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**CITY OF STATESBORO  
Council Minutes  
January 19, 2016**

A regular meeting of the Statesboro City Council was held on January 19<sup>th</sup>, 2016 at 5:30 p.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 by given by Councilman John Riggs

**Public Comments (Agenda Item):** None

**Consideration of a Motion to approve the Consent Agenda**

**A) Approval of Minutes**

**a) 01-05-2016 Council Minutes**

**b) 01-05-2016 Executive Minutes**

**B) Consideration of a Motion for the surplus and disposal of a 1998 Ford F-150 XLT extended cab truck, 1 2004 Cub Cadet riding mower and a 2004 Husqvarna riding mower.**

Councilman Chance made a motion, seconded by Councilman Riggs 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.

**Public Hearing and Consideration of a Motion to approve: APPLICATION # SE 15-10-05: ARCH Recovery, LLC requests a Special Exception pursuant to the Statesboro Zoning Ordinance to allow for the accommodation of three or more unrelated adults to reside at 109 Broad Street, utilizing the property as a Group Home (Tax Parcel # S29 000073 000).**

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

Director of Planning and Zoning, Mandi Cody, explained this piece of property was zoned for single family residential and not for unrelated adults living in the same household. She also stated the Planning Commission suggested tabling this item until more information can be provided at a later hearing.

Councilman Riggs left the meeting.

Councilman Boyum made a motion, seconded by Councilman Jones to close the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Todd Parrish, representing Arch Recovery, withdrew his application at this time.

**Public Hearing and Consideration of a Motion to approve: APPLICATION # RZ 15-12-05: Jarvis RW Barnes requests a zoning map amendment for .66 acres of property located at 0 Proctor Street from split zoning CR (Commercial Retail) / R15 (Single Family Residential) zoning districts to CR (Commercial Retail) zoning district to allow for the construction of a funeral home. (Tax Parcel # S03 000019 000).**

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Riggs returned to the meeting.

Jarvis Robin Barnes spoke in favor of the request stating she would like to build a funeral home on the site that would require both pieces of property zoned the same.

Councilman Boyum 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 Boyum made a motion, seconded by Councilman Jones to approve **APPLICATION # RZ 15-12-05**: Jarvis RW Barnes requests a zoning map amendment for .66 acres of property located at 0 Proctor Street from split zoning CR (Commercial Retail) / R15 (Single Family Residential) zoning districts to CR (Commercial Retail) zoning district to allow for the construction of a funeral home. (Tax Parcel # S03 000019 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 Applications SE # 15-10-01 and SE #15-15-12-01:**

**A.) APPLICATION # SE 15-10-01: Lawrence J. Zaslavsky requests a Special Exception pursuant to the Statesboro Zoning Ordinance to allow lower level floors to be utilized for residential and commercial uses. The subject site located at 116 Savannah Avenue is within the CBD (Central Business) zoning district allowing only residential uses to be permitted on upper floors by right (Tax Parcel # S28 000079 000).**

**B.) APPLICATION # SE 15-12-01: Lawrence J. Zaslavsky requests a Special Exception pursuant to the Statesboro Zoning Ordinance as a companion case to case #SE 15-10-01 to allow lower level floors to be utilized for residential and commercial uses. The subject site located at 0 Broad Street is within the CBD (Central Business) zoning district allowing only residential uses to be permitted on upper floors by right (Tax Parcel # S28 000073 000).**

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing for Application 15-10-01 and application 15-12-01. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Attorney Steve Rushing, representing the applicant, spoke in favor of the request.

Councilman Riggs made a motion, seconded by Councilman Boyum 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 Boyum to approve **APPLICATION # SE 15-10-01**: Lawrence J. Zaslavsky requests a Special Exception pursuant to the Statesboro Zoning Ordinance to allow lower level floors to be utilized for residential and commercial uses. The subject site located at 116 Savannah Avenue is within the CBD (Central Business) zoning district allowing only residential uses to be permitted on upper floors by right (Tax Parcel # S28 000079 000) with conditions as stated in the proposal from staff. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Boyum made a motion, seconded by Councilman Chance to approve **APPLICATION # SE 15-12-01**: Lawrence J. Zaslavsky requests a Special Exception pursuant to the Statesboro Zoning Ordinance as a companion case to case #SE 15-10-01 to allow lower level floors to be utilized for residential and commercial uses. The subject site located at 0 Broad Street is within the CBD (Central Business) zoning district allowing only residential uses to be permitted on upper floors by right (Tax Parcel # S28 000073 000) with conditions as stated in the proposal from staff. 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 Applications DSDA-001 and DSDA -003:**

**A) APPLICATION #DSDA-001: John Ray Hendley requests the demolition of one (1) structure located at 218 South College Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the Statesboro Zoning Ordinance (Tax Parcel # S19 000050 000).**

