is consistent with the historic pattern is a benefit to the neighborhood.

MPC recommends approval of the petitioner's request to amend Section 8-3002 and 8-3029 of the zoning ordinance to create a new definition for Dwelling, two family over / under and to reduce the minimum lot area and lot width for two family attached and semi-detached residential. **Recommend approval.** Continued to the meeting of January 21, 2016 upon motion of Alderman Johnson, seconded by Alderman Hall and unanimously carried.

**Metropolitan Planning Commission (MPC File No. 15-005698-ZA)**, requesting to amend Section 8-3025 (b) the Business and Industrial District Use Schedule to allow upper story residential as a housing type with the B-C (Community Business) zoning district; Section 8-3025 (d) to establish development standards for the use; and Section 8-3002, Definitions to revise the definition of upper-story residential.

The proposed MPC-generated text amendment addresses the upper story residential uses and residential development standards in the B-C (Community Business) zoning district. The intent of the amendment is to allow limited residential housing within the district and to apply appropriate standards to the use.

The historical development pattern in the Savannah Historic District has included a mix of residential and non-residential uses for many years. The allowance of upper story residential uses within commercial zoning districts is consistent with existing patterns and is an appropriate land use in the greater downtown area. Zoning map amendments have, in some cases, introduced districts with suburban standards into urban areas. Such is the case with the B-C zoning classification where it exists within the Savannah Historic District. The B-C zoning classification is often sought due to the wide array of commercial uses that are permitted. While not necessarily suitable in all cases, the district can support upper story residential in areas where a mix of uses prevails. **Recommend approval.** Marcus Lotson, Metropolitan Planning Commission briefly described the request. Hearing closed upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried. Approved upon motion of Alderman Shabazz, seconded by Alderman Bell, and unanimously carried per the City Manager's recommendation.

## **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 7<sup>th</sup> day of January, 2016 the Council entered into a closed session for the purpose of discussing Personnel and Litigation. 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 7, 2016.**

**Interfaith Hospitality Network Agreement.** A resolution authorizing the City Manager to award United States Department of Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) funds to Interfaith Hospitality Network and enter into an agreement for the provision of homeless prevention services.

The grant provides \$110,000 in unprogrammed FY 2015 ESG funds for rental and utility assistance to persons at risk of homelessness. The assistance is meant to help the program participant regain stability in their current housing or move into other permanent housing and achieve stability in that housing. **Recommend approval.**

### **RESOLUTION**

**WHEREAS** the City of Savannah receives Emergency Solutions Grant (ESG) program funds from the U.S. Department of Housing and Urban Development to implement strategies to assist the homeless or persons at risk of homelessness;

**WHEREAS** the City for the program year 2015 has unexpended ESG funds totaling \$110,000;

**WHEREAS** Interfaith Hospitality Network a nonprofit organization experienced in the implementation of federal grant programs which provide needed services to the homeless;

**WHEREAS** it is necessary for the City Council to authorize an agreement between the City of Savannah and Interfaith Hospitality Network to expend funding in the amount of \$110,000 to implement homeless prevention services under the Emergency Solutions Grant program.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Aldermen of the City of Savannah, Georgia, hereby resolve and authorize Stephanie S. Cutter, City Manager, to execute the grant extension between the City of Savannah and Interfaith Hospitality Network for the delivery of services to the homeless.

**ADOPTED AND APPROVED: JANUARY 7, 2016** upon motion of Alderman Johnson,

seconded by Alderman Shabazz, and unanimously carried per the City Manager's recommendation.

### **MISCELLANEOUS**

**Settlement of Workers' Compensation Claim by Anthony Singleton.** Mr. Singleton, a former Stormwater Maintenance worker, sustained multiple fractures and orthopedic injuries when he was struck by an automobile while working near a manhole in a road way. His workers' compensation claim was settled at mediation for \$55,000, contingent upon the approval of Council. City Attorney recommends approval. **Recommend approval.** Approved upon motion of Alderman Bell, seconded by Alderman Hall, and unanimously carried.

