

**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 Dyanne Reese, Clerk of Council.

**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 Shabazz, unanimous approval was given for the Mayor to sign an affidavit and resolution on Litigation, Personnel and Real Estate 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 December 22, 2016 was approved.

Upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried the summary/final minutes for the City Council meeting of December 22, 2016 was approved.

**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.

**Brian L. Stafford for Stafford's Public House, LLC t/a Stafford's Public House**, requesting liquor, beer and wine (drink) license at 306 West Upper Factors Walk, which is located between West River Street and West Bay Street. The applicant plans to operate a bar. (New ownership/ management). **Recommend Approval.** Alderman Durrence stated he would like to make a correction this business location is in District 2 not District 1. Hearing closed upon motion of Alderman Johnson, seconded by Alderman Bell, and unanimously carried.

Approved upon motion of Alderman Thomas, seconded by Alderman Bell, per the City Manager's recommendation.

## **ZONING HEARINGS**

### **Amendments to 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.**

This is a staff-generated text amendment to the existing Bed and Breakfast Guest Unit. The amendment is intended to resolve confusion regarding the name of the use, its definition and the serving of breakfast.

A Bed and Breakfast Guest Unit is presently defined in the Zoning Ordinance as "A bedroom within a dwelling unit rented for lodging with breakfast to transient guests."

The recommended use name and definition are: "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 shall contain a sleeping accommodation, such as 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."

There are no proposed changes to the existing zoning districts where this use is presently permitted or to the existing use conditions at this time.

A Bed and Breakfast Guest Unit/Bed and Breakfast Homestay is not the same use as a short-term vacation rental use, and any changes would not apply to the vacation rental use.

The Metropolitan Planning Commission approved the MPC staff recommendation, which it is recommending to the Mayor and Aldermen. Charlotte Moore, Metropolitan Planning Commission came forward stating this is a text amendment to revise the definition of the Bed and Breakfast Guest Unit and to change the use name. There has been some confusion with the current definition. Recently the City had difficulty enforcing a particular action against someone who was operating a Bed and Breakfast Guest Unit in a district that did not permit the Use and was not serving breakfast, so they want to clarify that breakfast is not required to be served at a Bed a Breakfast Guest Unit. This also provided them with an opportunity to make some additional revisions to clarify what the Use is. The revised definition includes the location of the bedroom be in the principal residence and it could not be an accessory dwelling carriage house. It also has to be owner-occupied principal use dwelling where no more than one bedroom within the dwelling is rented to no more than two adult transient guests no more than 30 days and the definition also indicates it must be a legal bedroom. It shouldn't be a room someone would set it for example that wouldn't meet the building codes. The revisions will help the City to enforce the particular use. They are not proposing any changes to any zoning districts at this time only to the definition and use name. The Mayor asked is this related to the issue in the newspaper. Attorney Stillwell replied yes. Alderman Johnson asked if

