



**CITY OF STATESBORO
Council Minutes
January 6, 2015**

A regular meeting of the Statesboro City Council was held on January 6th 2015 at 9:00 a.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Will Britt, Phil Boyum, John Riggs, and Gary Lewis. Also present were Interim City Manager Robert Cheshire, City Clerk Sue Starling, City Attorney Alvin Leaphart, Assistant City Engineer Jason Boyles and Director of Planning and Development Mandi Cody. Absent was Councilman Travis Chance.

The meeting was called to order by Mayor Jan Moore
The Invocation and Pledge of Allegiance was given by Councilman Will Britt

Recognitions/Public Presentations

A) Retirement of Sgt. Larry Kirkland, Police Officer, 34 years of service

Director of Human Resources Jeff Grant thanked Sgt. Kirkland for his years of service to the City of Statesboro. Mayor Moore presented him with a plaque for his retirement.

B) Presentation of the “5K Run the Boro” proceeds to the United Way of Bulloch County.

Director of Human Resources Jeff Grant thanked all of the volunteers and sponsors that helped make “Run the Boro” such a success. He was pleased to present a check in the amount of \$8800.00 to the United Way.

Public Comments (Agenda Items): None

Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 12- 16- 2014 Council Work Session Minutes

b) 12- 16- 2014 Council Minutes

Councilman Riggs made a motion, seconded by Councilman Lewis to approve the consent agenda in its entirety. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Administrative Hearing for alleged alcohol violations as pursuant to Chapter 6 of the City of Statesboro Alcohol Ordinance:

	<u>Offense in 12 month period</u>	<u>Citation Date</u>
1. Patrick Jones Flash Foods #251 12440 Hwy 301 South	1 st Offense	December 3, 2014
2. Rameshchandra R. Patel Sunny Food Mart 725 South Main Street	1 st Offense	December 3, 2014

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| 3. Chaudhry S. Prevez
Tobacco and More
420 South Main Street | 1st Offense | December 3, 2014 |
| 4. Mabrook Hallat
Fast and Easy
118 Lanier Drive | 2nd Offense | December 3, 2014 |
| 5. Pallavi Patel
Sparkers
799 Northside Drive West | 2nd Offense | December 3, 2014 |

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

Mr. Jones, owner of Flash Foods #251 waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Jones agreed that based on the evidence presented here today that Council finds that the licensee, his agents, and or employees did violate Chapter 6 if the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Boyum made the motion seconded by Councilman Lewis to accept the guilty plea from Mr. Jones. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

For the penalty of the violation, Councilman Lewis made a motion seconded by Councilman Riggs to consider this a first offense with a warning. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mr. Patel, owner of Sunny Food Mart waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Patel agreed that based on the evidence presented here today that Council finds that the licensee, his agents, and or employees did violate Chapter 6 if the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Riggs made the motion seconded by Councilman Lewis to accept the guilty plea from Mr. Patel. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

For the penalty of the violation, Councilman Lewis made a motion seconded by Councilman Riggs to consider this a first offense with a warning. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mr. Pervez, owner of Tobacco and More waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Pervez agreed that based on the evidence presented here today that Council finds that the licensee, his agents, and or employees did violate Chapter 6 if the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Boyum made the motion seconded by Councilman Lewis to accept the guilty plea from Mr. Pervez. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

For the penalty of the violation, Councilman Lewis made a motion seconded by Councilman Riggs to consider this a first offense with a warning. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mr. Hallat, owner of Fast and Easy waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Hallat agreed that based on the evidence presented here today that Council finds that the licensee, his agents, and or employees did violate Chapter 6 if the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Boyum made the motion seconded by Councilman Riggs to accept the guilty plea from Mr. Hallat. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

For the penalty of the violation, Councilman Lewis made a motion seconded by Councilman Riggs to approve a 3 day suspension as punishment for this 2nd offense. The suspension of the alcohol license will start on Wednesday January 7th and run until midnight on Friday January 9th. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Ms. Patel, owner of Sparkers waived her right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Ms. Patel agreed that based on the evidence presented here today that Council finds that the licensee, her agents, and or employees did violate Chapter 6 if the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Boyum made the motion seconded by Councilman Lewis to accept the guilty plea from Ms. Patel. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

For the penalty of the violation, Councilman Lewis made a motion seconded by Councilman Riggs to approve a 3 day suspension as punishment for this 2nd offense. The suspension will start on Saturday January 10th and run until midnight on Monday January 12th. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to approve the second reading of Ordinance 2015-02: An Ordinance amending Chapter 82 (Utilities) of the Statesboro Code of Ordinances establishing a Stormwater Utility.