**Authorization for Attorney Stillwell to represent Police Officers.** Attorney Stillwell stated a lawsuit was filed by former Savannah Chatham Metropolitan Police Department Officer Amber Davis and former Tybee Island Officer Stacy Talbert against several current and former SCMPD officers and employees, and the estate of the private individual. These cases are taken seriously and investigations are conducted to determine if any wrongdoing was conducted. He continued stating three current SCMPD officers are being sued in this case: Assistant Chief Julie Tolbert, Captain Devonn Adams and Miles Adams, SCMPD Property Coordinator. Attorney Stillwell recommended Council authorize him to provide a legal defense for each individual. Approved upon motion of Alderman Johnson, seconded by Alderman Bell, and unanimously carried.

### **BIDS, CONTRACTS AND AGREEMENTS**

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

**Coastal Workforce Development Board (CWDB) Approval to Accept the PY15 Supplemental Nutrition Assistance Program (SNAP) Works 2.0 Pilot Program Grant Award from the Georgia Department of Labor (GDOL).** On November 30, 2015 the Georgia Department of Labor awarded the City of Savannah and the Coastal Workforce Development Board (CWDB) \$616,663.64 to provide services under the SNAP (Supplemental Nutrition Assistance Program) Works 2.0 Pilot Program.

This is an initial grant award for PY2015 and is part of a pilot project in which, Georgia Department of Labor (GDOL), Division of Family and Children Services (DFCS) and the CWDB will partner to deliver SNAP services in Glynn, Chatham and Bulloch Counties. Pilot Services to SNAP recipients will be delivered through a random selection process. Under the award CWDB will be responsible for overseeing the delivery of case management and training activities. The period of availability for the grant is October 1, 2015 - September 30, 2016 and the grant has the option to be renewed for an additional two years, totaling \$1,849,990.93 over a three year period. The pilot is projected to start February 1, 2016.

The PY15 SNAP Works 2.0 Pilot Program preliminary award was accepted by the CWDB's Executive Committee on August 21, 2015. The final agreement was delayed due to the need for DFCS and GDOL to negotiate terms of a contract and to agree on the project scope. **Recommend approval**

**Pump Repair for Stormwater Management – Annual Contract – Event No. 3576.**

Recommend approval to award an annual contract for pump repair to Xylem Water Solutions USA (Primary) and Pete Kelly Inc. (Secondary) in the amount of \$611,000.00. The service will be used for pump repair by the Stormwater Management Department for flood control.

This bid was advertised, opened, and reviewed. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

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

Funds are available in the 2016 Budget, General Fund/Stormwater Management/Equipment Maintenance (Account No. 101-2104-51250). A Pre-Bid Meeting was conducted and two vendors attended. (D)Indicates non-local, non-minority owned business. \*Indicates bidder not meeting specifications. **Recommend approval.**

**Horticultural Products – Annual Contract – Event No. 3665.**

Recommend approval to award an annual contract for horticultural products to Delta Landscape Supply of Georgia in the amount of \$1,976.00, to Harrell’s, LLC in the amount of \$2,160.00, to John Deere Landscapes in the amount of \$5,977.08, to BWI Companies in the amount of \$11,992.90, to Graco Fertilizer in the amount of \$15,981.25, to Pennington Seed in the amount of \$28,830.30, and to Vereen Stores in the amount of \$31,053.90, for a total contract amount of \$97,971.43. The horticultural products include fertilizer, insecticide, herbicide, fungicide, and seed. The products will be used by Park and Tree Department, Buildings and Grounds Department, and other City departments. Items were awarded to the low bidder for each line item.