breakfast is not required to be served at a Bed and Breakfast why should they continue to call it a Bed and Breakfast because it causes confusion. Charlotte stated she may have misspoke but the definition does indicate that breakfast can be served it's just not required but it gives the opportunity to serve it. Traditionally it's more intuitive to call it a Bed and Breakfast and they are proposing to call it a "Bed and Breakfast Homestay" because it's intuitive and people may be more familiar with that phrase. Alderman Bell asked is the name "homestay" consistent with other cities whether they are domestic or international. Charlotte replied yes, when they conducted research they discovered the term "homestay" was often used. The "guest unit" terminology was a little confusing it wasn't clear if it was intended to be a dwelling unit when the current definition is a bedroom. The Bed and Breakfast Homestay is what is common in other communities so they adopted that terminology as well. The Mayor asked was there anyone else to speak concerning the hearing. The following citizens came forward: Susan Tremble resident of 66<sup>th</sup> Street stated she speaks strongly in favor of the amendments even though she doesn't live downtown but this is a step forward for her because it defines more clearly what she would like to do in the future and that is to rent out her bedroom. She is also in favor of the definition because she does not have to explain to people that it is not a vacation rental and she will be on the property. The following clarifies the definition (1) it uses the word "homestay" and home means her home and she lives there; (2) owner-occupy, she will be able to oversee it; (3) one bedroom which clearly defines the use. The City had past problems with rooming houses which had a negative view on the community, but with this definition it helps clarify what she would like to do. Jason Combs resident of 508 E. 38<sup>th</sup> Street stated he would like to reiterate what Ms. Tremble said. He is in favor of the definition and commended Charlotte on doing a good job. However, he doesn't like that they were waiting for the definition for too long. When the City took up short term vacation rentals they said they were going to separate this issue and look at it after. It took a defeat in court which they read in today's paper to get the City on this. He is happy they are on it and he likes the definition, but the definition is being used just to prohibit this. He would like the City to use the definition to expand the use for people like Susan Tremble and him. If they are going to adopt it then they need to take an immediate look at expanding it with the proper regulations. Johnathan Morgan stated it seems as if there are some hefty motivations about these provisions especially within the City. Also, the City was overwhelmingly hit hard by a lot of vacation rentals because some websites were very popular. The City never had the proper codes or means to handle this. When there were regulations that came about regarding this in the past years the regulations seemed to be written heavy handed by a hotel industry. This has been handled by the City which it continues to take money out of locals' hands of people who are doing something positive for the community and puts it into a hotel industry and at best they get 13% of taxes from that are owned by people from around the world. The good thing is that the City has started to get a handle on this but overall because he is being set up to prosecute people against their own property rights for individual homeowners in the City of Savannah. Overall he is against the provisions because it was not handled correctly, and it seems odd that it has been shoved through quickly. Jennifer Salami owns the Ballastone Inn for 15 years stated this is not a problem unique for Savannah but a problem for all over the country. She belongs to a 300 member Bed and Breakfast Inns across the United States which is called Select Registry. They are very concern what is going on with Air B&B. They currently have approximately 900 rooms in Savannah. She isn't afraid of competition and it is not breakfast that people are concern about its regulations. One of her biggest expenses is her business insurance which is \$15,000 a year and other expenses. The biggest concern nationally is when you stay at a Bed &

Breakfast is that you have insurance because they do not have the insurance only a homeowner's policy. The other issue is hotel/motel tax. The City of Savannah should get every dime for every rental within the City. There should be a level playing field. Rob Sales resident of 1308 E. Victory Drive stated he has been in Savannah since 1997 and he and his wife purchased their first Bed and Breakfast in 1997. He is also a licensed realtor in Savannah, North Carolina and South Carolina with a concentration of Bed and Breakfast. The issue is not with the people who own one or two Bed and Breakfast's it's the people with thousands. His request is to verify that they are licensed and pay their hotel/motel tax and sales taxes. David Baine stated he wanted to highlight that this issue plays across with every element of the real estate market because buyers are thinking of these places as vacation rentals. As an entrepreneurial prospective he wanted to highlight that the Bed and Breakfast concept is fantastic but the oversupply is unattractive to an investor. Michael Owens, president and CEO of the Tourism and Leadership Council stated the Tourism and Leadership Council went on record three years ago through the Savannah Morning News supporting the use of vacation rentals. They believe the use is a right that has been granted by the state of Georgia. It is a commercial practice and it is done within personal real estate therefore as a municipally there are limitations on what you all can do such as inspections and having it certified. They have worked with others to level the playing field and from day one they have been clear that all vacation rentals and anything similar must pay a motel/hotel tax which is State law. The bigger issue is different types of units, owner-occupied or not. He urged Council to take a holistic approach to this issue and create a definition for all of the known uses they have now because there are many more. The MPC, residence, and those people who have expertise and are in the industry need to take a broader look on this. Hearing closed upon motion of Alderman Bell, seconded by Alderman Hall, and unanimously carried. Alderman Foster asked if there are 1800 Bed and Breakfast's on Google how many are actually registered and are licensed within City. Charlotte replied after her last update with the director of Tourism and Management there were 600 short term vacation rentals and the 1,800 may be regional. Alderman Foster asked do you think a high percentage of this these are actually licensed to rent out rooms. Charlotte replied she can only speak for the 600 and they are. The City does an excellent job with verifying the requirements. The Bed and Breakfast Guest Unit does not have the same requirements as Short Term Vacation Rentals. Alderman Foster asked can they charge hotel/motel tax. Charlotte replied yes they can. Alderman Durrence stated as part of their certification process are they required to have appropriate insurance for the usage. Charlotte stated there is a certification process and staff has identified building code requirements that should be met including fire alarms and having access to a window. The City has made potential vacation rental owners aware of that and they do sign off on that as well. Alderman Durrence stated that also includes appropriate insurance. Charlotte replied yes. Approved upon motion of Alderman Durrence, seconded by Alderman Miller, per the City Manager's recommendation.

