



**CITY OF STATESBORO
Council Minutes
June 21st, 2016**

A regular meeting of the Statesboro City Council was held on June 21, 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, John Riggs and Travis Chance. Also present were Deputy City Manager Robert Cheshire, City Attorney Alvin Leaphart, City Clerk Sue Starling, Director of Engineering and Public Works Jason Boyles. Absent was Councilman Jeff Yawn.

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

The Invocation was led by Director of Downtown Statesboro Development Authority Allen Muldrew and Pledge of Allegiance was led by Councilman John Riggs.

Recognitions/Public Presentations:

A) Update from America's Best Communities Grant Finance Committee

Director of Finance Cindy West stated the ABC's Grant Finance Committee had one meeting and has another meeting scheduled for June 29, 2016 at City Hall. Of the \$65,000.00 received, the committee has spent \$37,262.94. This money was spent on consultants and contracts along with engineering services and communication publications. A budget amendment will have to be approved to set up a fund account for the ABC grant in the amount of \$100,000.00. The Arts Council will get \$57,000.00 and an \$800.00 donation. In FY 2017, the City will budget \$50,000.00 in donations and \$95,500.00 for capital. The ABC Grant Finance Committee will update Mayor and Council with monthly reports.

Public Comments (Agenda Item):

A) Michael Cash

Mr. Cash deferred his comments to be heard during the discussion of Chapter 6 of the Code of Ordinances (Alcoholic Beverages).

Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

- a) 06-07-2016 Council Minutes
- b) 06-07-2016 Executive Session Minutes
- c) 06-07-2016 Public Hearing Minutes for FY2017 Budget
- d) 06-10-2016 Called Council Minutes

B) Consideration of a Motion to surplus 8 Heckler and Koch MP5 A3 weapons to Clyde Armory in exchange for a store credit in the amount of \$5696.00. This store credit will be utilized to purchase 8 Aimpoint T2 sightings systems in the amount of \$5401.00, leaving a surplus of \$295.00 remaining store credit.

C) Consideration of a Motion to surplus 50 Mossberg 590A1 Shotguns to Clyde Armory in exchange for a store credit in the amount of \$7500.00. This store credit will be utilized to purchase 50 Streamlight TLR-1 HL Weapon Lights in the amount of \$5145.50, leaving a surplus of \$2354.50 remaining store credit.

Councilman Riggs made a motion, seconded by Councilman Jones to approve the consent agenda in its entirety. Councilman Boyum, Jones, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve an application for Sec. 6-17(d) exemptions to open container prohibition.

a) Eagle Creek Brewing Company

Councilman Riggs made a motion seconded by Councilman Jones to approve an application for Sec. 6-17(d) exemptions to open container prohibition, for Eagle Creek Brewing Company. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION #RZ 16-03-01: William B Morgan and Amy Morgan request a zoning map amendment for 1.38 acres of property located at 23320 highway 80 East from O (Office) zoning district to CR (Commercial Retail) zoning district in order to utilize the space for retail businesses (Tax Parcel #MS92 000095 000).

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

Director of Engineering and Public Works Jason Boyles explained this application was on the April 19, 2016 agenda and was tabled due to conflicts with neighboring residents. With further discussion regarding this application, the residents agreed with the staff recommendations that would prohibit the sale of alcohol, fueling stations and drive thru's. Bob Mikell spoke in favor of this zoning request. There were no comments against the request.

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

Councilman Chance made a motion seconded by Councilman Riggs to approve **APPLICATION #RZ 16-03-01**: William B Morgan and Amy Morgan request a zoning map amendment for 1.38 acres of property located at 23320 highway 80 East from O (Office) zoning district to CR (Commercial Retail) zoning district in order to utilize the space for retail businesses (Tax Parcel #MS92 000095 000). To include Planning Commission's and City of Statesboro staff recommendations as listed in the packet. Councilman Boyum, Jones Riggs, and Chance 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 operation and managing the Averitt Center for the Arts, using proceeds from the Hotel/Motel Tax

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

Deputy City Manager Robert Cheshire addressed the contracts regarding the Statesboro Arts Council, DSDA and SCV. There was an additional paragraph added to the contract regarding compliance with Georgia Open Meetings Act and Georgia Open Records Act. There were no comments against this contract.