The bid was advertised, opened, and reviewed. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

L.B.	Pennington Seed (D) (Madison, GA)	(Partial Bid)	\$ 57,236.40
L.B.	Harrell’s, LLC (D) (Lakeland, FL)	(Partial Bid)	\$ 90,335.80
L.B.	BWI Companies (D) (Greer, SC)	(Partial Bid)	\$ 92,877.82
L.B.	Delta Landscape Supply of GA (D) (Norcross, GA)	(Partial Bid)	\$ 102,102.36
L.B.	Vereen Stores (D) (Chatham County, GA)		\$ 104,753.85
L.B.	Graco Fertilizer (D) (Cairo, GA)	(Partial Bid)	\$ 120,567.93
L.B.	John Deere Landscaping (D) (Cleveland, OH)	(Partial Bid)	\$ 123,967.85

Funds are available in the 2016 Budget, General Fund/Park and Tree/Chemicals (Account No. 101-6122-51323) and General Fund/Park and Tree/Operating Supplies and Materials (Account

No. 101-6122-51320). A Pre-Bid Conference was conducted and no vendors attended. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

**VMWare Maintenance and Support Services – Event No. 3776.** Recommend approval to procure VMWare maintenance and support services from vCloud Tech Inc. in the amount of \$29,476.60. IT Department will use the services to maintain various City services, such as email, Lawson, and Govern. VMWare allows the City to virtualize servers, which reduces hardware costs, increases functionality, improves disaster recovery, and provides energy cost savings.

The bid was advertised, opened, and reviewed. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

L.B.	vCloud Tech, Inc. (Rolling Hills, CA) (D)	\$ 29,476.60
	Insight Public Sector (D)	\$ 30,009.76
	Southern Computer Warehouse (D)	\$ 30,204.60
	CNP Technologies (D)	\$ 31,995.00
	Alterra Networks, LLC (D)	\$ 35,194.50

Funds are available in the 2016 Budget, Internal Service Fund/Information Technology/Data Processing Equipment Maintenance (Account No. 611-1140-51251). A Pre-Bid Conference was conducted and no vendors attended. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

**Polymer for Water Reclamation – Annual Contract Renewal – Event No. 3860.** Recommend renewing an annual contract for polymer from Polydyne, Inc. in the amount of \$69,000.00. Water Reclamation Department will use the polymer for water treatment.

This is the first of three renewal options available.

The bid was originally received on September 16, 2014. The bid was advertised, opened, and reviewed. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

L.B.	Polydyne, Inc. (Riceboro, GA) (D)	\$ 69,000.00
	Coastal Water Technology, LLC (D)	\$ 75,000.00

Funds are available in the 2016 Budget, Water and Sewer Fund/President Street Plant/Chemicals (Account No. 521-2553-51323) and Water and Sewer Fund/Regional Plants/Chemicals (Account No. 521-2554-51323). A Pre-Proposal Conference was not conducted as this is an annual contract renewal. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

**Brake Parts – Annual Contract Renewal – Event No. 3861.** Recommend renewing an annual contract for brake parts from Fleetpride in the amount of \$25,994.40. Vehicle Maintenance Department will use the brake parts to make repairs to City vehicles as needed.

This is the second of three renewal options available.

Bids were originally received November 26, 2013. The bid was advertised, opened, and reviewed. Delivery: As Requested. Terms: Net 30 Days. The bidders were:

L.B.	Fleetpride (Pooler, GA) (D)	\$ 25,994.40
	TPH Acquisition, LLC (D)	\$ 28,695.86

Funds are available in the 2016 Budget, Internal Service Fund/Inventory-Vehicle Parts (Account No. 611-0000-11325). A Pre-Bid Conference was not conducted as this is an annual contract renewal. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

**Hydraulic Hose Components – Annual Contract Renewal – Event No. 3862.** Recommend renewing an annual contract for hydraulic hose components from Savannah Driveline & Hydraulic in the amount of \$57,000.00. The hydraulic hose components are used by the Vehicle Maintenance Department to make repairs to City vehicles as needed.

This is the first of three renewal options available.

