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**CITY OF STATESBORO  
Council Minutes  
June 16, 2015**

A regular meeting of the Statesboro City Council was held on June 16, 2015 at 5:30 p.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. Councilman Travis Chance was absent.

The meeting was called to Order by Mayor Jan J. Moore.  
The Invocation was given by Councilman Gary Lewis and Pledge of Allegiance was led by Councilman John Riggs.

**Recognitions/Public Presentations:** None

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

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

- A) **Approval of Minutes**
  - a) **05-27-2015 Work Session Minutes**
  - b) **06-02-2015 Council Meeting Minutes**
  - c) **06-02-2015 Executive Session Minutes**
  - d) **06-04-2015 Public Hearing Minutes**
  
- B) **Consideration of a motion for the surplus and disposal of a Dayco hydraulic crimping tool and hydraulic parts inventory.**
  
- C) **Consideration of a motion for the surplus and disposal of truck 3838 in Fleet Maintenance, a 2002 Ford F450 service truck.**

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.

**Consideration of a Motion to approve Resolution 2015-17: A Resolution to appoint Bryant Tatum to the Board of Directors of the Averitt Center for the Arts, Incorporated.**

Councilman Boyum made a motion, seconded by Councilman Lewis to approve **Resolution 2015-17**: A Resolution to appoint Bryant Tatum to the Board of Directors of the Averitt Center for the Arts, Incorporated. 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 authorize the Mayor to execute the GMA Lease Pool Agreement for the City's KM 8000THPD Asphalt Hot Box in the amount of \$41,324.00; Motorola Radios in the amount of \$24,997.50 and a 2015 RAM 5500with Summit Body in the amount of \$119,060.**

Councilman Britt made a motion, seconded by Councilman Riggs to authorize the Mayor to execute the GMA Lease Pool Agreement for the City's KM 8000THPD Asphalt Hot Box in the amount of \$41,324.00; Motorola Radios in the amount of \$24,997.50 and a 2015 RAM 5500with Summit Body in the amount of \$119,060. 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 Change Order No. 2 Summary for the I/16 U.S. Hwy. 301 South 1,000,000 Gallon Elevated Water Storage Tower. The revised contract amount is \$2,108,505.00, which is a deduction of \$11,200.00.**

Councilman Boyum made a motion, seconded by Councilman Lewis to approve Change Order No. 2 Summary for the I/16 U.S. Hwy. 301 South 1,000,000 Gallon Elevated Water Storage Tower. The revised contract amount is \$2,108,505.00, which is a deduction of \$11,200.00. 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 2015-21: A Resolution authorizing adoption of the Bulloch County Pre-Disaster Hazard Mitigation Plan.**

Councilman Riggs made a motion, seconded by Councilman Britt to approve Resolution 2015-21: A Resolution authorizing adoption of the Bulloch County Pre-Disaster Hazard Mitigation Plan. 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 2015-18: A Resolution to adopt the Fiscal Year 2016 Budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding available for appropriation.**

Councilman Riggs made a motion, seconded by Councilman Lewis to approve Resolution 2015-18: A Resolution to adopt the Fiscal Year 2016 Budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding available for appropriation. 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 2015-23; A Resolution adopting the City of Statesboro schedule of rates, fees and fines.**

Councilman Riggs made a motion, seconded by Councilman Britt to approve Resolution 2015-23; A Resolution adopting the City of Statesboro schedule of rates, fees and fines. 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 2015-24: A Resolution to adopt the third amendment to the fiscal year 2015 budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding appropriated.**

Councilman Riggs made a motion, seconded by Councilman Boyum to approve Resolution 2015-24: A Resolution to adopt the third amendment to the fiscal year 2015 budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding appropriated. 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 2015-19: A Resolution ratifying appointment of I. Cain Smith as the Assistant Prosecuting Attorney for the Municipal Court of the City of Statesboro.**

Councilman Riggs made a motion, seconded by Councilman Britt to approve Resolution 2015-19: A Resolution ratifying appointment of I. Cain Smith as the Assistant Prosecuting Attorney for the Municipal Court of the City of Statesboro. 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 Authorize the Mayor to execute a contract for services with the Statesboro Arts Council, Inc. to market downtown Statesboro by operating and managing the Averitt Center for the Arts, using proceeds from the Hotel/Motel Tax**

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

Jenny Foss representing the Arts Council thanked Council for their support.

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

Councilman Boyum made a motion, seconded by Councilman Lewis to Authorize the Mayor to execute a contract for services with the Statesboro Arts Council, Inc. to market downtown Statesboro by operating and managing the Averitt Center for the Arts, using proceeds from the Hotel/Motel Tax. 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 Authorize the Mayor to execute a contract for services with the Downtown Statesboro Development Authority/Main Street to market downtown Statesboro, using proceeds from the Hotel/Motel Tax**

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

Bob Mikell representing the DSDA thanked Council for their support.

