



**CITY OF STATESBORO
Council Minutes
January 05, 2016**

A regular meeting of the Statesboro City Council was held on January 05, 2016 at 9:00 a.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 Deputy City Manager Robert Cheshire, City Clerk Sue Starling, City Attorney Alvin Leaphart, Director of Public Works and Engineering Jason Boyles and Director of Planning and Development Mandi Cody.

The meeting was called to order by Mayor Jan J. Moore
The Invocation and Pledge of Allegiance was given by Mayor Jan Moore

Oath of Office Administrated by Bulloch County Probate Judge Lee Deloach for:

- a) District 2 Council Member Sam Lee Jones
- b) District 3 Council Member Jeff Yawn
- c) District 5 Council Member Travis Chance

Judge Lee Deloach swore in the newly elected Council members.

Consideration of a Motion to appoint a Mayor Pro Tem for the next two years, per the Statesboro Municipal Code, Section 2-4 of the City Charter.

Councilmen Riggs made a motion, seconded by Councilman Boyum to appoint Councilman Travis Chance as Mayor Pro Tem. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote. Councilman Riggs also stated he would like to see the Councilmembers serve one year as Mayor Pro Tem to allow others an opportunity to serve a term.

Recognitions/Public Presentations

- A) Presentation of the “5K Run the Boro” with proceeds going to the Open Hearts Community Mission**
- B) “Proclamation Congratulating Georgia Southern University on the Football Team's First Bowl Win”.**

Director of Human Resource and Mayor Moore presented the Open Hearts Community Mission with a check for \$8,350.00 which was the proceeds from the “5K Run the Boro”.

Mayor Moore presented a proclamation announcing the Georgia Southern University Football Team's First Bowl Win". GSU Athletic Director Tom Kleinlein accepted the proclamation.

The semi-finalist for “Americas Best Community” will be announced at noon on January 13th, 2016 at the Black Box Theatre on West Main St.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) **Approval of Minutes**
 - a) **12-01-2015 Council Minutes**
 - b) **12-01-2015 Executive Session Minutes**

- B) **Consideration of a motion for the surplus and disposal of a 1999 Ford truck in the Street Division of the Public Works & Engineering Department.**

- C) **Consideration of a motion for the surplus and disposal of a 2001 Dodge Ram truck in the Parks Division of the Public Works & Engineering Department.**

- D) **Consideration of a motion for the surplus and disposal of a 2002 HP Design Jet 800 printer in the Engineering Division of the Public Works & Engineering Department.**

- E) **Consideration of a Motion to approve Special Event permit**
 - a) **Georgia Southern Museum- Five course gourmet dinner benefit**

Councilman Riggs made a motion, seconded by Councilman Chance 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.

Administrative Hearing for alleged alcohol violation as pursuant to the City of Statesboro Alcohol Ordinance: Chapter 6 Sec. 6-159 – Ration of alcoholic/nonalcoholic sales. Should the total sales from food and nonalcoholic beverages reported by any licensee for consumption on the premises not equal those from the sale of all alcoholic beverages for any two reporting periods in any 12-month period, the license may be suspended or revoked by the Mayor and City Council.

- A) **Joshua R Ledford**
Rusty’s Tavern
15 University Plaza

Mayor Moore conducted the hearing and all participants were sworn in by Mayor Moore.

Mr. Ledford, owner of Rusty’s Tavern waived his right to a hearing and agreed to the violation of Chapter 6 Sec. 6-159 – Ration of alcoholic/nonalcoholic sales. The total sales from food and nonalcoholic beverages reported by Mr. Ledford for consumption on the premises did not equal those from the sale of all alcoholic beverages for two quarters in a twelve month period.

Bob Mikell spoke on behalf of Mr. Ledford stating that he would like for Mayor and Council to consider this a first violation. Mr. Mikell stated that Mr. Ledford runs a responsible business and last fall voluntarily went to 21 and over before there was any issue. Mr. Ledford has purchased ID scanners and his employees are participating in the TIPS certification program. Mr. Ledford would like to urge Council to seriously consider the proposed Ordinance and adopt some type of regulated bar category that is 21 and up.

Moore then asked for a motion and Mr. Ledford agreed that based on the evidence presented here today that Council finds that the licensee, did violate 6-159 of the Code of Ordinances of the City of Statesboro regarding the ration of alcoholic to nonalcoholic sales for two quarters in a twelve month period. Councilman Boyum made the motion seconded by Councilman Chance to accept the guilty plea from Mr. Ledford. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

For the penalty of the violation, Councilman Boyum made a motion seconded by Councilman Riggs to consider this a first offense with a warning. Councilman Boyum, Jones Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Return of vetoed Ordinance 2015-13 to the City Council for reconsideration as required by Section 4-1(c) of the City Charter.

There was no motion on this item. Therefore the item dies.

