



**CITY OF STATESBORO
Council Minutes
June 02, 2015**

A regular meeting of the Statesboro City Council was held on June 02, 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 were Interim City Manager Robert Cheshire, City Clerk Sue Starling, Assistant City Engineer Jason Boyles and Director of Planning and Development Mandi Cody. Absent was City Attorney Alvin Leaphart.

The Council Meeting was called to order by Mayor Jan Moore.

The Invocation and Pledge of Allegiance was led by Councilman Phil Boyum.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 05-19-2015 Council Minutes

b) 05-19-2015 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.

Mayor Moore stated agenda item #10: **Resolution 2015-14**: A Resolution authorizing the City of Statesboro to make application to the United States Department of Economic Development Administration for an additional \$200,000 in funding for the City of Statesboro/Georgia Southern University Fabrication Laboratory and Business Innovation Center; to be removed from the agenda as this application will not be submitted at this time. She also stated agenda item #20 **Resolution 2015-16** will be the next item addressed by Council.

Consideration of a motion to approve Resolution 2015-16: A Resolution appointing William Wright to the Tree Board of the City of Statesboro.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve **Resolution 2015-16**: A Resolution appointing William Wright to the Tree Board of the City of Statesboro. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Mayor Moore presented Mr. Wright with a certificate.

Presentation regarding Guaranteed Maximum Pricing and cost allocations for the Fabrication Laboratory, Business Innovation Center, Arts Incubator, and Smith Alley. Presentation to be given by GSU Project Manager Carrie Thorne and City of Statesboro Project Manager Mandi Cody.

Vice President of Business Administration with Georgia Southern University Rob Whitaker conducted the presentation of the design plans and the guaranteed maximum price for the Fabrication Laboratory, Business Innovation Center and the Arts Incubator. Mr. Whitaker went through a slide show which showed what the design and structures will look like at each location of 62 East Main Street and 58 East Main Street. As each structure was presented there was also a list of things that would be included at each location along with the price of the construction.

Consideration of a Motion in accordance with the Memorandum of Understanding between Georgia Southern University, the Georgia Southern University Research and Service Foundation, Inc. and the City of Statesboro regarding the GSU E Zone and Innovation Incubator to approve final design plans and guaranteed maximum pricing allocations for the Fabrication Laboratory, Business Innovation Center, Arts Incubator, and Smith Alley as presented by staff.

Councilman Boyum made a motion, seconded by Councilman Britt to approve the Memorandum of Understanding between Georgia Southern University, the Georgia Southern University Research and Service Foundation, Inc. and the City of Statesboro regarding the GSU E Zone and Innovation Incubator to approve final design plans and guaranteed maximum pricing allocations for the Fabrication Laboratory, Business Innovation Center, Arts Incubator, and Smith Alley as presented by staff. 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 authorize the issuance of a building permit for the City owned building zoned Central Business District at 58 and 62 East Main Street and Smith Alley for improvements shown in the staff presentation upon submittal of construction documents demonstrating compliance with all state and local development regulations.

Councilman Riggs made a motion, seconded by Councilman Britt to authorize the issuance of a building permit for the City owned building zoned Central Business District at 58 and 62 East Main Street and Smith Alley for improvements shown in the staff presentation upon submittal of construction documents demonstrating compliance with all state and local development regulations. 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 authorize the Mayor to enter into an Intergovernmental Rental Agreement with the Board of Regents of the University System of Georgia by and on behalf of Georgia Southern University for City owned property commonly known as 58 East Main Street for the property's use by Georgia Southern University as the City of Statesboro/Georgia Southern University Fabrication Laboratory and Business Innovation Center.

Councilman Britt made a motion, seconded by Councilman Lewis to authorize the Mayor to enter into an Intergovernmental Rental Agreement with the Board of Regents of the University System of Georgia by and on behalf of Georgia Southern University for City owned property commonly known as 58 East Main Street for the property's use by Georgia Southern University as the City of Statesboro/Georgia Southern University Fabrication Laboratory and Business Innovation Center. 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 authorize the Mayor to enter into an Intergovernmental Rental Agreement with the Board of Regents of the University System of Georgia by and on behalf of Georgia Southern University for City owned property commonly known as 62 East Main Street for the property's use by Georgia Southern University as the City of Statesboro/Georgia Southern University Fabrication Laboratory and Business Innovation Center.

