



May 2 , 2017 9:00 am

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Councilman Sam Lee Jones
3. Recognitions/Public Presentations
 - A) Presentation by Members of the America's Best Communities Committee regarding Statesboro's Finish in the Top 3 Nationally.
 - B) Hurricane Matthew Response/Cleanup Update and Recognition of City Staff
 - C) GIS Division of Central Services regarding the results of the recently completed Storm Water Inventory Project.
 - D) Recognition for Employee of the Quarter
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 04-14-2017 Budget Retreat Minutes
 - b) 04-18-2017 Council Work Session Minutes
 - c) 04-18-2017 Council Minutes
 - d) 04-18-2017 Executive Session Minutes
6. Public Hearing and First Reading of **Ordinance 2017-06**: An Ordinance amending Chapter 6 of the Statesboro Code of Ordinances(Alcoholic Beverages Sec 6-16.(Pricing)
7. Other Business from City Council
8. City Managers Comments
 - A) Discussion of imposition of civil fines for violation of alcohol beverage licenses
9. Public Comments (General)
 - A) Don Armel request to comment on the Resolution 2017-14 as it pertains to a Safe Inclusive and Welcoming City for All People
10. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Budget Retreat Minutes
April 14, 2017**

A City Council Budget Retreat was held on April 14, 2017 at 8:30 am in the City Hall Council Chambers at 50 East Main St. Statesboro, Georgia. Present was Mayor Jan Moore, Councilmembers: Phil Boyum, John Riggs, Sam Lee Jones, Jeff Yawn and Travis Chance. Also present was City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling.

The meeting was called to order by Mayor Moore.

Department Heads present were:

Director of Water/Wastewater Van Collins, Interim Police Chief Rob Bryan, Fire Chief Tim Grams, Gas Superintendent Steve Hotchkiss, Director of Public Works and City Engineer Jason Boyles, Director of Human Resource Jeff Grant, Director of the Department of Central Services Darren Prather and Finance Director Cindy West.

Also present were other City employees. City Manager Randy Wetmore introduced the new Chief of Police Mike Broadhead.

City Manager Randy Wetmore presented the budget assumptions which included no increase in property taxes and a 2% cost of living raise for city employees along with other assumptions.

The meeting consisted of the department heads giving an overview of their budget for FY 2018 which included their CIP Projects, 2016 highlights and budget assumptions. They also updated Council on projects and programs that were ongoing or completed.

DSDA Director Allen, Muldrew, Board President of SCVB Barry Turner and Interim Director of the Arts Council Carol Thompson updated Council on their accomplishments and goals.

There was no action taken at this meeting.

The meeting was adjourned at 3:30 p.m.



**CITY OF STATESBORO
CITY COUNCIL WORK SESSION MINUTES
April 18, 2017**

A work session of the Statesboro City Council was held on April 18, 2017 at 4:30 pm in the Council Chambers at City Hall. Present were Mayor Jan Moore; Council Members: Sam Lee Jones, Jeff Yawn and John Riggs. Also present was City Clerk Sue Starling, City Attorney Cain Smith. Councilmen Phil Boyum and Travis Chance were absent.

Mayor Moore joined the meeting at 4:50 pm

The meeting was called to order by Councilman John Riggs.

The following topics were discussed.

Discussion of the proposed changes to Chapter 6 (Alcohol Ordinance) for the Code of Ordinances of the City of Statesboro (pricing/happy hour and fines for hearings)

City Attorney Cain Smith, along with the Councilmembers, reviewed the proposed changes to Chapter 6 Sec. 6-16 and Sec. 6-19 of the Alcohol Ordinance. The only recommendation to the proposed ordinance was to change the look back period from 5 years to 3 years in Sec 6-19.

Councilman Riggs made a motion, seconded by Councilman Jones to adjourn the meeting. Councilman Jones. Yawn and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

The meeting was adjourned at 5:00 pm.



CITY OF STATESBORO
Council Minutes
April 18th , 2017

A regular meeting of the Statesboro City Council was held on April 18th, 2017 at 5:30p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Travis Chance. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Cain Smith.

The meeting was called to order by Mayor Jan J. Moore

The Invocation was given by Mayor Moore and Pledge of Allegiance was led by Boy Scout Troop 340 Noah Evans.

Recognitions/Public Presentations

- A) Robert Seamans, Streets & Parks Superintendent, obtained his certification as an ISA Certified Arborist Municipal Specialist.**

Director of Public Works Jason Boyles and Wesley Parker presented Robert Seamans with a plaque.

Public Comments (Agenda Item): None

Councilman Phil Boyum joined the meeting at 5:35 pm.