Proposals were originally received November 26, 2013. The bid was advertised, opened, and reviewed. Delivery: As Requested. Terms: Net 30 Days. The bidders were:

L.B.	Savannah Driveline & Hydraulic (Savannah, GA) (B)	\$57,000.00
	Tractor & Equipment Co., Inc. (D) (Partial Bid)	\$21,000.00

Funds are available in the 2016 Budget, Internal Service Fund/Inventory-Vehicle Parts (Account No. 611-0000-11325). A Pre-Bid Conference was not conducted as this is an annual contract renewal. (B)Indicates local, non-minority owned business. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

**Electrical Service for Savannah Fire and Emergency Services Training Facility – Sole Source – Event No. 3869.** Recommend approval to procure electric service from Georgia Power in the amount of \$27,308.23. This electric service will be installed at the new Savannah Fire and Emergency Services Training Facility on Agonic Road. The work involved in the installation will include bringing electrical services to the new facility and changing out light poles.

This is a sole source procurement as Georgia Power is the only provider of electrical service in the area. The vendor is:

S.S.	Georgia Power (Atlanta, GA) (D)	\$ 27,308.23
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Funds are available in the 2016 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Fire Training Facility (Account No. 311-9207-52842-PB0637). A Pre-Proposal Conference was not conducted as this is a sole source procurement. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

**Security Services for City Hall, Gamble Building, Broughton Municipal Building, and Mobility and Parking Services – Annual Contract – Event No. 3327.** Recommend approval to award an annual contract for security services to Sunstates Security in the amount of \$718,072.60. The security services will be used to secure City facilities at City Hall, Broughton Municipal Building, the Gamble Building, City parking garages, and Ellis Square. Nine proposals were received. Of those nine, five were deemed qualified and fully evaluated. Their

fee proposals were opened and the proposers were interviewed. The recommended firm is proposing a start date of 45 days following the contract award.

The selection committee was comprised of members of Mobility and Parking Services, Risk Management, and SCMPD. The recommended proposer was deemed best able to effectively and safely guard the various locations covered under this contract, including government buildings, parking garages, and public spaces. The recommended proposer was deemed to have the highest level of readiness to deter potential threats to public safety. The recommended proposer also provided its employees with extensive levels of training and competitive wages and benefits.

The proposal was advertised, opened, and reviewed. Delivery: As Needed. Terms: Net 30 Days. The proposers were:

B.P.	Sunstates Security (Raleigh, NC) (F)	\$ 718,072.60
	Dynamic Security (D)	\$ 629,052.84
	Norred & Associates, Inc. (D)	\$ 721,962.06
	Security Associates of Coastal Georgia (B)	\$ 691,629.12
	AP Security Agency (B)	\$ 768,312.00

Funds are available in the 2016 Budget, General Fund/Risk Administration/Security Guard Services (Account No. 101-1155-51241) and Parking Services Fund/Parking Garages/Security Guard Services (Account No. 561-1114-51241). A Pre-Bid Conference was conducted and six vendors attended. (B)Indicates local, non-minority owned business. (D)Indicates non-local, non-minority owned business. (F)Indicates non-local, woman owned business. **Recommend approval.**

**Gunfire Location, Alert, and Analysis Service – Event No. 3895.** Recommend approval to award annual subscription fees for the City’s gunfire detection system to ShotSpotter, Inc. in the amount of \$135,000.00. This system is used as an aide in crime reduction because it identifies, records, and locates gunshots and other explosive events and notifies law enforcement within seconds of the shots being fired. This information provides law enforcement with critical awareness, such as number of shots fired, shooter position, speed, and direction of travel of a moving shooter. This is the second year of a three-year agreement with ShotSpotter, Inc. for the annual subscription fees for these services.