Councilman Boyum made a motion, seconded by Councilman Riggs to authorize the Mayor to enter into an Intergovernmental Rental Agreement with the Board of Regents of the University System of Georgia by and on behalf of Georgia Southern University for City owned property commonly known as 62 East Main Street for the property's use by Georgia Southern University as the City of Statesboro/Georgia Southern University Fabrication Laboratory and Business Innovation Center. 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 approve Resolution 2015-13: A Resolution authorizing the City of Statesboro to make application to the FY 2016 Tourism Product Development Grant in the amount of \$15,000 on behalf of the Averitt Art Center for utilization in the Arts Incubator portion of the City of Statesboro/ Georgia Southern University Fabrication Laboratory and Business Innovation Center.

Councilman Britt made a motion, seconded by Councilman Boyum to approve Resolution 2015-13: A Resolution authorizing the City of Statesboro to make application to the FY 2016 Tourism Product Development Grant in the amount of \$15,000 on behalf of the Averitt Art Center for utilization in the Arts Incubator portion of the City of Statesboro/ Georgia Southern University Fabrication Laboratory and Business Innovation Center. 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 approve Memorandum of Understanding between the Averitt Center for the Arts and the City of Statesboro regarding the FY 2016 Tourism Product Development Agreement from the Georgia Department of Economic Development Tourism Division and the Georgia Council for the Arts.

Councilman Boyum made a motion seconded by Councilman Britt to approve Memorandum of Understanding between the Averitt Center for the Arts and the City of Statesboro regarding the FY 2016 Tourism Product Development Agreement from the Georgia Department of Economic Development Tourism Division and the Georgia Council for the Arts. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Administrative Hearings 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>
a. Robert Dannacher Big K-Mart 715 Northside Drive East	1st offense	April 16, 2015
b. Gopiben A Patel Zip N Go #10 1803 Chandler Road	1st offense	April 16, 2015
c. Ramiro Melendez Gate Petroleum #227 700 Northside Drive East	1st offense	February 21, 2015

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

Mr. Robert Dannacher waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons at Big K-Mart 715 Northside Drive East. Mayor Moore then asked for a motion and Mr. Dannacher 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 Lewis to accept the guilty plea from Mr. Dannacher. Although Mr. Dannacher was not present, Major Rob Bryan entered the guilty plea at the request of Mr. Dannacher. 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 Boyum made a motion seconded by Councilman Riggs to consider this a first offense with a warning. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Mr. Gopiben A. Patel waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons at Zip N Go #10 1803 Chandler Road. Mayor Moore then asked for a motion and Mr. Patel 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 Riggs to accept the guilty plea from Mr. Patel. 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 Lewis to consider this as a first offense with a warning. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Mr. Ramiro Melendez waived his right to a hearing and agreed to the violation of occupancy overload at El Jalapeno's 711 South Main Street. Mayor Moore then asked for a motion 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 Riggs made a motion seconded by Councilman Chance to accept the guilty plea from Mr. Melendez. 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 consider this as a first offense with a warning. 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 approve RESOLUTION 2015-15: A Resolution authorizing the City of Statesboro to make application for TIGER Discretionary Grant Fund from the United States Department of Transportation. (Council's motion to include an approved amount for funding application as well as an approval of match dollars that may be committed in this application.)

Councilman Boyum made a motion, seconded by Councilman Britt to approve RESOLUTION 2015-15: A Resolution authorizing the City of Statesboro to make application for TIGER Discretionary Grant Fund from the United States Department of Transportation with a match of two million dollars. 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 extend the contract with Southeastern Civil to include additional paving and traffic calming measures on Gordon Street and Thomas Street in order to maximize the full funding of the 2013 Community Development Block Grant.

Councilman Boyum made a motion, seconded by Councilman Lewis to extend the contract with Southeastern Civil to include additional paving and traffic calming measures on Gordon Street and Thomas Street in order to maximize the full funding of the 2013 Community Development Block Grant. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried with a 5-0 vote.

First reading and Public Hearing of proposed Ordinance 2015-06 an Ordinance requiring temporary vendor permits in the City of Statesboro.