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
a) 04-04-2017 Council Minutes

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Approve Cathy Shriver as one of the two (2) City appointees to the Bulloch County Board of Health

Councilman Jones made a motion, seconded by Councilman Riggs to appoint Cathy Shriver to the Bulloch County Board of Health Committee. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-03-03: Habitat for Humanity requests a variance from Article VII-B Section 703-B(B) of the Statesboro Zoning Ordinance regarding the minimum front yard setback requirement for .17 acres of property located at 305 Institute Street in the R8 (Single-Family Residential) zoning district (Tax Parcel S20 000002A 000).

Councilman Chance made a motion, seconded by Councilman Yawn to open the public hearing for Application V-17-03-03. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

No one spoke for or against the request.

Councilman Riggs made a motion, seconded by Councilman Jones to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Chance made a motion, seconded by Councilman Jones to approve APPLICATION # V 17-03-03: Habitat for Humanity requests a variance from Article VII-B Section 703-B(B) of the Statesboro Zoning Ordinance regarding the minimum front yard setback requirement for .17 acres of property located at 305 Institute Street in the R8 (Single-Family Residential) zoning district (Tax Parcel S20 000002A 000). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-03-04: Habitat for Humanity requests a variance from Article VII-B Section 703-B(D) of the Statesboro Zoning Ordinance regarding the minimum rear yard setback requirement for .17 acres of property located at 305 Institute Street in the R8 (Single-Family Residential) zoning district (Tax Parcel S20 000002A 000).

Councilman Chance made a motion, seconded by Councilman Riggs to open the public hearing for Application V-17-03-04. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

No one spoke for or against the request.

Councilman Riggs made a motion, seconded by Councilman Jones to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Chance made a motion, seconded by Councilman Riggs to approve APPLICATION # V 17-03-04: Habitat for Humanity requests a variance from Article VII-B Section 703-B (D) of the Statesboro Zoning Ordinance regarding the minimum rear yard setback requirement for .17 acres of property located at 305 Institute Street in the R8 (Single-Family Residential) zoning district (Tax Parcel S20 000002A 000). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-03-02: The Downtown Statesboro Development Authority requests a variance from Article VI Section 603(A)(3)(b) of the Statesboro Zoning Ordinance regarding the minimum side yard setback requirement for roughly .10 acres of property located at 11 West Inman Street in the R4 (High Density Residential District) zoning district (Tax Parcel S19 000040 000).

Councilman Yawn made a motion, seconded by Councilman Chance to open the public hearing for Application V-17-03-02. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

No one spoke for or against the request.

Councilman Jones made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by Councilman Riggs to approve APPLICATION # V 17-03-02: The Downtown Statesboro Development Authority requests a variance from Article VI Section 603(A)(3)(b) of the Statesboro Zoning Ordinance regarding the minimum side yard setback requirement for roughly .10 acres of property located at 11 West Inman Street in the R4 (High Density Residential District) zoning district (Tax Parcel S19 000040 000). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # CUV 17-03-01: Justine Taylor requests a conditional use variance from Article IV of the Statesboro Zoning Ordinance for .4 acres of property located at 13 West Moore Street to utilize the property as a community living arrangement facility (Tax Parcel # S16 000060 000).

Councilman Riggs made a motion, seconded by Councilman Jones to open the public hearing for Application CUV-17-03-01. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Justine Taylor spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Jones to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Jones made a motion, seconded by Councilman Yawn to approve, with staff recommendations, APPLICATION # CUV 17-03-01: Justine Taylor requests a conditional use variance from Article IV of the Statesboro Zoning Ordinance for .4 acres of property located at 13 West Moore Street to utilize the property as a community living arrangement facility (Tax Parcel # S16 000060 000). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve Resolution 2017-16: A Resolution appointing Steve Hotchkiss, Director of Natural Gas, as the voting delegate on the Municipal Gas Authority of Georgia's Election Committee and Robert Cheshire, Deputy City Manager, as the alternate voting delegate.

Councilman Boyum made a motion, seconded by Councilman Yawn to approve Resolution 2017-16: A Resolution appointing Steve Hotchkiss, Director of Natural Gas, as the voting

delegate on the Municipal Gas Authority of Georgia's Election Committee and Robert Cheshire, Deputy City Manager, as the alternate voting delegate. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to award a contract to Omnicom Consulting Group in the amount of \$60,000 for the provision of professional radio consulting services for a public radio system. This contract will be funded from the general operations fund of the City of Statesboro and shall be contingent on receiving letters of financial commitment from the Bulloch County Board of Commissioners, the Bulloch County Board of Education and Georgia Southern University.