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

Councilman Boyum made a motion seconded by Councilman Jones to Authorize the Mayor to execute a Contract for services with the Statesboro Arts Council, Inc. to market downtown Statesboro by operation and managing the Averitt Center for the Arts, using proceeds from the Hotel/Motel Tax. Councilman Boyum, Jones Riggs, and Chance 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 Riggs made a motion seconded by Councilman Jones to open the Public Hearing. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Director of the Downtown Statesboro Development Authority, Allen Muldrew spoke in favor of all three contracts. He also thanked Mayor, Council and City Staff for their support.

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

Councilman Boyum 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 Boyum, Jones Riggs, and Chance 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 Jones to open the Public Hearing. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The President of the Statesboro Convention and Visitors Bureau, Inc.; Darren Van Tassell spoke in favor of the contract for the SCVB. He also gave a quick over view of the increase in revenue.

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

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

Public Hearing and Consideration of a Motion to approve Resolution 2016-22: a Resolution exempting certain vehicles from marking requirements for one year.

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

City Clerk Sue Starling stated this Resolution would exempt the City Manager, Deputy City Manager, Director of Water and Wastewater and Director of Gas from the vehicle marking requirement. There were no comments for or against this resolution.

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

Councilman Riggs made a motion seconded by Councilman Chance to approve **Resolution 2016-22**: A Resolution exempting certain vehicles from marking requirements for one year. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to approve Resolution 2016-23: A Resolution adopting maximum tariff rates allowed by towing and storage operation engaged in non-consensual towing.

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

No one spoke for or against the Resolution. This Resolution is adopted yearly and no changes were made in the rates.

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

Councilman Chance made a motion seconded by Councilman Boyum to approve **Resolution 2016-23**: A Resolution adopting maximum tariff rates allowed by towing and storage operation engaged in non-consensual towing. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2016-24: A Resolution Authorizing the Mayor to Sign a Memorandum of Understanding and Agreement between the City of Statesboro and Concerted Services, Inc. for verification of Utility Fee Credit Applications.

Director of Public Works and Engineering Jason Boyles stated the credit would help the low income elderly to receive a credit on the Storm water fee as adopted in the Solid Waste Ordinance. Concerted Services will work with the City to provide the verification for this credit. Councilman Jones made a motion seconded by Councilman Riggs to approve Resolution 2016-24: A Resolution Authorizing the Mayor to Sign a Memorandum of Understanding and Agreement between the City of Statesboro and Concerted Services, Inc. for verification of Utility Fee Credit Applications. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2016-28: A Resolution to adopt the fourth amendment to 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 of expenses from exceeding the actual funding appropriated.

Councilman Chance made a motion seconded by Councilman Boyum to approve Resolution 2016-28: A Resolution to adopt the fourth amendment to 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 of expenses from exceeding the actual funding appropriated. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve Resolution 2016-26: A Resolution adopting Financial Policies for the City of Statesboro, Georgia.

Councilman Riggs made a motion seconded by Councilman Jones to approve Resolution 2016-26: A Resolution adopting Financial Policies for the City of Statesboro, Georgia. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve Resolution 2016-27: A Resolution to adopt the Fiscal Year 2017 Budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items or revenue anticipations and prohibiting expenditures or expenses from exceeding the actual funding available for appropriation.

Deputy City Manager, Robert Cheshire stated there are three things which have been added to this budget, a reclassification of the Accounting Technician position in the Finance Department, a two percent convenience fee when using a credit card and an increase to the base charge for residential and commercial water and sewer accounts. There was also a discussion regarding a credit on the base charge for water and sewer for those who are elderly and qualify. Mayor Moore stated a separate motion would need to be made at the next Council meeting. We will pass the budget assumption as is with the understanding among Council that we would come back and address the credit for the base rate on water and sewer.

Councilman Chance made a motion seconded by Councilman Jones to approve **Resolution 2016-27**: A Resolution to adopt the Fiscal Year 2017 Budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items or revenue anticipations and prohibiting expenditures or expenses from exceeding the actual funding available for appropriation as stated. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2016-25: A Resolution adopting the City of Statesboro schedule of rates, fees and fines.