**Jewish Education Alliance, Petitioner and Owner, by Attorney Harold Yellin, Agent** request 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.

The Jewish Educational Alliance has been in continuous operation for more than 60 years as a non-conforming use. Many of the activities associated with the civic center function

(including physical therapy, theatrical performances and large-scale commercial day care) are not permitted within a multifamily residential zoning district, but have been operated as non-conforming uses on this site without negative impact for decades. The proposed map amendment will bring the uses of the property into compliance with the zoning on the property as shown on the Future Land Use Map, and will allow for modest expansion of the uses.

Staff and the MPC recommend approval of the request to rezone 5111 Abercorn Street from the current R-M-25 (Multifamily, 25 units per acre) classification to an O-I (Office-Institutional) classification based on the previously stated findings. Marcus Lotson of MPC was call forward. Alderman Hall asked have this been heard before. Mr. Lotson stated the map amendment was not heard before Council. This is a nonconforming use so they can continue to operate into the future although the current zoning does not match the current use. The petitioner's request will bring them into compliance with the type of uses and events that occurs at the JEA. Previously there was a petition that was brought forth by them also relating to their daycare business. The office institutional zoning classification would allow that to continue. The Metropolitan Planning Commission has recommended approval of the rezoning from the current R-M-25 (Multi-family, 25 units per acre) zoning classification to an O-I (Office Institutional) zoning classification. Alderman Johnson asked Attorney Yellin this is a nonconforming use, you can operate whatever you choose to operate why are you requesting this rezoning and will this lead to something else? Attorney Yellin replied a month ago a text amendment was brought to Council to allow the JEA to serve more children. The ordinance only allows for 50 children and they want to serve more than 50 children so they petitioned for a text amendment. They asked MPC staff if they can have more than 50 children in the R-M-25 and they were not comfortable because it will apply City wide so this is being done at the request of MPC. To allow them to serve more than 50 children in the R-M-25 would mean all R-M-25's throughout the City could serve more than 50 children so the staff recommended that the O-I zoning district be more specific to the JEA and not apply city wide. Alderman Johnson stated but since you already operating as nonconforming this is an addition to what is already nonconforming. Attorney Yellin replied no, the text amendment that you all approved a while back limits the number of children in the R-M-25 so to be in compliance they rezoning to the O-I to take advantage and keep this from happening citywide. Alderman Johnson said thank you. Hearing closed upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried. Alderman Miller stated that the JEA was established to help the community and they are continuing to do so from the last 50 years and they will continue to do so in the next 50 years. Approved upon motion of Alderman Miller, seconded by Alderman Durrence, per the City Manager's recommendation.

## **ORDINANCES**

### **First 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.

A development project with unique design characteristics was submitted to the City of

Savannah in 2016 which, while complying with City standards, was found to be in conflict with several IRC sections. The City of Savannah uses the 2012 edition of the International Residential Code, as required by the State of Georgia and adopted by City Council. The State's next scheduled mandatory adoption will be in 2020. However, while working on solutions with the developer, staff found the 2015 Edition of the IRC includes language that updates requirements for habitable rooms in dwelling units, which would permit the development to proceed.

O.C.G.A. 8-2-25 allows a local jurisdiction to amend the State minimum standard codes when the current codes do not meet its needs, so long as the amendments are not less stringent than State requirements.

The recommended amendments are: Delete Section R304.1 "Minimum Area" from IRC 2012 and replace with R304.1 "Minimum Area" from IRC 2015 which states, "Habitable Rooms shall have a floor area of not less than 70 square feet: Exception Kitchens." Delete R304.2 "Other Rooms" from IRC 2012 in its entirety. Ordinance placed on second readings and continued to Thursday, January 19, 2017 Council Meeting.

**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.

A development project with unique design characteristics was submitted to the City of Savannah in 2016 which, while complying with City standards, was found to be in conflict with several IBC sections. The City of Savannah uses the 2012 edition of the International Building Code, as required by the State of Georgia and adopted by City Council. The State's next scheduled mandatory adoption will be in 2020. However, while working on solutions with the developer staff found the 2015 Edition of the IBC includes language that updates requirements that provide more flexible egress options from flooded buildings, and address common construction materials that can be used below the base flood elevation on commercial projects in dry flood-proofed areas. These updates would allow the development to proceed.

O.C.G.A. 8-2-25 allows a local jurisdiction to amend the State minimum standard codes when the current codes do not meet its needs, so long as the amendments are not less stringent than the State requirements.