The reason this is a sole source is because this is the only vendor that offers this patent-protected technology of gunshot detection. Delivery: As Requested. Terms: Net 30 Days. The bidder is:

S.S.	ShotSpotter, Inc. (Newark, CA) (D)	\$ 135,000.00
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Funds are available in the 2016 Budget, General Fund/Patrol and Special Operations/Professional Purchases Services (Account No. 101-4210-51238). A Pre-Bid Conference was not conducted as this is a sole source procurement. (D)Indicates non-local, non-minority owned business. **Recommend approval.**

## **ALCOHOLIC BEVERAGE LICENSE SHOW CAUSE HEARINGS**

**Show Cause Hearing – Club Rain.** A hearing for Felichia Lalsee to show cause why her liquor, beer and wine (drink) license at 9 West Bay Street should not be suspended or revoked as requested by the Savannah-Chatham Metropolitan Police Department. **Recommend approval.**

Assistant City Attorney Jennifer Herman came forward stating the purpose of the hearing is to determine if the liquor, beer and wine (drink) license at 9 West Bay Street known as Club Rain should be suspended or revoked.

Attorney Bobby Phillips introduced himself as Counsel for Club Rain.

All witnesses were sworn in by Attorney Stillwell.

Attorney Herman asked Sgt. Williams to introduce herself to Council and advise them of her rank and job duties.

Sgt. Williams stated her name and Department which is the Alcohol Beverage Control Division which is responsible for enforcement in any type of alcohol service establishment. She stated she has worked with the ABC Team on and off for the past 15 years.

Attorney Herman asked Sgt. Williams if she was familiar with Club Rain, asked her where it was located, when it first opened. Sgt. Williams replied it is located at 9 West Bay Street and opened as Rain in August 2009, the current license holder and ownership was approved by Council on November 18, 2010.

Attorney Herman asked Sgt. Williams what type of business Club Rain is. She replied it is a bar/lounge which has liquor, beer, wine consumption on premise license. Attorney Herman asked Sgt. Williams who the original license holder was and if there was a change. Sgt. Williams replied Amanda Rushing an yes, it change to Felichia Lalsee. Attorney Herman asked Sgt. Williams to briefly describe the circumstances of which the license holder change occurred. Sgt. Williams stated the license for Ms. Rushing was approved by Council in 2009 with no opposition. During a compliance check staff discovered Mr. McKenzie Lalsee on the premises in a capacity in which staff felt he was working. The license was subsequently changed to Felichia Lalsee which had some opposition at the time in reference to Mr. McKenzie's role as he was a previous holder of an alcohol license from 2005-2007 in which he had some violations that concerned Council and they wanted to be made aware of his role in the new business.

Attorney Herman asked Sgt. Williams in connection with her role as a SCMPD officer and ABC Team member, is it fair to since the club opened in 2010 under the Lalsee's there have been a number of disorderly or violent incidences on the premises, outside of the premises and/or associated with the premises. Sgt. Williams replied yes.

Attorney Herman asked were there any calls for service since 2010 associated with Club Rain and what the most common call was. Sgt. Williams replied yes, there were 269 total calls to the address of 9 West Bay Street, the majority of which were for disorderly individuals associated with Club Rain.

Attorney Herman asked Sgt. Williams to describe the call made on April 28, 2013. Sgt. Williams stated there was a shooting incident which occurred on the corner of Bull and Bay Streets where the individuals involved admitted to the investigators they were in the club prior to the shooting where they got into a verbal altercation which was cleared up, but resulted in them meeting back up engaging in an argument which ended with a shooting incident.

Attorney Herman asked Sgt. Williams to describe an incident which occurred on December 21, 2014. Sgt. Williams stated this incident occurred inside the club where a gentleman felt threatened after getting into an argument with someone inside the club. He pulled out his weapon inside the club and fired two rounds into the floor. Attorney Herman asked Sgt. Williams if she has an idea how the weapon got past security. Sgt. Williams replied after the incident they spoke with management who advised them the gentleman concealed the handgun in his boot.

