



**CITY OF STATESBORO
CITY COUNCIL MINUTES
August 6, 2013**

A regular meeting of the Statesboro City Council was held on August 06, 2013 at 9:00 am in the Council Chambers at City Hall Present were Mayor Joe R. Brannen, Council Members: Will Britt, Phil Boyum, John Riggs and Gary Lewis. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Attorney Alvin Leaphart, City Engineer Robert Cheshire and Director of Community Development Mandi Cody. Councilman Travis Chance was absent.

The meeting was called to order by Mayor Joe Brannen
The Invocation and Pledge of Allegiance was led by Mayor Pro Tem Will Britt.

Recognitions/Public Presentations:

Conor Baker is being awarded the Statesboro Fire Department Medal of Achievement for his efforts in a National Firefighting Skills Competition in which he placed 12th overall

Fire Chief Tim Grams awarded Conor Baker with a Medal of Achievement for his efforts in a National Firefighting Skills Competition in which he placed 12th overall.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) **Approval of Minutes**
 - a) **07-16-2013 Council Minutes**

- B) **Consideration of a Motion to approve Resolution 2013-26: A Resolution approving the Uncollectable Personal Property Tax Bill List for 2012.**

- C) **Consideration of a Motion to approve “Vehicle for Hire”
Spells Taxi Service – Deborah Cranfill (Driver)**

- D) **Notification of alcohol license application:**
 - Licensee: Lan Doan**
 - DBA: Orchid’s Asian Restaurant**
 - Location: 1525 Fair Road**
 - Type of Alcohol License: Pouring – Beer & Wine**
 - Type of Business: Restaurant**

- E) **Licensee: Ramiro Melendez**
 - DBA: El Jalapeno**
 - Location: 711 South Main Street**
 - Type of Alcohol: Pouring – Beer, Wine & Liquor**

Type of Business: Restaurant

F) Consideration of a motion for the surplus and disposal of six (6) solid waste trailers in the Solid Waste Disposal Division:

- a) 2007 East refuse trailer (#9294)
- b) 2008 East refuse trailer (#2840)
- c) 2008 East refuse trailer (#2841)
- d) 2009 East refuse trailer (#3898)
- e) 2009 East refuse trailer (#3899)
- f) 2009 East refuse trailer (#3900)

G) Consideration of a Motion to call a Public Hearing for August 29, 2013 at 4:00 p.m. in the Council Chambers at City Hall on the proposed 2013 Calendar Year Ad Valorem (Property) Tax Millage Rate of 6.358 for the City of Statesboro

H) Consideration of a motion to approve the Police Department to dispose of city property through electronic means specifically:

- a) One Ford Crown Vic Police Cruiser 2FAFP71W1X125339
- b) Six Ford Crown Vic Police Cruisers to sell for scrap metal specifically:
 - 2FAFP71W84X124676
 - 2FAFP71W94X124671
 - 2FAFP71W06X138204
 - 2FAFP71W83X198266
 - 2FAFP71W04X124669
 - 2FAFP71WX6X138209

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Boyum 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.

Public Hearing and Consideration of a Motion to approve the following:

- A) APPLICATION # RZ 13-04-02: Greg Parker, Drayton Parker, LLC, requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R-15 (Single Family Residential) District to CR (Commercial Retail) District for property located at 104 Catherine Avenue (Tax Parcel Number S44000001 000).**
- B) APPLICATION # RZ 13-04-03: Greg Parker, Drayton Parker, LLC, requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R-15 (Single Family Residential) District to CR (Commercial Retail) District for property located at 300 Catherine Avenue (Tax Parcel Number S44000044 000).**
- C) APPLICATION # RZ 13-04-04: Greg Parker, Drayton Parker, LLC, requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R-15 (Single Family Residential) District to CR (Commercial Retail) District for property**

located at northeast corner of Herty Drive @ Fair Road (Tax Parcel Number S44000045 000).