Councilman Boyum made a motion, seconded by Councilman Yawn to award a contract to Omnicom Consulting Group in the amount of \$60,000 for the provision of professional radio consulting services for a public radio system. This contract will be funded from the general operations fund of the City of Statesboro and shall be contingent on receiving letters of financial commitment from the Bulloch County Board of Commissioners, the Bulloch County Board of Education and Georgia Southern University. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve Resolution 2017-17: A Resolution approving the Right of Way License Agreement between Mobilitie, LLC and the City of Statesboro.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve Resolution 2017-17: A Resolution approving the Right of Way License Agreement between Mobilitie, LLC and the City of Statesboro. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Other Business from City Council

Mayor Moore introduced the new City of Statesboro Police Chief Mike Broadhead. She also stated the America's Best Community winner would be announced on Wednesday. Mayor Moore reminded everyone of the meet and greet at the Chamber of Commerce and the Arts Center given for Chief Broadhead.

Councilman Yawn thanked the Finance Department for their efforts in organizing the budget retreat.

Councilman Chance stated that he has received calls around his neighborhood regarding stop signs not being observed, over parking and house parties that are violating the noise ordinance.

Mayor Moore talked about late fees on the utility bills. She asked that it be looked at and possible discontinue late fees for unpaid utility bills.

City Managers Comments

Director of Planning and Zoning Frank Neal updated everyone on the dates for the Strategic Planning Meetings that will take place in several locations at different times throughout the City. Chief Broadhead stated this week was telecommunications week and would like to thank everyone that was in the telecommunication field

Deputy City Manager Robert Cheshire reminded everyone of the Great American Cleanup set for Saturday. He also stated they had about 60 volunteers signed up to help.

Public Comments (General)

A) Loretta Taylor request to speak with Council regarding utility billing policy

Ms. Taylor addressed Mayor and Council with her concerns regarding utility billing penalties and deposits.

Todd MacIntosh had requested to speak with Council but was absent from the meeting.

James Woodall representing the NAACP, talked with Mayor and Council regarding an economic development program that would allow contracts for minorities.

Consideration of a Motion to enter into Executive Session to discuss “Potential Litigation” in accordance with O.C.G.A.§50-14-3 (2012)

At 7:00 pm, Councilman Yawn made a motion, seconded by Councilman Chance to enter into Executive Session to discuss “Potential Litigation” in accordance with O.C.G.A.§50-14-3 (2012). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

At 7:30 pm, Mayor Moore called the regular council meeting back to order with no action taken in Executive Session.

Consideration of a Motion to Adjourn

Councilman Riggs made a motion, seconded by Councilman Chance to adjourn the meeting. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

The meeting was adjourned at 7:30 pm.

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: April 24, 2017

RE: May 2, 2017 City Council Agenda Items

Policy Issue: *Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages)*
Amendment modifying the pricing provisions at Sec 6-16

Recommendation: Alcohol Advisory Board approved 6-0 on Feb 13, 2017

Background: First Reading and Public Hearing

Budget Impact: None

Council Person and District: N/A

Attachments: Amended and existing subsection

Sec. 6-16. - Alcohol promotions; pricing of alcoholic beverages.

(a) Unless otherwise stated, this section shall be construed to cover, include and apply to every type of alcoholic beverage licensed to be sold in the City of Statesboro.

(b) It shall be unlawful for any licensee or employee or agent of such licensee to engage in or allow any of the following practices in connection with the sale or other disposition of alcoholic beverages:

(1) Offer or deliver any free alcoholic beverage to the general public. This subsection shall not apply to events conducted in accordance with the grant of a special event permit granted pursuant to this Chapter, or to samples of beer offered in conjunction with the sale of growlers as provided for in Section 6-8(b).

(2) Sell, offer to sell, or deliver to any person ~~or group of persons~~ any alcoholic beverage at a price less than ~~\$1.00-\$1.50~~ or less than wholesale cost.

(3) ~~Sell, offer to sell, or deliver to any person or group of persons two or more alcoholic beverages during any set period of time at a fixed price.~~ Base pricing of alcoholic beverages in any manner on gender, race, creed, color, or national origin.

(4) Sell, offer to sell, or deliver alcoholic beverages, ~~after 11:00 p.m. to any person or group of persons~~ except during a single up to three hour period that concludes before 10:00 P.M., at ~~reduced~~ prices less than the normal ~~retail~~ price of the establishment ~~charges for that alcoholic said beverages~~ ~~charged the general public on that day.~~ on that particular day. This reduced price period shall be conspicuously posted and apply to all days of the week. Said period shall also be noted on alcoholic beverage license applications and renewals.