Councilman Riggs made a motion, seconded by Councilman Lewis to open the Public Hearing. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

City Clerk Sue Starling stated this is a working document. We need input on what would best fit the City of Statesboro in regards to garage sales, yard sales, tent sales etc. Right now we do not have specific guidelines for these types of sales. This came about during recent months with Ellis open air market and maybe as far back as L&D Produce with Mr. Gerrald. A definition needs to be address what "temporary" means. Stephanie Ellis spoke about her business and that she does have parking as well as handicap parking for patrons and restrooms. The proposal as it stands would not allow her to conduct business the way that she has been. Ms. Ellis is asking that

Mayor and Council allow her to conduct her business until this issue is resolved. Council agreed to waive any fees for 90 days until the matter can be resolved. Council also stated a work session would be held at a later date.

Councilman Riggs made a motion seconded by Councilman Britt 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 Boyum left the meeting.

First Reading and Public Hearing of proposed Ordinance 2015-07: an Ordinance to amend the Statesboro Zoning Ordinance to include Article XXX- Design Standards for the Downtown Statesboro Incentive District.

Councilman Britt made a motion, seconded by Councilman Riggs to open the Public hearing. Councilman Britt Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Downtown Statesboro Development Authority Allen Muldrew spoke in favor of this ordinance. The Chamber of Commerce is also in support of the amendment to the Statesboro Zoning Ordinance.

Councilman Riggs made a motion seconded by Councilman Britt to close the Public Hearing. Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to award a contract for the installation of automatic meters and meter reader (AMR) transmitters to Utility and Water Services in an amount not to exceed \$598,727.50. This project is comprised of CIP #WWD-112 & #NG-60 and will be funded by SPLOST 2007 (Water Sewer) and SPLOST 2013 (Nat. Gas).

Councilman Riggs made a motion seconded by Councilman Lewis to award a contract for the installation of automatic meters and meter reader (AMR) transmitters to Utility and Water Services in an amount not to exceed \$598,727.50. This project is comprised of CIP #WWD-112 & #NG-60 and will be funded by SPLOST 2007 (Water Sewer) and SPLOST 2013 (Nat. Gas). Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Riggs left the meeting briefly

Consideration of a motion to award a “Sole Source Purchase” for 620 Sensus Water meters to HD Supply Waterworks LTD in the amount of \$61,380.00. This is part of CIP Project #112 – Upgrade Meter to Flex Net and will be funded by 2007 SPLOST proceeds.

Councilman Lewis made a motion, seconded by Councilman Chance to award a “Sole Source Purchase” for 620 Sensus Water meters to HD Supply Waterworks LTD in the amount of \$61,380.00. This is part of CIP Project #112 – Upgrade Meter to Flex Net and will be funded by 2007 SPLOST proceeds. Councilman Britt, Lewis and Chance voted in favor of the motion the motion carried with a 3-0 vote.

Consideration of a motion to approve the extension of the Fiber Conduit project with Gregory Electric from Hill Street to Public Works not to exceed the amount of \$62,324.81.

Councilman Britt made a motion, seconded by Councilman Lewis to approve the extension of the Fiber Conduit project with Gregory Electric from Hill Street to Public Works not to exceed the amount of \$62,324.81. Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried with a 4-0 vote.

Other Business from City Council

Mayor Moore stated this past weekend the City of Statesboro, SCVB and Georgia Southern University hosted the Georgia State Cup Soccer Tournament. The economic impact is estimated at 1.2 million for the weekend. She also thanked Interim City Manager Robert Cheshire and Director of Human Resources Jeff Grant for their participation as Marshalls during the tournament.

City Managers Comments

A) City Clerks Dept. (Notice of alcohol application)

- a) Eckerd is applying for a change in alcohol license holder pending the background investigation. The name is Jessica Lumpkin.**

- c) SR J Steakery is applying for an alcohol license pending the background investigation. The name is Randy Nessmith.**

Interim City Manager stated the improvements on Savannah Avenue will go out for bid this weekend. Mr. Cheshire thanked everyone for the Temporary Vendor Permit discussion.

Public Comments (General)

Councilman Will Britt spoke about the Boys and Girls Club and the gaps they have throughout the year where kids will not be able to attend the Boys and Girls Club. Councilman Britt stated it would only take \$2,500.00 for these gaps to be eliminated.

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

At 11:20 am, Councilman Chance made a motion, seconded by Councilman Riggs to enter into Executive Session to discuss “Personnel Matters” in accordance with O.C.G.A.§50-14-3 (2012). Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Moore called the regular sessions back to order. No action was taken.

At 11:50 am, Councilman Chance made a motion, seconded by Councilman Lewis to come out of Executive Session. Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adjourn

At 11:50am, Councilman Chance made a motion, seconded by Councilman Riggs to adjourn. Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 11:50am.