



**CITY OF STATESBORO
Council Minutes
February 16, 2016**

A regular meeting of the Statesboro City Council was held on February 16, 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
Invocation and Pledge of Allegiance was given by Councilman Phil Boyum

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
 - a) 02-02-2016 Council Minutes**
 - b) 02-02-2016 Executive Session Council Minutes**
 - c) 02-02-2015 Council Work Session Minutes**
 - d) 02-08-2016 Called Council Minutes**
 - e) 02-08-2016 Executive Session Council Minutes**

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.

Public Hearing and Consideration of a Motion to approve: Application RZ 16-01-01: ARCH Recovery, LLC requests a zoning map amendment for .21 acres of property located at 109 Broad Street from R6 (Single-Family Residential) zoning district to R4 (High Density Residential District) zoning district to allow for the utilization of the property as a group home (Tax Parcel # S29 000073 000).

Councilman Yawn 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 Development Mandi Cody explained to Mayor and Council the details of this application. This application was presented to staff through the Right Start review and went before the Planning Commission. Staff has no objection from a development perspective and the Planning Commission voted 5-1 in favor of the rezone. Todd Parrish owner of Arch Recovery LLC spoke in favor of this rezone. David Posner, a neighbor to the property, spoke

against the rezone. He is concerned with the social gatherings that may occur and therefore, disturb the quiet neighborhood. There were no other public comments for or against this application. 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 **Application RZ 16-01-01**. Councilman Riggs stated he would like for Mr. Parrish and Mr. Posner to discuss the issues that were of concern for the surrounding neighbors. After issues have been resolved, the request will be brought back to Council for a vote. Councilman Jones withdrew his motion for approval. No further action was taken.

Public Hearing and first reading of proposed Ordinance 2016-02: An Ordinance amending Chapter 18 of the Statesboro Code of Ordinance regarding Temporary Vendors.

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 Development Mandi Cody updated Council with the changes that were made to this ordinance in accordance to recommendations from the public and Council. Stephanie Ellis spoke against the Ordinance along with suggestions of how to change the proposed ordinance. There were no other public comments for or against Ordinance 2016-02

Councilman Chance made a motion seconded by Councilman Yawn 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.

Public Hearing and first reading of proposed Ordinance 2016-03: An Ordinance amending Chapter 6 of the Statesboro Code of Ordinance regarding Alcoholic Beverages.

Councilman Yawn made a motion, seconded by Councilman Chance 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.

Councilman Phil Boyum stated he is recusing himself from voting on this ordinance due to a conflict of interest because he has been promoted to General Manager of Springhill Suites, a facility that holds an alcohol license from the City of Statesboro.

City Attorney Alvin Leaphart stated this ordinance is a modified version of what has been discussed by Council. There was a discussion about removal of the alcohol service permit for servers and adding that servers would have to complete a "TIPS" training program within thirty days of employment, although a bouncer would be required to obtain a permit through the Police Department.

Eric Cumbee stated the service permit cards were not very effective but the issue seems to be resolved with the discussion of Council. He applauds Council for the steps taken for alcohol reform. There were no other comments for or against this ordinance. 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.

Public Hearing and First reading of Ordinance 2016-04: An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances.

Councilman Riggs made a motion, seconded by Councilman Boyum 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.

City Attorney Alvin Leaphart explained to Mayor and Council the amendments to Chapter 2 of the Statesboro Code of Ordinances. No public comments were made for or against this amendment.

Councilman Chance made a motion seconded by Councilman Yawn 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.

Discussion of proposed Resolution 2016-11: A Resolution establishing fees and fines for Chapter 6 of the City of Statesboro Code of Ordinances governing alcoholic beverages.

City Manager Robert Cheshire stated the fees for an alcohol license has been increased by \$500.00. There is a new separate fee for Sunday sales in the amount of \$300.00. The increase of these fees is to fund the Alcohol Beverage Control Officer.

Consideration of a Motion to Adopt Resolution 2016-10: A Resolution accepting the right of way of Merchants Way, Hill Pond Lane, Bermuda Run, Brampton Avenue, and Arch Way as public streets to be owned and maintained by the City of Statesboro, Georgia.

Councilman Riggs made a motion seconded by Council Boyum to adopt Resolution 2016-10 A Resolution accepting the right of way of Merchants Way, Hill Pond Lane, Bermuda Run, Brampton Avenue and Arch Way as public streets to be owned and maintained by the City of Statesboro, Georgia. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Other Business from Council: None

.City Managers Comments:

- a) "My Ranchero Mexican Grill" is applying for an alcohol license pending the background investigation. The owner will be Diana Johana Gonzalez Rojo.
- b) "Flash Foods LLC" is applying for an alcohol license pending the background investigation. The owners are Stephen J. Lattig, Evan W. Smith, and Tammy V. Floyd.

Public Comments:

Craig Tremble addressed Mayor and Council regarding the conditions of Johnson Street, Denmark Street, West Main Street and Proctor Street. Mr. Tremble owns Craig R Tremble Funeral Home on West Main Street and the conditions in these areas are an eyesore. The surrounding areas, especially on West Main Street, are crime ridden and needs to be upgraded. Stephanie Ellis spoke against the suggestion of the City of Statesboro's Code Enforcement approaching the owners of these properties regarding improvements.

Tracy Hart, owner of A&P Wrecker Service, addressed Mayor and Council regarding the rotation list for Towing and Wrecker Services with the Statesboro Police Department. He asked why the Wrecker Companies were not notified of the agreement and why they did not have input before the agreement was approved by Council.

Councilman Riggs stated he would like to make a motion to suspend the implementation of the Statesboro Police Department Towing Rotation Agreement as passed at the first Council Meeting in January 2016, until the agreement can be revisited by Mayor, Council, Staff and any interested parties. Councilman Chance seconded the motion. 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 enter into Executive Session to discuss "Personnel Matters" and/or "Potential Litigation" in accordance with O.C.G.A.§50-14-3 (2012)

At 7:20 p.m. Councilman Riggs made a motion, seconded by Councilman Chance to enter into Executive Session to discuss "Personnel Matters" and/or "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.

8:05 p.m. Mayor Moore left the Executive Session meeting.

At 8:10 pm, Councilman Riggs made a motion, seconded by Councilman Boyum 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 Pro Tem Travis Chance, with no action taken called the regular meeting back to order.

Consideration of a Motion to Adjourn

Councilman Riggs made a motion seconded by Councilman Boyum 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 8:12 p.m.