Recommend amending IBC 2012 Edition, Section 1612.4 by adding referenced standard ASCE 24-14, Section 6.2 from IBC 2015 Edition. Ordinance placed on second readings and continued to Thursday, January 19, 2017 Council Meeting.



**ORDINANCES**  
**First and Second Readings**

Ordinance read for the first time in Council January 5, 2016, 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 Bell, and unanimously carried.

**Multi-Way Stop Control at the Intersection of Montgomery and West Gaston Street. An ordinance to amend the City Code to convert the intersection of Montgomery and West Gaston Street to multi-way STOP control.**

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 209 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PERTAINING TO SECTION 7-1024 OF SAID CODE, TO PROVIDE THAT THE STREET NAMED HEREIN SHALL BE DESIGNATED A THROUGH-STREET; 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 209 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1024 of said Code, as amended, shall be amended as follows:

AMEND SECTION 209, THROUGH STREETS

DELETE

Montgomery Street.

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

**ADOPTED AND APPROVED: January 5, 2017.**

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 227 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SECTION 7-1121 OF SAID CODE TO PROVIDE THAT MULTI-WAY STOP TRAFFIC CONTROL SIGNS SHALL BE ERECTED AT THE WITHIN INTERSECTIONS; 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 227 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1121 of said Code, as amended, shall be amended by adding thereto the following:

AMEND SECTION 227, MULTI-WAY STOP TRAFFIC CONTROL SIGN

ENACT

Montgomery Street STOPS for West Gaston Street, Multi-Way Stop.

West Gaston Street STOPS for Montgomery Street, Multi-Way Stop.

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

**ADOPTED AND APPROVED: January 5, 2017**

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 209 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PERTAINING TO SECTION 7-1024 OF SAID CODE, TO PROVIDE THAT THE STREET NAMED HEREIN SHALL BE DESIGNATED A THROUGH-STREET; TO REPEAL ALL 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 Appendix I, Section 209 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1024 of said Code, as amended, shall be amended as follows:

AMEND SECTION 209, THROUGH STREETS

ENACT

Montgomery Street except its intersection with West Gaston Street.

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

**ADOPTED AND APPROVED January 5, 2017.**

Ordinance read for the first time in Council January 5, 2016, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Bell, seconded by Alderman Thomas, and unanimously carried.

**Removal of One-Way Restriction on Alton Street.** An ordinance to amend the City Code to allow two-way traffic on Alton Street between Ann Street and Martin Luther King, Jr. Boulevard. Recommend approval.

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 211 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SECTION 7-1027 OF SAID CODE TO PROVIDE THAT THE STREETS NAMED HEREIN SHALL BE DESIGNATED ONE-WAY; 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 211 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1027 of said Code be amended as follows:

DELETE

<u>NAME OF STREET</u>	<u>FROM</u>	<u>TO</u>	<u>DIRECTION OF TRAFFIC MOVEMENT</u>
Alton Street	Laurel Street	Ann Street	West

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

**ADOPTED AND APPROVED: January 5, 2017**

**An Ordinance to Rezone 10 Undeveloped Parcels Located at 25 West Gateway Boulevard.** An ordinance to rezone 10 undeveloped parcels located at 25 West Gateway Boulevard from P-B-C-CO (Planned Community Business – Annexed) to R-M-12 (Multifamily Residential, 12 units per net acre) to rezone the subject properties from a P-B-C-CO (Planned Community Business-Annexed) zoning classification to an R-M-12 (Multifamily Residential, 12 units per acre) zoning classification. Ordinance read for the first time in Council January 5, 2016, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Shabazz, seconded by Alderman Hall, and unanimously carried.

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM ITS PRESENT P-B-C-CO (PLANNED COMMUNITY BUSINESS-ANNEXED) ZONING CLASSIFICATION TO AN R-M-12 (MULTIFAMILY RESIDENTIAL, 12 UNITS PER NET ACRE) 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 P-B-C-CO zoning classification to an R-M-12 zoning classification:

Beginning at a point [X: 930228.642735 Y: 732046.792771], located at the approximate intersection of the centerline of Gateway Boulevard and the street centerline of Martin Court, said point being, THE POINT OF BEGINNING

Thence proceeding in a NE direction along the approximate centerline of Gateway Boulevard for approximately 28.625 ft. to a point,

Thence proceeding in a NW direction [N 41-9-23 W] along a line for approximately 279.847 ft. to a point,

Thence proceeding in a NE direction [N 48-57-15 E] along a line for approximately 103.201 ft. to a point,