**B.) APPLICATION # DSDA-003: John Ray Hendley requests the demolition of a second structure located at 218 South College Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the Statesboro Zoning Ordinance (Tax Parcel # S19 000050 000).**

Councilman Boyum made a motion, seconded by Councilman Chance to open the public hearing for application DSDA-001 and Application DSDA-003. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Brian Davis 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 Boyum made a motion, seconded by Councilman Riggs to approve **APPLICATION #DSDA-001:** John Ray Hendley requests the demolition of one (1) structure located at 218 South College Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the Statesboro Zoning Ordinance (Tax Parcel # S19 000050 000). 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 Jones to approve **APPLICATION #DSDA-003:** John Ray Hendley requests the demolition of a second structure located at 218 South College Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the Statesboro Zoning Ordinance (Tax Parcel # S19 000050 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 Motion to Approve Applications RZ 15-10-02, RZ 15-10-03, and RZ 15-10-04**

A.) **APPLICATION # RZ 15-10-02:** John Ray Hendley requests a zoning map amendment for .2 acres of property located at 218 South College Street from the CR (Commercial Retail) zoning district to R4 (High Density Residential District) zoning district (Tax Parcel # S19 000050 000).

B.) **APPLICATION # RZ 15-10-03:** John Ray Hendley requests a zoning map amendment for .17 acres of property located at 16 West Inman Street from the R3 (Medium Density Multiple Family Residential) zoning district to R4 (High Density Residential) zoning district (Tax Parcel # S19 000042 000).

C.) **APPLICATION # RZ 15-10-04:** John Ray Hendley requests a zoning map amendment for .17 acres of property located at 0 West Inman Street from the CR (Commercial Retail) zoning district to R4 (High Density Residential) zoning district (Tax Parcel # S19 000051 000).

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing for Application 15-10-02, 15-10-03 and 15-10-04. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Brian Davis spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Jones to close the public hearing for Application 15-10-02, 15-10-03 and 15-10-04. 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 Jones to approve **APPLICATION # RZ 15-10-02**: John Ray Hendley requests a zoning map amendment for .2 acres of property located at 218 South College Street from the CR (Commercial Retail) zoning district to R4 (High Density Residential District) zoning district (Tax Parcel # S19 000050 000) based on the concept plan and recommendations from staff. 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 # RZ 15-10-03**: John Ray Hendley requests a zoning map amendment for .17 acres of property located at 16 West Inman Street from the R3 (Medium Density Multiple Family Residential) zoning district to R4 (High Density Residential) zoning district (Tax Parcel # S19 000042 000) based on the concept plan and recommendations from staff. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve **APPLICATION # RZ 15-10-04**: John Ray Hendley requests a zoning map amendment for .17 acres of property located at 0 West Inman Street from the CR (Commercial Retail) zoning district to R4 (High Density Residential) zoning district (Tax Parcel # S19 000051 000) based on the concept plan and recommendations from staff. 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 # DSDA-002: John Ray Hendley requests the demolition of two (2) structures located at 215 South Walnut Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the Statesboro Zoning Ordinance (Tax Parcel # S19 000039 000)**

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing for **Application DSDA-002**. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote

Brian Davis spoke in favor of the request.

Councilman Boyum made a motion, seconded by Councilman Yawn to close the public hearing for **Application DSDA-002**. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Boyum made a motion, seconded by Councilman Jones to approve **APPLICATION # DSDA-002**: John Ray Hendley requests the demolition of two (2) structures located at 215 South Walnut Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the Statesboro Zoning Ordinance (Tax

Parcel # S19 000039 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 Applications RZ 15-12-02, RZ 15-12-03, and RZ 15-12-04**

**A.) APPLICATION # RZ 15-12-02: Hendley Properties requests a zoning map amendment for roughly .2 acres of property located at 12 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19 000032 000).**

**B.) APPLICATION # RZ 15-12-03: Hendley Properties requests a zoning map amendment for roughly .2 acres of property located at 14 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19000031 000).**

**C.) APPLICATION # RZ 15-12-04: Hendley Properties requests a zoning map amendment for .2 acres of property located at 18 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19 000030 000).**

Councilman Yawn made a motion, seconded by Councilman Boyum to open the public hearing for Application RZ 15-12-02, RZ 15-12-03 and RZ 15-12-04. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Brian Davis spoke in favor of the request.