Attorney Herman asked Sgt. Williams to describe the occurrence on December 12, 2015. Sgt. Williams replied another shooting where a patron was able to get inside the bar with a handgun. An argument occurred in the bar, in which the security staff was a part of. A fairly large fight broke out inside the establishment where a patron discharged two rounds striking the floor, no one was injured during that incident. However, with the rapidly changing environment of everyone leaving the club due to the gunfire a subsequent incident occurred outside which included gunfire at the Whitaker Street Parking Garage. Video footage was provided to SCMPD by Club Rain but there was no way to tell who fired the weapon, but you can see the fight occurring between security staff and patrons. Sgt. Williams continued stating arrests were made in connection with the incident and one of the individuals admitted to being inside the bar and being in the altercation. He also admitted to entering the bar without a weapon but while inside he felt threatened therefore he left the bar, went to his vehicle, retrieved his weapon and reentered the establishment but did not admit to discharging the firearm inside the bar.

Attorney Herman asked Sgt. Williams to the best of her knowledge if any other bar in Savannah had two shootings inside their establishment within a two year period. Sgt. Williams replied not inside the bar.

Attorney Herman asked Sgt. Williams as a sworn officer and ABC Team member if she feels Club Rain has taken steps to attract a safe and law abiding crowd and if she believes to date, they have implemented good security measures. Sgt. Williams replied no to both questions.

Attorney Herman asked Sgt. Williams in her opinion if she thinks Club Rain is operated in a manner that constitutes a threat to public safety or welfare. Sgt. Williams replied yes.

Attorney Phillips came forward and asked Sgt. Williams if she agrees with him that if there was a shooting on Bull and Whitaker Streets that no one in Club Rain would have responsibility for the shooting. Sgt. Williams asked Attorney Phillips to repeat the question.

Attorney Phillips stated the owner, employees or security personnel did not cause the shooting to occur at Bull and Whitaker Streets. Sgt. Williams asked Attorney Phillips if he was referring to the April 2013 incident. Attorney Phillips replied yes. Sgt. Williams replied no they did not call it was a dispatch call. Attorney Phillips stated the shooting at Bull and Whitaker Streets was an isolated event. Sgt. Williams replied yes, but the investigation led to the two individuals

admitting they were inside the club and had a fight. Attorney Phillips replied anybody can go inside the club if they have the proper identification. Sgt. Williams replied yes.

Attorney Phillips asked if the main security for the club is two off duty SCMPD officers. Sgt. Williams replied it can be two or more, the last time check of their security plan detailed three. Attorney Phillips asked Sgt. Williams if she is aware if the off duty officers are responsible for wand individuals as they enter. Sgt. Williams replied no.

Attorney Phillips stated Sgt. Williams testified that no other club has had multiple shootings within a year inside the club, and asked if other clubs have had multiple shootings outside and the number of clubs she was referring to. He then asked her if they were recommended for a Show Cause Hearing and possible suspension and/or revocation of their license. Sgt. Williams replied yes, three or four have had one or two shootings and the recommendation was made to Council for revocation. Attorney Phillips asked if 269 calls within a five year period is relatively high for an establishment. Sgt. Williams replied yes. Attorney Phillips asked Sgt. Williams if she has made recommendations to Club Rain which they agreed to follow. Sgt. Williams replied yes.

Attorney Herman asked Sgt. Williams if it is the job of the SCMPD to run Club Rain or any other business Downtown. Sgt. Williams replied no.

Alderman Johnson asked Sgt. Williams if off duty police officers are allowed to wand or pat individuals down. Sgt. Williams replied no.

Mayor DeLoach asked Sgt. Williams if it is the responsibility of SCMPD to control security or the responsibility of the owners to do so. Sgt. Williams replied it is the responsibility of the owners.

Alderman Thomas asked at what point a show cause hearing such as this is triggered. Sgt. Williams replied a threat has to be posed to public safety.