Thence proceeding in a NW direction [N 41-8-15 W] along a line for approximately 41-8-15 ft. to a point,

Thence proceeding in a SW direction [S 48-57-15 W] along a line for approximately 316.711 ft. to a point,

Thence proceeding in a NW direction [N 74-0-32 W] along a line for approximately 5.19 ft. to a point,

Thence proceeding in a NW direction [N 31-40-53 W] along a line for approximately 21.52 ft. to a point,

Thence proceeding in a SW direction [S 38-32-32 W] along a line for approximately 39.029ft. to a point,

Thence proceeding in a SW direction [S 63-21-30 W] along a line for approximately 24.35 ft. to a point,

Thence proceeding in a SW direction [S 14-33-26 W] along a line for approximately 35.31 ft. to a point,

Thence proceeding in a SW direction [S 10-42-16 W] along a line for approximately 7.489 ft. to a point,

Thence proceeding in a SW direction [S 48-57-14 W] along a line for approximately 143.2 ft. to a point,

Thence proceeding in a NW direction [N 81-44-39 W] along a line for approximately 5.961 ft. to a point,

Thence proceeding in a SW direction [S 49-8-33 W] along a line for approximately 29.98 ft. to a point,

Thence proceeding in a SW direction [S 78-45-48 W] along a line for approximately 28.982 ft. to a point,

Thence proceeding in a NW direction [N 36-40-10 W] along a line for approximately 12.601 ft. to a point,

Thence proceeding in a NW direction [N 36-40-9 W] along a line for approximately 39.279 ft. to a point,

Thence proceeding in a NW direction [N 53-34-25 W] along a line for approximately 114.69 ft. to a point,

Thence proceeding in a NW direction [N 24-1-27 W] along a line for approximately 83.44 ft. to a point,

Thence proceeding in a NW direction [N 46-44-6 W] along a line for approximately 76.97 ft. to a point,

Thence proceeding in a NW direction [N 68-12-43 W] along a line for approximately 84.25 ft. to a point,

Thence proceeding in a NW direction [N 15-7-32 W] along a line for approximately 100.81 ft. to a point,

Thence proceeding in a NE direction [N 89-40-29 E] along a line for approximately 20.81 ft. to a point,

Thence proceeding in a NE direction [N 9-26-41 E] along a line for approximately 125.81 ft. to a point,

Thence proceeding in a NE direction [N 50-13-30 E] along a line for approximately 78 ft. to a point,

Thence proceeding in a NW direction [N 0-57-44 W] along a line for approximately 73.8 ft. to a point,

Thence proceeding in a NE direction [N 41-37-34 E] along a line for approximately 930.65 ft. to a point,

Thence proceeding in a SE direction [S 37-7-2 E] along a line for approximately 749.1 ft. to a point,

Thence proceeding in a NE direction [N 48-55-35 E] along a line for approximately 506.43 ft. to a point,

Thence proceeding in a NE direction [N 48-55-35 E] along a line for approximately 1,875.306 ft. to a point,

Thence proceeding in a NE direction [N 48-55-37 E] along a line for approximately 13.364 ft. to a point,

Thence proceeding in a SE direction [S 67-24-37 E] along a line for approximately 148.391 ft. to a point, said point being located at the approximate centerline of the right-of-way of Interstate 95,

Thence proceeding in a SW direction along the approximate centerline of the right-of-way of Interstate 95 for approximately 2,746.573 ft. to a point [X: 931173.332635 Y: 731812.091445 ]

Thence proceeding in a NW direction [N 57-54-1 W] along a line for approximately 149.349 ft. to a point,

Thence proceeding in a NW direction [N 57-54-1 W] along a line for approximately 178.59 ft. to a point,

Thence proceeding in a SW direction [S 33-5-58 W] along a line for approximately 301.451 ft. to a point,

Thence proceeding in a NW direction [N 87-6-19 W] along a line for approximately 45.126 ft. to a point,

Thence proceeding in a SW direction [S 48-38-56 W] along a line for approximately 133.366 ft. to a point,

Thence proceeding in a NW direction [N 41-50-27 W] along a line for approximately 535.303 ft. to a point, [X: 930228.642735 Y: 732046.792771], said point being located at the approximate intersection of the centerline of Gateway Boulevard and the street centerline of Martin Court, said point being, THE POINT OF BEGINNING

