



**CITY OF STATESBORO  
Council Minutes  
February 3, 2015**

A regular meeting of the Statesboro City Council was held on February 3<sup>rd</sup>, 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, Gary Lewis and Travis Chance. Also present was Interim City Manager Robert Cheshire, City Clerk Sue Starling, Assistant City Engineer Jason Boyles and Director of Planning and Development Mandi Cody. City Attorney Alvin Leaphart joined the meeting via the telephone.

The meeting was called to Order by Mayor Jan Moore.  
The Invocation and Pledge was given by Councilman John Riggs

**Recognitions/Public Presentations**

- A) Presentation of the Arbor Day Proclamation Accepting the proclamation will be Mr. Henry Clay, the Tree Board and representatives from the GSU Center for Sustainability, and the Garden of the Coastal Plain.**

Mr. Clay spoke of the planting of trees for several of the local elementary schools. Mayor Moore presented the proclamation to Mr. Henry Clay and representatives from the Tree Board in recognition of “Arbor Day”.

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

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

- A) 01-21-2015 Council Minutes  
B) 01-21-2015 Executive Session Minutes**

Councilman Riggs made a motion, seconded by Councilman Britt 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.

Councilman Chance joined the meeting.

**Administrative hearings for alleged alcohol violations a pursuant to Chapter 6 of the City of Statesboro Alcohol Ordinance:**

	<u>Offense in 12 month period</u>	<u>Citation Date</u>
A) Casey Lynn Scarborough Wings Over Boro Inc/Wild Wings 52 Aspen Heights Drive	1 <sup>st</sup> offense	December 19, 2014
B) Gregory Jones Wollard Clydes Market #48	2 <sup>nd</sup> Offense	December 19, 2014

**12399 Highway 301 South**  
**C) Teresa McElveen/Kenneth Jones**  
**Bi-Lo #5567**  
**325 Northside Drive East #1**

**2<sup>nd</sup> Offense**

**December 19, 2014**

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

Ms. Scarborough of the Wild Wings restaurant was represented by Attorney Lovett Bennett. Mr. Bennett requested a continuance for this violation, stating that he and his client were unable to review the evidence that was to be presented today. Councilman Boyum made a motion, seconded by Councilman Lewis to grant a continuance until the 1<sup>st</sup> Council Meeting in March. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Mr. Woolard of Clydes Market #48 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. Woolard agreed based on the evidence presented here today that Council finds the licensee, his agents and or employees did violate Chapter 6 of the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Boyum made a motion seconded by Councilman Britt to accept the guilty plea from Mr. Woolard. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

For the penalty of the violation, Councilman Riggs made a motion, seconded by Councilman Chance to approve a 3 day suspension as a punishment for this 2<sup>nd</sup> offense. The suspension of the alcohol license will begin in Thursday February 5<sup>th</sup> at 12:01 a.m. and run through Saturday February 7<sup>th</sup> at midnight. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of this motion. The motion carried by a 5-0 vote.

Ms. McElveen and Mr. Jones of Bi-Lo #5567 waived their rights to a hearing and agreed to the violation of furnishing alcohol to underage persons. Mayor Moore then asked for a motion and Ms. McElveen and Mr. Jones agreed based on the evidence presented here today that Council finds the licensees, his agents and or employees did violate Chapter 6 of the Code of Ordinances of the City of Statesboro in the twelve month period immediately preceding this hearing. Councilman Riggs made a motion seconded by Councilman Britt to accept the guilty plea from Ms. McElveen and Mr. Jones. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

For the penalty of the violation, Councilman Riggs made a motion, seconded by Councilman Britt to approve a 3 day suspension as a punishment for this 2<sup>nd</sup> offense. The suspension of the alcohol license will begin in Thursday February 5<sup>th</sup> at 12:01 a.m. and run through Saturday February 7<sup>th</sup> at midnight. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of this motion. The motion carried by a 5-0 vote.