Councilman Riggs made a motion seconded by Councilman Britt to open the Public Hearing on establishing a Stormwater Utility Ordinance. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Concerned citizens, Todd MacIntoch and Wit James expressed their concerns against the Stormwater Utility Ordinance. Wesley Parker, Alisa Lee, Wayne Johnson and Allen Muldrew expressed their concerns in favor of the Stormwater Utility Ordinance.

Councilman Britt made a motion seconded by Councilman Boyum to close the Public Hearing on establishing a Stormwater Utility Ordinance. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to approve **Ordinance 2015-02**: An Ordinance amending Chapter 82 (Utilities) of the Statesboro Code of Ordinances establishing a Stormwater Utility. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a motion to approve/deny Resolution 2015-02: A resolution to approve the user fee for the stormwater utility.

Councilman Boyum made a motion, seconded by Councilman Britt to open the Public Hearing about the user fee for the Stormwater utility. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Concerned citizen Todd MacIntosh expressed his concerns against the user fee for the Stormwater Utility. Christy Atkinson expressed her concerns in favor of the user fee for the Stormwater Utility.

Councilman Boyum made a motion, seconded by Councilman Riggs to close the Public Hearing about the user fee for the Stormwater Utility. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Pro Tem Will Britt made a motion seconded by Councilman Riggs to approve **Resolution 2015-02**: A resolution to approve the user fee for the stormwater utility. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve the adoption of the 2014 update to the City of Statesboro Comprehensive Master Plan Community Agenda and to submit said update to the Coastal Georgia Regional Commission in accordance with the provisions of the Georgia Planning Act and Minimum Standards and Procedures for Local Comprehensive Planning as promulgated by the Georgia Department of Community Affairs.

Mayor Moore stated that this will not be addressed today, there needs to be some re-evaluation done before it is ready for adoption. Mayor Moore tabled this item until the next council meeting.

Consideration of a Motion to approve Resolution 2015-01: A Resolution to Fix and Publish Qualifying fees for the City of Statesboro November 3, 2015 General Election.

Councilman Riggs made a motion seconded by Councilman Boyum to approve **Resolution 2015-01**: A Resolution to Fix and Publish Qualifying fees for the City of Statesboro November 3, 2015 General Election. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2015-03: A Resolution appointing Jason Boyles to the Board of Directors of the Downtown Statesboro Development Authority.

Councilman Boyum made a motion seconded by Councilman Lewis to approve **Resolution 2015-03**: A Resolution appointing Jason Boyles to the Board of Directors of the Downtown Statesboro Development Authority. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to award a contract for Fire Department Phase III construction to CMC Construction in the amount of \$157,600.

Councilman Boyum made a motion seconded by Councilman Riggs to award a contract for Fire Department Phase III construction to CMC Construction in the amount of \$157,600. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

Mayor Pro Tem Will Britt stated that we need to have a goal setting meeting within the next 60 days. He stated that it could be held next door and that we need to invite GSU, DSDA, SCVB, the Arts Council, etc. Mayor Moore stated that this would be a meeting open to the public. There was a discussion about changing the time for evening council meeting from 5:15 p.m. to 5:30 p.m.

City Managers Comments

Interim City Manager Robert Cheshire stated that we will need to schedule for an evening alcohol work session since all the other alcohol work sessions have been during the day. There will be a budget work session on personal policy and fees and schedules, on January 21, 2015 at 4:00 p.m. before our regularly scheduled City Council Meeting at 5:15 p.m.

Public Comments (General): None

Consideration of a Motion to Adjourn

Councilman Riggs made a motion, seconded by Councilman Britt to adjourn the meeting. Councilman Britt, Boyum, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 11:00 a.m.