PIN# 2-1034-01-041 thru 043, -049 thru -052, -055 thru -057

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 \_\_\_\_ day of \_\_\_\_\_, 2016, and the \_\_\_\_ day of \_\_\_\_\_, 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 5, 2017**

## **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 5<sup>th</sup> day of January, 2017 the Council entered into a closed session for the purpose of discussing Litigation, Personnel and Real Estate. 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 5, 2017**

## **MISCELLANEOUS**

**Final Plat – Godley Park, Phase 4.** Recommend approval of a major subdivision plat of Godley Park, Phase 4 being a portion of the Highlands at Godley Station located at 280 Highlands Blvd. in District 1. Subdivision is comprised of 15.811 acres creating 44 single-family lots, 2.191 acres common area and 3.897 private right of way. Recommend approval. Alderman Johnson stated they have to be proactive in addressing the needs of this rapidly growing area. Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried per the City Manager’s recommendation.

**Requesting the Sale of Surplus Property Located at 618 Magazine Avenue to Greg Norris, (the Highest and Most Responsive “Proposer”) for \$20,000.** The previous owner of this house secured a HUD home repair loan from the City in 1989. When she moved out of her house into a nursing home several years ago, the Housing Department tried working with her and family members she identified to restructure the loan so the family members could live in the house and repay the loan balance. The owner and family members were not responsive to City efforts to work with them to restructure the loan and resolve the delinquency. They also failed to sell the house. As a result, the City foreclosed on May 5, 2015 to protect its interest in the property.

On May 26, 2016, City Council declared the property surplus and available for sale and a request for proposals (RFP Event 4447) was issued soliciting bids from the public. The proposer submitted the highest and most responsive offer of \$8,000.00 to purchase this surplus property. The proposer also proposes investing additional funds to renovate the property. After reviewing bid results with the City Manager, and as permitted by Event 4447, the City entered into negotiations with the proposer. After negotiations, the proposer agreed to offer a revised price of \$20,000.00 — enabling the City to recover its outstanding investment in the property and enable the property to be placed back into service as affordable housing.

Recommend approval to sell the surplus real property located at 618 Magazine Avenue for \$20,000 to the highest and most responsive proposer – Greg Norris. Recommend approval. Alderman Johnson requesting they add the stipulation to proceed with restoration within one year. Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried with stipulations that the buyer proceed with restorations within one year.

**Request City Council Approve the Sale of the Surplus Property Located at 2116 Utah Street to Chuck Waldron, (the Highest and Most Responsive “Proposer”) for \$30,000.** The previous owner of this house purchased it in 2000 with HUD funding provided by the City. The owner subsequently defaulted on the loan after moving to take a job in another community. As a result, the City foreclosed on January 5, 2016 to protect its interest in the property.

On May 26, 2016, City Council declared the property surplus and available for sale. A request for proposals (RFP Event 4447) was issued soliciting sealed bids from the public. The proposer submitted the highest and most responsive offer of \$26,250.00 to purchase this surplus property. The proposer also proposes investing additional funds to renovate the



property. After reviewing bid results with the City Manager, and as permitted by Event 4447, the City entered into negotiations with the proposer. After negotiations, the Proposer agreed to offer a revised price of \$30,000—enabling the City to recover its outstanding investment in the property and place the property back into service as affordable housing.

Recommend approval to sell the surplus real property located at 2116 Utah Street to Chuck Waldron, the highest and most responsive proposer, at a price of \$30,000. Recommend approval. Approved upon motion of Alderman Hall, seconded by Alderman Thomas, and unanimously carried with stipulations that the buyer proceed with restorations within one year. Alderman Miller stated he would like to inform the public that City staff did an excellent job negotiating the two sales of the original proposal which was lower, and they need to recognize David Keating and Martin Fretty on a great job, Mayor DeLoach agreed.

### **TRAFFIC ENGINEERING REPORTS**

**Change of Parking Restrictions – East 34<sup>th</sup> Street.** As part of the Waters Avenue Streetscape improvements, curb cuts were closed in front of two existing businesses located on the west side of Waters at the intersection of East 34<sup>th</sup> Street. In an effort to provide relief for the businesses that have been negatively impacted, Traffic Engineering Department recommends that parking be established on the south side of East 34<sup>th</sup> Street shoulder area 65 feet east of Waters Avenue for a distance of 150 feet. This change will provide for an additional seven parking spaces.