Councilman Boyum made a motion seconded by Councilman Chance to approve **Resolution 2016-25**: A Resolution adopting the City of Statesboro schedule of rates, fees and fines. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve Resolution 2016-29: A Resolution Appointing Members to the Alcohol Advisory Board.

Councilman Riggs made a motion seconded by Councilman Chance to approve **Resolution 2016-29**: A Resolution Appointing Members to the Alcohol Advisory Board. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve a fourth amendment to a lease agreement between the Mayor and City Council of Statesboro and Cingular Wireless PCS, LLC for the lease of certain premises for the deployment of telecommunications equipment located on what is commonly referred to at the Paulsen Stadium water tower at 201 Lanier Drive, and referred to as Cell Site No.: 410-285 in the lease agreement.

Councilman Riggs made a motion seconded by Councilman Boyum to approve a fourth amendment to a lease agreement between the Mayor and City Council of Statesboro and Cingular Wireless PCS, LLC for the lease of certain premises for the deployment of telecommunications equipment located on what is commonly referred to at the Paulsen Stadium water tower at 201 Lanier Drive, and referred to as Cell Site No.: 410-285 in the lease agreement. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve a fourth amendment to a lease agreement between the Mayor and City Council of Statesboro and Cingular Wireless PCS, LLC for the lease of certain premises for the deployment of telecommunications equipment located on what is commonly referred to at the Howard Lumber water tower at 600 Park Avenue, and referred to as Cell Site No.: 410-071 in the lease agreement.

Councilman Riggs made a motion seconded by Councilman Chance to approve a fourth amendment to a lease agreement between the Mayor and City Council of Statesboro and Cingular Wireless PCS, LLC for the lease of certain premises for the deployment of telecommunications equipment located on what is commonly referred to at the Howard Lumber water tower at 600 Park Avenue, and referred to as Cell Site No.: 410-071 in the lease

agreement. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion to approve a Memorandum of Understanding regarding Georgia Southern University E-Zone and Innovations Lab with identifier “LA16-0636 on the face of the document.

Councilman Boyum made a motion seconded by Councilman Riggs to approve a Memorandum of Understanding regarding Georgia Southern University E-Zone and Innovations Lab with identifier “LA16-0636 on the face of the document. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

At 6:50 p.m. Mayor Moore called for a five minute recess.

Discussion of Chapter 6 of the Code of Ordinances (Alcoholic Beverages).

The discussion regarding the new Alcohol Ordinance centered on Section 6-16: promotions and pricing of alcoholic beverage. City Attorney Alvin Leaphart stated the reason for this section is to discourage excessive drinking. The discussion was lengthy as the local restaurant owners shared their concerns. Among the restaurant owners were; Michael Cash, owner of Midtown Bar and Grill; Al Chapman, owner of Gnats Landing and Luz Gomez, owner of El Jalapeno. Brian Carter stated the main concern is to know how to interpret this section for compliance with the Alcohol Ordinance. Mayor Moore stated the Alcohol Advisory Board will be meeting and any issues will need to be submitted to them.

Consideration of a Motion to cancel the regularly scheduled Council Meeting for July 5, 2016.

Councilman Chance made a motion seconded by Councilman Boyum to cancel the regularly scheduled Council Meeting for July 5, 2016. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business:

Councilman Riggs stated he wanted to make sure the credit for the elderly, due to the increase in the base water and sewer rate, would be addressed at the next Council meeting.

City Managers Comments

Deputy City Manager Robert Cheshire asked Mr. Van Tassell, President of Statesboro Convention and Visitors Bureau, Inc. if he would like to comment on the Tourmenta. Mr. Van Tassell stated the next home game would be held on Thursday and would be used to promote “America’s Best Communities”.

Public Comments (General)

A) Rodney Patterson

Rodney Patterson updated Council on the first annual “Stop the Violence Family Day”. It will be held on July 2, 2016 in Swainsboro. Councilman Jones will be attending the event as a motivational speaker. Mr. Patterson stated they would like the support of Council with the opportunity to hold a similar event in Statesboro.

Consideration of a Motion to Adjourn

At 8:32 pm, Councilman Chance made a motion, seconded by Councilman Riggs to adjourn. Councilman Boyum, Jones Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 8:32 pm.