Councilman Jones made a motion, seconded by Councilman Yawn to close the public hearing for Application RZ 15-12-02, RZ 15-12-03 and RZ 15-12-04. 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 Jones to approve APPLICATION # RZ 15-12-02: Hendley Properties requests a zoning map amendment for roughly .2 acres of property located at 12 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19 000032 000) based on the concept plan and recommendations from staff. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve APPLICATION # RZ 15-12-03: Hendley Properties requests a zoning map amendment for roughly .2 acres of property located at 14 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19000031 000) based on the concept plan and recommendations from staff. 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 Jones to approve **APPLICATION # RZ 15-12-04**: Hendley Properties requests a zoning map amendment for .2 acres of property located at 18 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19 000030 000) based on the concept plan and recommendations from staff. 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 between the City of Statesboro, the Downtown Development Authority, and the Averitt Center for the Arts transferring the America's Best Communities prize winnings to the City of Statesboro for administration and expenditure in support of the South Main Street / Blue Mile Revitalization Master Plan**

Councilman Boyum made a motion, seconded by Councilman Riggs to approve a Memorandum of Understanding between the City of Statesboro, the Downtown Development Authority, and the Averitt Center for the Arts transferring the America's Best Communities prize winnings to the City of Statesboro for administration and expenditure in support of the South Main Street / Blue Mile Revitalization Master Plan. 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 Agreement for Professional Services for "Blue Mile" Streetscape Project between the City of Statesboro and EMC Engineering Services, Inc. in an amount not to exceed \$51,500 for surveying, planning, and grant purposes. Services to be paid for by the 2015 America's Best Communities quarter finalist winnings**

Councilman Yawn made a motion, seconded by Councilman Riggs to approve Agreement for Professional Services for "Blue Mile" Streetscape Project between the City of Statesboro and EMC Engineering Services, Inc. in an amount not to exceed \$51,500 for surveying, planning, and grant purposes. The Services to be paid for by the 2015 America's Best Communities quarter finalist winnings. 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 accept Resolution 2016-03: A Resolution accepting as a gift the conveyance of two parcels of real property from Anne Sognier Murray and Jessica Sognier Osborne, individually and as duly qualified Executors of the Last Will and Testament of Josephine Kennedy Osborne a/k/a Josephine K. Sognier Osborne."**

Councilman Chance made a motion, second by Councilman Riggs to accept **Resolution 2016-03**: A Resolution accepting as a gift the conveyance of two parcels of real property from Anne Sognier Murray and Jessica Sognier Osborne, individually and as duly qualified Executors of the Last Will and Testament of Josephine Kennedy Osborne a/k/a Josephine K. Sognier Osborne." 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 2016-04: A Resolution requesting approval to develop documents for preparation of a 2016 community development block grant application.**

Councilman Jones made a motion, seconded by Councilman Yawn to approve Resolution 2016-04: A Resolution requesting approval to develop documents for preparation of a 2016 community development block grant application. 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 2016:05: A Resolution Calling for the Re-Establishment of the Downtown Statesboro Incentives Program.**

Deputy City Manager Robert Cheshire stated this resolution would extend the Downtown Incentive Program. Council asked this to be brought back at the next Council meeting. There was no action taken.

**Consideration of a Motion to award a “Sole Source Purchase” to Xylem Water Solutions USA, Inc. in the amount of \$34,291.80 for (4) MultiSmart Pump Controllers with spare replacement parts. This equipment is budgeted as CIP#WWD-150 in the amount of \$130,000.00 of ATC funds.**

Councilman Riggs made a motion, seconded by Councilman Yawn to award a “Sole Source Purchase” to Xylem Water Solutions USA, Inc. in the amount of \$34,291.80 for (4) MultiSmart Pump Controllers with spare replacement parts. This equipment is budgeted as CIP#WWD-150 in the amount of \$130,000.00 of ATC funds. 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:** None

**City Managers Comment:**

Deputy City Manager Robert Cheshire announced a Council Meeting will be held at the Statesboro High School on May 3<sup>rd</sup>, 2016 at 9:00 am.

Deputy City Manager Robert Cheshire updated Council on the radio system between the City and County. Interim Police Chief Rob Bryan will head up the committee.

**Public Comments (General)**

**A) Jessica Szilagyi request to speak with Council**

Jessica spoke with Council regarding the APO salaries as she handed out letters from various attorneys on the legalities of her accusations of the APO salaries.

**B) Downtown Developer Alan Gross request to address Council regarding temporary vendors**

Alan Gross spoke with Council regarding the residential house at 9 East Grady Street which the owner appears to use as a business with displayed garage sale items daily.



LaWanda Allen updated Council regarding the reading program at Langston Chapel Middle School. She also stated that a reading carnival would be held on April 30<sup>th</sup> 2016.

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

At 7:30 pm, Councilman Riggs made a motion, seconded by Councilman Chance to go into Executive Session. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

At 8:10 pm, 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 stated there was not action taken in Executive Session.

### **Consideration of a Motion to Adjourn**

Councilman Riggs made a motion, seconded by Councilman Yawn 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 8:11 pm.