**Public hearing and Consideration of a Motion to approve APPLICATION #SE 14-10-03: Rick Mock requests a special exemption be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a used car dealership (and other commercial uses) in**

**the CR (Commercial Retail) zoning district for property located at 1044 South Main Street – Tax Parcel Number MS43000018000.**

Councilman Britt made a motion seconded by Councilman Boyum to open the Public Hearing to approve **Application #SE 14-10-03**. Rick Mock requests a special exemption be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a used car dealership (and other commercial uses) in the CR (Commercial Retail) zoning district for property located at 1044 South Main Street – Tax Parcel Number MS43000018000. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

There were no public comments for or against **Application #SE 14-10-03**. Councilman Britt made a motion seconded by Councilman Chance to close the Public Hearing. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Britt made a motion seconded by Councilman Boyum to deny **APPLICATION #SE 14-10-03**; a request by Rick Mock for special exceptions to be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a used car dealership (and other commercial uses) in the CR (Commercial Retail) zoning district for property located at 1044 South Main Street – Tax Parcel Number MS43000018000. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**First Reading and Consideration of a Motion to approve Ordinance 2015-01 : An Ordinance Amending Certain Sections of Chapter Two, Section 2-1 of the Statesboro Code of Ordinances (Meetings of Council)**

City Attorney Alvin Leaphart, via the phone, explained this amendment would change the starting time for the nightly Council meetings from 5:15 pm to 5:30 pm. A vote would be taken at the February 17<sup>th</sup>, 2015 Council meeting which would be the second reading. There was no vote taken on the first reading.

**Consideration of a Motion to award the purchase of an F-150 regular cab for the Engineering Department to Allen Vigil Ford in the amount of \$19,592.00**

Councilman Britt made a motion seconded by Councilman Riggs to award the purchase of an F-150 regular cab for the Engineering Department to Allen Vigil Ford in the amount of \$19,952.00. Councilman Britt, Boyum, Riggs, Lewis 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 an F-150 extended cab for the Code Compliance Department to Allen Vigil Ford in the amount of \$20,766.00.**

Councilman Riggs made a motion seconded by Councilman Britt to award the purchase of an F-150 extended cab for the Code Compliance Department to Allen Vigil Ford in the amount of \$20,766.00. Councilman Britt, Boyum, Riggs, Lewis 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 (2) F-150 Extended cabs for the WS/WWTP to Prater Ford in the amount of \$22,575.88 each for a total of \$45,151.76.**

Councilman Boyum made a motion seconded by Councilman Britt to award the purchase of (2) F-150 Extended cabs for the WS/WWTP to Prater Ford in the amount of \$22,575.88 each for a total of \$45,151.76. Councilman Britt, Boyum, Riggs, Lewis 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 an F-150 regular cab for the WWTP to Allen Vigil Ford in the amount of \$19,672.00**

Councilman Riggs made a motion seconded by Councilman Britt to award the purchase of an F-150 regular cab for the WWTP to Allen Vigil Ford in the amount of \$19,672.00. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to cancel for re-bid bid number 2015-16 (Fleet Maintenance Vehicle) due to only receiving one sealed bid (bid returned to vendor unopened per policy)**

Councilman Boyum made a motion seconded by Councilman Riggs to cancel for re-bid bid number 2015-16 (Fleet Maintenance Vehicle) due to only one sealed bid (bid returned to vendor unopened per policy). Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Other business from City Council:** None

**City Managers Comments**

**A) City Clerks Dept, (Notice of alcohol application changes)**

- a) Buffalo Wild Wings Restaurant # 484 is changing managers pending the background investigation. The name is Ryan Allen.**
- b) Amoco BP Food Store is changing owners pending the background investigation. The name is Ashwinkumar Patel.**
- c) Gata's Sports Bar and Grille is changing owners pending the background investigation. The name is Fario Gharachorloo.**

City Manager Robert Cheshire presented a token that was made at the FAB Lab with the new 3D printer. He stated that following this Council Meeting there would be a work Session in regards to changes in the Personal Policy and new fee schedules. Legislation is discussing and will be voting on HB 170 regarding transportation.

**Public Comments (General):** None

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

At 10:05 am Councilman Boyum made a motion seconded by Councilman Britt to enter into Executive Session to discuss “Real Estate”. Councilman Britt, Boyum, Riggs, Lewis, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Gary Lewis left the meeting and did not return.

At 10:25 am, Councilman Riggs made a motion, seconded by Councilman Chance to come out of Executive Session. Councilman Britt, Boyum, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Moore called the regular meeting back to order with no action being taken.

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

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

The meeting was adjourned at 10:26 am.