Recommend that the parking prohibition for the shoulder area of the western end of the south side of East 34<sup>th</sup> Street east of Waters Avenue be lifted to allow parking and that the City Code is amended to reflect this change. Recommend approval. Alderman Durrence stated this came about because of the first phase of the street scape project of Waters Avenue which created some parking complications for three businesses located there. This is an effort to help resolve the parking issues. Approved upon motion of Alderman Durrence, seconded by Alderman Thomas, and unanimously carried per the City Manager’s recommendation.

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

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

**Approval of an Intergovernmental Agreement with Chatham County for the Widening of Highlands Boulevard.** Authorization for the City Manager to sign this intergovernmental agreement with Chatham County. Chatham County has agreed to incorporate this additional roadway widening into their current Benton Boulevard Extension Project. This agreement is needed to address traffic congestion generated by new developments along Highland Boulevard as well as accommodate additional commuter traffic from Effingham County that will use this roadway once Effingham Parkway connects to Highway 30. Recommend approval.

**Management Training Services – Annual Contract Renewal – Event No. 3812.**

Recommend approval to renew an annual contract for management training services with The University of Georgia Carl Vinson Institute in the amount of \$34,000.00 for a period to run from January 5, 2017 to January 4, 2018. The Human Resources Department will use this contract to provide a comprehensive management training program for City employees.

This is the second of three renewal options available.

The method used for this procurement was the request for proposal, which evaluates criteria in addition to cost. Proposals were evaluated on the basis of qualifications and experience, description of curriculum, local vendor participation, references, and fees.

Proposals were originally received on March 10, 2015. Notifications were sent to all known suppliers; however, only one response was received. This contract was originally approved at the April 2, 2015 Council meeting. Delivery: As Needed. Terms: Net 30 Days. The proposer was:

B.P. The University of Georgia Carl Vinson Institute <sup>(H)</sup> \$76,814.38  
(Athens, GA)

Proposer	Qualifications and Experience (20 pts)	Description of Curriculum (35 pts)	Local Vendor Participation (5 pts)	References (10 pts)	Fees (30 pts)	Total (100 pts)
The University of Georgia Carl Vinson Institute	20	35	0	10	30	95

Funds are available in the 2017 Budget, General Fund/Human Resources/Other Contractual Service (Account No. 101-1103-51295). A Pre-Proposal Conference was not conducted as this is an annual contract renewal. <sup>(H)</sup>Indicates non-local, non-profit organization. Alderman Johnson stated there are local entities such as Savannah Tech, Savannah State and Georgia Southern that provides the same service and it is value in keeping money local and using their expertise, so they should take advantage of the local opportunity as well. City Manager, Hernandez stated in the future they will make sure they intensify their outreach efforts to local vendors. In 2015 this bid was the only response. Recommend approval.

**Guardrail Repair – Annual Contract – Event No. 4100.** Recommend approval to award an annual contract for guardrail repair services to Savannah River Utilities in the amount of \$76,500.00 for a period to run from January 5, 2017 to January 4, 2018. This contract will ensure that guardrails will be installed, repaired, or replaced as necessary as identified by the Streets Maintenance Department. Three renewal options are available after the first year of this contract.

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

L.B.	Savannah River Utilities (Springfield, GA) <sup>(C)</sup>	\$	76,500.00
	Leon's Fence & Guardrail, LLC <sup>(D)</sup>	\$	76,875.00
	DBI Services, LLC <sup>(D)</sup>	\$	79,397.79
	Middle GA Signs <sup>(F)</sup>	\$	91,250.00

Funds are available in the 2017 Budget, General Fund/Streets Maintenance/Other Contractual Services (Account Number 101-2105-51295). A Pre-Bid Conference was conducted and one vendor attended. <sup>(C)</sup>Indicates non-local, minority owned business. <sup>(D)</sup>Indicates non-local, non-minority owned business. <sup>(F)</sup>Indicates non-local, woman owned business. Alderman Hall asked over the past year how much business has this company done with the City. City Manager, Hernandez stated he does not have the information but will get back with him. Alderman Hall replied thank you. Recommend approval.

Alderman Thomas asked the Mayor before they proceed he would like to speak about an issue. They make a genuine effort to do business with minority businesses especially local minority businesses, but are thorough background checks being done on businesses to confirm if they are really minority businesses. City Manager, Hernandez stated he would like to believe they do a thorough background check with businesses to ensure their legitimacy, but there can be a possibility that firms may be scamming the system. He will look into the process and provide Alderman Thomas with more details at another meeting. Alderman Thomas replied he appreciate that and thank you.