Alderman Johnson stated there were 269 calls for service between 2010 and 2015, and two violent incidents within a year of each other which equates to approximately 50 calls within a year. He continued stating what he gathers from the testimony of Sgt. Williams is that there is failure on the business owner to properly secure and run their business.

Chief Lumpkin came forward stating it is not the responsibility of the SCMPD officers to wand individuals as it is not the responsibility of them it is the responsibility of management. They are responsible for security of the establishment in the event an incident occurs. He continued stating there were three gun incidents which occurred at Club Rain and finds from his perspective that the management is failing by not maintaining a safe and secure environment. He also stated he has an issue with the management staff as they were not cooperative with SCMPD during an ongoing investigation where there was video footage available through the club which they did not release and a search warrant had to be obtained to retrieve the evidence. He recommended the liquor, beer and wine (drink) license at Club Rain be revoked due to the public safety failure regarding this management being predictable and occurring for three straight years.

Alderman Foster stated one of the things he heard during testimony which was disturbing to him was that SCMPD was reluctant to bring these types of issues before the Council because past

Council's did not act on the recommendation of the SCMPD. He stated given the violent crime increase in the community and the outrage of the community he will find very strong support from this Council and thanked him for bringing it before the body.

Aldermen Hall and Thomas expressed their displeasure with the comment from Alderman Foster. Alderman Thomas stated in his history on Council Daiquiri Island, Club Ice and held a hearing for a bar on Montgomery Street which was eventually shut down. The only time Council had a difference of opinion was the with the OverTime Sports Bar on Skidaway in which staff along with the SCMPD went back and held a meeting with neighbors and owners. Alderman Hall stated the only reason there was a difference of opinion with the OverTime Sports Bar is because Attorney Herman could not tell Council where the calls for service came from. Alderman Foster apologized stating he was only repeating the testimony he heard.

Alderman Miller asked Chief Lumpkin if he and staff feels Club Rain were totally cooperative with the investigation. Chief Lumpkin stated staff would have to answer for themselves but it was not reported to him that they were uncooperative however, being cooperative and following through on a safety plan and ensuring a subsequent incident does not occur is two different things.

Attorney Phillips stated having an alcohol license is in some respects a right, he has heard some people state it is a privilege but there have been some Georgia Supreme Court decisions that states it's a property right. He stated his clients are willing to cooperate. He continued stating he understands the severity of the situation as crime has been ramped in the City which is why many of the Council members are here. It's hard to legislate the end of criminal activity, at some point in time this Council or the preceding Council has approved an occupancy rate of 499 in Club Rain. The problem is from individuals carrying guns and putting them together in a club with alcohol. Attorney Phillips stated they have tried to negotiate a resolution and possibly have a suspension of 14 days, as they are willing to make the changes necessary to ensure the safety of patrons in their establishment. He ended stating no one likes crime but he feels the punishment should fit the crime.

Ansley Threlkeld, Savannah Area Chamber of Commerce and Visit Savannah, Michael Owens, Tourism Leadership Council, Ruel Joyner, Savannah Downtown Business Association, Robert Rosenwald, Downtown Neighborhood Association, Joseph Marinelli, Visit Savannah, Lori Collins, Buy Local, Carrie Brigh, Savannah Waterfront Association, Emily Dickinson, President Savannah Waterfront Association appeared to present a letter to Council asking Council to support Chief Lumpkin and the SCMPD staff recommendation of the revocation of the liquor, beer and wine (drink) license at Club Rain. He stated crime and the perception of crime destroys businesses and communities.

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

Upon motion of Alderman Hall, seconded by Alderman Miller, and unanimously carried the liquor, beer and wine (drink) license in the name of Felichia Lalsee at 9 West Bay Street known as Club Rain was revoked.

Upon motion of Alderman Johnson, seconded by Alderman Bell, and unanimously carried the Rules of Council were adopted retroactive to the beginning of today's meeting of Council.