~~(5) Increase the volume of alcohol contained in a drink without increasing proportionately the price regularly charged for such alcoholic beverage.~~

~~(6) Sell two or more alcoholic beverages for a price substantially the same as is charged for one such alcoholic beverage.~~

~~(7) Require or encourage the purchase of a second or subsequent alcoholic beverage at the same time another alcoholic beverage is purchased.~~

(5) Sponsor, conduct, encourage or allow on the licensed premises any game or contest or promotion which either:

a. Involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as the prize;
or

b. Has as its primary purpose the increasing of the consumption of alcoholic beverages on the premises.

(6) Sell, offer to sell, or give away any coupons, tokens, tickets, receipts or other devices authorizing the serving of any alcoholic beverage drinks either on the current or subsequent day.

(7) Sell, offer to serve, or deliver any alcoholic beverage to be inserted into the mouth of a customer in any manner by anyone other than by the customer.

(8) Charge any minimum charge, cover charge, admission charge, or any other non-food or non-alcoholic beverage charge based on gender, race, creed, color or national origin.

(c) There shall be no advertisement or promotion in any way, whether within or without the licensed premises, of any of the practices prohibited under this section.

(d) No provision of this section shall be construed to prohibit licensees from offering free food or entertainment at any time; provided all patrons or customers are allowed equal access to such free food or entertainment, or to prohibit licensees from including an alcoholic beverage as a part of a meal package, or to prohibit the sale or delivery of wine by bottle or carafe when sold with meals or to more than one person, or to prohibit any hotel or motel from offering room services to registered guests.

(e) This section shall not limit or expand any privilege granted by the Commissioner of the Georgia Department of Revenue to a brewer licensed to manufacture malt beverages authorizing said brewer to conduct educational and promotional brewery tours pursuant to O.C.G.A. § 3-5-38

Ordinance 2017-06: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

Sec. 6-16. - Alcohol promotions; pricing of alcoholic beverages.

(a) Unless otherwise stated, this section shall be construed to cover, include, and apply to every type of alcoholic beverage licensed to be sold in the City of Statesboro.

(b) It shall be unlawful for any licensee or employee or agent of such licensee to engage in or allow any of the following practices in connection with the sale, service, or other disposition of alcoholic beverages:

(1) Offer or deliver any free alcoholic beverage to the general public. This subsection shall not apply to events conducted in accordance with a special or catered event permit granted pursuant to this Chapter or to samples of beer offered in conjunction with the sale of growlers as provided for in Section 6-8(b).

(2) Sell, offer to sell, or deliver any alcoholic beverage at a price less than \$1.50 or less than wholesale cost.

(3) Base pricing of alcoholic beverages in any manner on gender, race, creed, color, or national origin.

(4) Sell, offer to sell, or deliver alcoholic beverages, except during a single up to three hour period that concludes before 10:00P.M., at prices less than the normal price the establishment charges for said beverages on that particular day. This reduced price period shall be conspicuously posted and apply to all days of the week. Said period shall also be noted on alcoholic beverage license applications and renewals.

(5) Sponsor, conduct, encourage or allow on the licensed premises any game or contest or promotion which either:

- a. Involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as a prize; or
- b. Has as its primary purpose increasing the consumption of alcoholic beverages on the premises.

(6) Sell, offer to sell, or give away any coupons, tokens, tickets, receipts or other devices authorizing the serving of any alcoholic beverage drinks either on the current or a subsequent day.

(7) Sell, offer to serve, or deliver any alcoholic beverage to be inserted into the mouth of a customer in any manner by anyone other than by the customer.

(8) Charge any minimum charge, cover charge, admission charge, or any other non-food or non-alcoholic beverage charge based on gender, race, creed, color, or national origin

(c) There shall be no advertisement or promotion in any way, whether within or without the licensed premises, of any of the practices prohibited under this section.

(d) No provision of this section shall be construed to prohibit licensees from offering free food or entertainment at any time; provided all patrons or customers are allowed equal access to such free food or entertainment, or to prohibit licensees from including an alcoholic beverage as a part of a meal package, or to prohibit the sale or delivery of wine by bottle or carafe when sold with meals or to more than one person, or to prohibit any hotel or motel from offering room service to registered guests.

(e) This section shall not limit or expand any privilege granted by the Commissioner of the Georgia Department of Revenue to a brewer licensed to manufacture malt beverages authorizing said brewer to conduct educational and promotional brewery tours pursuant to O.C.G.A. § 3-5-38