Consideration of a Motion to approve Ordinance 2016-01: An Ordinance to amend the City of Statesboro definition of Final Average Earnings (FAE) so that the calculation is based on the sixty (60) consecutive months of credited service preceding a participant's most recent termination in which the Participant's Earnings were highest.

Councilman Chance made a motion, seconded by Councilman Riggs to approve Ordinance 2016-01: An Ordinance to amend the City of Statesboro definition of Final Average Earnings (FAE) so that the calculation is based on the sixty (60) consecutive months of credited service preceding a participant's most recent termination in which the Participant's Earnings were highest. 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 2016- 01: A Resolution appointing Van Collins as the Project Superintendent for the 2010 Water and Sewer Revenue Bonds.

Councilman Chance made a motion, seconded by Councilman Riggs to approve Resolution 2016- 01: A Resolution appointing Van Collins as the Project Superintendent for the 2010 Water and Sewer Revenue Bonds. 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 Resolution 2016-02: A Resolution adopting the Standard Operating Procedures regarding information derived from the Georgia Crime Information Center (CGIC) Criminal Justice Information System (CJIS) network.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve **Resolution 2016-02**: A Resolution adopting the Standard Operating Procedures regarding information derived from the Georgia Crime Information Center (CGIC) Criminal Justice Information System (CJIS) network. 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 a Memorandum of Understanding (MOU) between the City of Statesboro, DCA and the DSDA for the 2016 Georgia Classic Main Streets Program

Councilman Boyum made a motion, seconded by Councilman Jones to approve a Memorandum of Understanding (MOU) between the City of Statesboro, DCA and the DSDA for the 2016 Georgia Classic Main Streets Program. 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 the purchase of a roadway crack sealer machine per the HGAC to CrafcO, Inc. in the amount of \$53,672.53. This item is budgeted as CIP# ENG-STS 108 in the amount of \$55,000. This item will be utilized by our Streets Division of Public Works.

Councilman Yawn made a motion, seconded by Councilman Riggs to award the purchase of a roadway crack sealer machine per the HGAC to CrafcO, Inc. in the amount of \$53,672.53. This item is budgeted as CIP# ENG-STS 108 in the amount of \$55,000. 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 the "Statesboro Police Department Towing Rotation Agreement" template for use by the Statesboro Police Department to regulate towing companies performing towing services at the request of the Statesboro Police Department.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the "Statesboro Police Department Towing Rotation Agreement" template for use by the Statesboro Police Department to regulate towing companies performing towing services at the request of the Statesboro Police Department. 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

Councilman Boyum stated he would like to get back to the alcohol ordinance and look at the bar category, 50/50 report, no Sunday sales and administration or staff duties as it relates to an alcohol ordinance. There will be a work session on January 19th, 2016 at 4:00 pm and a work session on February 2nd at 5:00 pm.

Councilman Riggs stated he had received a report from the Police Department that showed crime was down.

Mayor Moore stated she had attended the funeral of Sgt. McBride and thanked the Police and Fire Department for their participation in the funeral. She also stated it was a very moving experience.

Councilman Riggs made a motion, seconded by Councilman Chance to appoint Councilman Jeff Yawn as the voting delegate for the Georgia Municipal Association Conference meeting to be held on Sunday January 24th, 2016 in Atlanta. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

City Managers Comments

- A) City Clerk's Dept. (Notice of alcohol application)
 - a)"Coconut Thai Cuisine" is applying for an alcohol license pending the background investigation. The owner will be Kamolwan Kawpunna. Ownership change
- B)"Holiday Pizza" is applying for an alcohol license pending the background investigation. The owners will be John Kalloniatis and Mark Brandon O'Mahoney.
- B) "Parkers #57" is applying for an alcohol license pending the background investigation. The owners will be Gregory M Parker, Terri Heidmann, and Patricia Sweat. The manager will be Amy Mae Lane.

Acting City Manager Robert Cheshire read the notifications for alcohol applications. He also stated a revised ordinance was being prepared for the downtown incentive plan.

City Engineer Brad Deal updated Council on the Hawk signal and the drainage issues on Fletcher Drive.

Public Comments (General)

A) Amber Fiske request to address Council with concerns regarding Fletcher Drive.

Ms. Amber Fiske continued to address Council with the drainage on Fletcher Drive. She was appreciative of the work that has been done but feels there should be additional plans for drainage and traffic control.

Mayor Moore announced the reception for the newly elected Councilmembers was being held downstairs in the lobby at City Hall.

Consideration of a Motion to enter into Executive Session to discuss "Personnel Matters" in accordance with O.C.G.A.§50-14-3 (2012)

At 10:25 am, Councilman Riggs made a motion, seconded by Councilman Chance to enter into Executive Session to discuss "Personnel Matters" 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 10:48 am, Councilman Riggs made a motion, seconded by Councilman Yawn to exit Executive Session. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Mayor Moore called the regular meeting back to order.

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Riggs 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 10:50 am.