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

Councilman Lewis made a motion, seconded by Councilman Riggs to Authorize the Mayor to execute a contract for services with the Downtown Statesboro Development Authority/Main Street to market downtown Statesboro, using proceeds from the Hotel/Motel Tax. 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 Authorize the Mayor to execute a contract for services with the Statesboro Convention and Visitors Bureau, Inc. to market Statesboro and Bulloch County, using proceeds from the Hotel/Motel Tax**

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

Darin Van Tassell representing the SCVB thanked Council for their support. He also stated the Georgia Soccer tournament which was held here was a great success.

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

Councilman Riggs made a motion, seconded by Councilman Britt to authorize the Mayor to execute a contract for services with the Statesboro Convention and Visitors Bureau, Inc. to market Statesboro and Bulloch County, using proceeds from the Hotel/Motel Tax. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Mr. Van Tassell read a letter from the Georgia Soccer committee thanking them for the support of the City and their staff. Heidi Jeffers also with the SCVB gave members of Council a gift bag.

**Public Hearing and Consideration of a Motion to approve Resolution 2015-22: A Resolution exempting certain vehicles from marking requirements for one year.**

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

Hearing no concerns, Councilman Lewis made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Riggs made a motion, seconded by Councilman Boyum to approve Resolution 2015-22: A Resolution exempting certain vehicles from marking requirements for one year. 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 Resolution 2015-20: A Resolution adopting maximum tariff rates allowed by towing and storage operations engaged in non-consensual towing.**

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

Attorney Scott Brannen, representing some of the towing companies, addressed the concerns with the fees. Tracy Hart, owner of A&P Wrecker and Troy Edenfield, owner of GATA Towing also expressed their opinion of the fees. They stated that Exhibit "A" Section "A" #1 should have a fee not to exceed \$150.00. There was also a discussion on what should be the definition of after-hours service for customers to retrieve their towed vehicles.

After a lengthy discussion, Councilman Boyum made a motion, seconded by Councilman Britt to close the public hearing. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Lewis made a motion, seconded by Councilman Riggs to approve Resolution 2015-20: A Resolution adopting maximum tariff rates allowed by towing and storage operations engaged in non-consensual towing with the following changes. Exhibit "A" Section "A" #1 should read: Removal fee for vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, not to exceed \$150.00 and Exhibit "A" Section "C" After Hours Fee #1 should read: After hours fee may be charged if the vehicle's owner wishes to claim an impounded vehicle at any time other than between 8:00 a.m. and 6:00 p.m. Monday through Friday, and between 10:00 a.m. and 2:00 p.m. on Saturday and Sunday, not to exceed \$25.00. 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 enter into renewal of the three year agreement with CGI Communications, Inc. for the 2015 Community Video Program, which showcases the City of Statesboro on its website at no cost to the City.**

Council viewed a short video of the welcoming statement from the City's website.

Councilman Boyum made a motion, seconded by Councilman Riggs to table this item for a later date. 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 extension for auditing services to the accounting firm of Thigpen, Lanier, Westerfield and Deal at a rate of \$42,000 for one (1) additional year. If approved, this contract will cover auditing services for fiscal years 2015.**

Councilman Boyum made a motion, seconded by Councilman Riggs to award a contract extension for auditing services to the accounting firm of Thigpen, Lanier, Westerfield and Deal at a rate of \$42,000 for one (1) additional year. 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:** None

## **City Managers Comments**

Interim City Manager Robert Cheshire updated Council on resurfacing of some streets such as Stockyard Road and W. Main Street. Mr. Cheshire also stated after talking with the Mayor, they would like to see roadwork projects listed on the website as they progress.

Mr. Cheshire recognized Finance Director Cindy West for received her certificate in Financial Management. Mr. Cheshire also gave an update on the Storm water project as it moves forward. He stated the first bills should be going out August 1<sup>st</sup>, 2015. A date will be set at the next Council meeting for a work session regarding garage sales.

Councilman John Riggs left the meeting.

## **Public Comments (General):**

### **A) Bob Mikell and Downtown Merchants request to speak with Council in regards to on-street parking downtown.**

Bob Mikell representing the DSDA stated that merchants downtown were having problems with other business employees parking in front of their business all day. Mary Severson, owner of Mary's Linen's and Maria Proctor, owner of Madame Contour's also expressed the same concerns.

## **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 7:45 pm, Councilman Lewis made a motion, seconded by Councilman Britt to enter into Executive Session with a 5 minute break. Councilman Britt, Boyum and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

At 9:14 pm, Councilman Britt made a motion, seconded by Councilman Lewis to exit Executive Session. Councilman Britt, Boyum and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

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

## **Consideration of a Motion to approve Resolution 2015-25: A Resolution waiving attorney-client privilege as to certain attorney work product only.**

Councilman Boyum made a motion, seconded by Councilman Lewis to approve Resolution 2015-25: A Resolution waiving attorney-client privilege as to certain attorney work product only. Councilman Boyum and Lewis voted in favor of the motion. Councilman Britt voted against the motion. The motion failed by a 2-1 vote.

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

Councilman Lewis made a motion, seconded by Councilman Britt to adjourn the meeting. Councilman Britt, Boyum and Lewis voted in favor of the motion. The motion carried by a 3-0 vote. The meeting was adjourned at 9:15 pm.