**Motorcycle Leasing – Annual Contract – Event No. 4539.** Recommend approval to award an annual contract for motorcycle leasing to R-Squared Savannah, Inc. in the amount of \$29,160.00 for a period to run from January 5, 2017 to January 4, 2018. Savannah Chatham Metropolitan Police Department will use this contract for the leasing of six (6) motorcycles including annual maintenance. Notifications were sent to all known suppliers; however, only one bid was received.

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

L.B.	R-Squared Savannah, Inc. (Chatham County, GA) <sup>(D)</sup>	\$58,320.00*
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Funds are available in the 2017 Budget, General Fund/Traffic Unit/Rentals (Account No. 101-4231-51230). A Pre-Bid Conference was conducted and no vendors attended. <sup>(D)</sup>Indicates non-local, non-minority owned business. <sup>(\*)</sup>Indicates original bid pricing which was for twelve (12) units. Recommend approval.

Alderman Miller stated one of the biggest complaints is speed violators in the neighborhoods. They have been discussing the expansion of traffic enforcement division of the SCMPD which is to lease six motorcycles. It is important to the public to understand they are fulfilling that promise.

**Polymer for Water Reclamation – Annual Contract Renewal – Event No. 2556.** Recommend approval to renew an annual contract for polymer with Polydyne in the amount of \$69,000.00 for a period to run from January 5, 2017 to January 4, 2018. The Water

Reclamation Department will use the polymer to condition waste and for dewatering bio solids at the President Street, Georgetown, Crossroads, and the Wilshire facilities.

This is the third of three renewal options available.

Bids were originally received on September 16, 2014. This contract was originally approved at the October 16, 2014 Council meeting. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

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

Funds are available in the 2017 Budget, Water and Sewer Fund/President Street Plant/Operating Supplies and Materials (Account No. 521-2553-51320) and Water and Sewer Fund/Regional Plants/Operating Supplies and Materials (Account No. 521-2554-51320). A Pre-Proposal Conference was not conducted as this is an annual contract renewal. <sup>(D)</sup>Indicates non-local, non-minority owned business. Recommend approval.

**Broughton Streetscape Improvements – Contract Modification No. 1 – Event No. 4289.**

Recommend approval of Contract Modification No. 1 to Savannah Construction & Preservation, LLC. This contract modification is for a sixty (60) day time extension only.

Construction on this project was delayed due to Hurricane Matthew, and a decision not to begin construction during the holiday season. This contract modification is needed to keep the City in compliance with its Georgia Department of Transportation grant.

The City of Savannah awarded the contract to Savannah Construction & Preservation, LLC in the amount of \$277,745.67 at the September 15, 2016 Council meeting. The project consists of removing existing underperforming trees, creating tree wells by cutting open concrete sidewalks, expansion of existing tree wells, removal of existing soil and replacing with new top soil, installing and maintaining new street trees, and installation of porous aggregate paving for tree surrounds.

This contract modification provides a time extension of sixty (60) days for completion of all work from January 15, 2017 until March 16, 2017 with no change in the contracted price of \$277,745.67. Recommend approval. Alderman Durrence stated he would like to clarify that this is not in conjunction with the ongoing street scape study with Broughton, Bay and River Street. This is a result of a previous grant from the State for tree planting on Broughton Street and as a result of hurricane Matthew it was delayed so this is an extension of the deadline.

**Panasonic CF31 Toughbooks – Annual Contract – Event No. 4671.**

Recommend approval to award an annual contract for Panasonic Toughbooks from ARC Acquisition, Inc. in the amount of \$56,908.25 for a period to run from January 5, 2017 to January 4, 2018. Approximately 25 of the Panasonic Toughbooks will be used to replace existing Toughbooks City-wide and approximately 35 of the Panasonic Toughbooks will be used to replace existing

Toughbooks within SCMPD. Four bids were received; however, only one bidder met specifications requiring 8GB of RAM and Multi Carrier cards.

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

L.B. ARC Acquisition, Inc. (Austin, TX) <sup>(D)</sup> \$ 171,223.95\*

Funds are available in the 2017 Budget, Grant Fund/Justice Assistance Grant/Small Fixed Assets/FY 16 Edward Byrne Memorial Grant (Account No. 212-4282-51321-GT0042). A Pre-Bid Conference was conducted and no vendors attended. <sup>(D)</sup>Indicated non-local, non-minority owned business. <sup>(\*)</sup>Indicates original bid pricing which included a total of 71 units. Recommend approval.

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



Dyanne C. Reese, MMC  
Clerk of Council