Upon motion of Alderman Johnson, seconded by Alderman Bell, and unanimously carried the agenda was amended to add comments from City Manager Cutter who stated the following:

Earlier today I notified you of my plans to retire, and have agreed to remain as City Manager as you conduct a nationwide search for a new City Manager. I will remain in the Office of City Manager until the new Manager's term begins.

I have also agreed to remain as an adviser to the new City Manager for one year. I trust that you will remain diligent in your commitment to provide me your full support in my role as City Manager pursuant to the City Charter, and make the same commitment to the new City Manager.

It is love for the people of Savannah and love for this great City that should motivate us to work cooperatively together to preserve the quality of life for ALL citizens of Savannah.

I will be submitting an official letter to the Mayor and Aldermen of my intentions as stated.

Alderman Miller stated as far as those on Council, he thinks he is the only one that has ever worked for City Manager Cutter. He thanked her for all she has done stating she led the City through a very rough time. He continued stating he appreciates that and wished her the best.

Alderman Shabazz stated City Manager Cutter has been doing a great job for the City of Savannah as the most capable City Manager it has had. She continued stating she was looking forward to her working throughout her second term and continuing doing the great job that she has been doing. She thanked her for the great integrity she has a person and her continuous work with Council and the City of Savannah.

Alderman Hall stated character counts and that's what City Manager Cutter has. She is a very private person and did not want Council to belabor this and he will respect her wishes thanking her for all she has done.

Alderman Johnson stated words cannot express how disappointed he is. City Manager Cutter came to the City at a time when it absolutely needed her, the City needed someone of her strength, character and integrity. He continued stating she spent the latter part of her tenure cleaning up messes she did not create yet inherited, doing so with hard work and diligence promising Council they would be able to trust her which they did, she also promised to be accountable and transparent and she has been. He apologized that she came to this decision as there are political realities that cannot be ignored. He knows as she moves into her next chapter she will do so with her head held high giving the best of her service. He ended stating he will always respect her for being Stephanie Cutter.

Alderman Thomas stated the winds have changed in the last election and blew in a new Council whose first order of business was to discuss the future of the City Manager Cutter. He continued stating although he is disappointed she made her decision on her terms which pleases him. He

stated he has served under three City Managers and Stephanie Cutter is the one that has had the most integrity and character, she helped heal issues and solve problems, hiring the best Police Chief to serve the City. She has agreed to stay on in a City she loves and thanked her for all she has done in the City of Savannah and will do as the transition is made.

Alderman Bell stated she has known her longer than any member on Council stating she taught her in graduate school. She has seen her evolve over the years from a Budget Analyst to the professional she has become today. She thanked her for all she has contributed to the City and bridging the gap stating she knows she will do well in her future endeavors.

Alderman Foster thanked City Manager Cutter stating she has had a long and distinguished career with the City. He stated during the orientation she held yesterday the message she imparted of character, integrity and transparency was very clear throughout her documents. He commended her for all she has done stating she stepped up during a difficult time in the City's history.

Alderman Durrence thanked City Manager Cutter for the number of years of service she has given to the City and all of her hard work during the difficult times for the past several years. He also thanked her for sticking around to work with Council through this transition to new leadership.

Mayor DeLoach apologized and thanked City Manager Cutter for all she has done. He stated there was never a question about integrity and what she stood for and thanked her for what she stood for and raising the bar in the City Manager's position.

City Manager Cutter received a standing ovation.

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



Dyanne C. Reese, MMC

At the end of the meeting Mayor DeLoach reconvened the meeting upon motion of Alderman Johnson, seconded by Alderman Thomas and unanimously carried to reaffirm Dyanne Reese as Clerk of Council for the City of Savannah.

Upon motion of Alderman Johnson, seconded by Alderman Thomas and unanimously carried Dyanne Reese was reaffirmed as Clerk of Council for the City of Savannah.

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



Dyanne C. Reese, MMC

Clerk of Council