Director of Community Development Mandi Cody presented the case files (A, B, C) as one motion. These items were tabled from the last Council meeting, giving the community and the developers a chance to compromise or come to an agreement. Councilman Riggs made a motion to table the item again until the next Council meeting. After discussing options with City Attorney Alvin Leaphart, the motion died due to the lack of a 2nd for the motion. Mr. Leaphart suggested the public hearing be held today but that Council should wait until the next Council meeting to render a decision. Laura Marsh of Franklin and Taulbee spoke on behalf of the owners and applicant of the request. Realtor Jeff Raines representing June Weaver of 302 Catherine Ave spoke in favor of the request. Richard Johnson spoke in favor of the request. Bob Marsh of 104 Herty Drive spoke against the request. He also presented a petition of other citizens opposing the request. Kathy Shriver of Woodlawn Drive, Marie Sneed of Herty Drive, Ray Frye of Wenwood Drive, Del Presley speaking for Richard Hein, Craig Kellogg of 113 Herty Drive also spoke against the request. Carl Blackburn, pastor of the Campus Methodist Center stated he was not against the request nor was he for the request. He stated his concern was for the students' safety. City Attorney Alvin Leaphart suggested a resolution of ruling be brought back for Council's consideration at the next Council meeting. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to postpone a decision until the next Council meeting. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

There was a pause in the meeting as some of the citizens were leaving the room .At that time; Ms. Bennie Herring stated how well the W. Main Street project looked after it was completed. Mayor Brannen thanked City Engineer Robert Cheshire for the work.

Public Hearing and Consideration of a Motion to approve the following:

APPLICATION # SE 13-03-03: Venus Mack requests a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a hair salon in the R-20 (Single-Family Residential) District for property located at 316 Fletcher Drive (Tax Parcel Number S35000009 000).

Director of Community Development Mandi Cody presented the case file. This item was tabled from the last Council meeting, giving the community and the developers a chance to compromise or come to an agreement. Ms. Cody explained the applicant met with community members at the Neighborhood Association meeting and a list of requirements was made concerning the property. Leo Sable of 300 Fletcher Drive stated he was not speaking for or against the request but only to clarify the actions of the meeting. He stated there was no vote on the 6 items listed in the report; instead it was a list for everyone to give thought to and contact Phil with comments or concerns. He also stated there was no resolution at the Neighborhood Association meeting. Councilman Boyum stated he had a list of people who had contacted him concerning the request. Venus Mack spoke in favor of the request. Joy Patterson, who stated she was a new comer to the City of Statesboro, spoke in favor of the request. Councilman Boyum asked Ms. Patterson for her address and she stated 316 Fletcher Drive where the salon is supposed to go. Frank McGibony of 105 Christy Lane spoke against the request. Councilman Lewis spoke in favor of the request

stating the applicant should be given a chance to show that she can do business at the location. Councilman Lewis made a motion to approve the request. The motion died due to the lack of a 2nd to the motion. Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to deny the request for a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a hair salon in the R-20 (Single-Family Residential) District for property located at 316 Fletcher Drive (Tax Parcel Number S35000009 000). Councilman Britt, Boyum and Riggs voted in favor of the motion. Councilman Lewis voted against the motion. The motion carried by a 3-1 vote.

Consideration of a Motion to authorize the Mayor to execute a contract for Retail Strategies for purposes of retail research and recruitment and expansion data. Such contract to be for a 3 year term of engagement at \$36,000 for year 1 and \$18,000 each for years 2 and 3

Nick Propps spoke in favor of the request. He stated the company would only give data for the City's growth and not be real estate brokers. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Boyum to authorize the Mayor to execute a contract for Retail Strategies for purposes of retail research and recruitment and expansion data. Such contract will be for a 3 year term of engagement at \$36,000 for year 1 and \$18,000 each for years 2 and 3 with the condition to include a review by City Attorney Alvin Leaphart and City Manager Frank Parker. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Gary Lewis left the meeting and did not return.

Consideration of Motion to Approve Award of Contract to Preferred Site Construction (PSC), LLC in the amount of \$142,075.00 to construct a sidewalk on Gentilly Road between Fair Road and East Jones Avenue. The Gentilly Road Sidewalk Project is to be funded by 2007 SPLOST.

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to approve award of contract to Preferred Site Construction (PSC), LLC in the amount of \$142,075.00 to construct a sidewalk on Gentilly Road between Fair Road and East Jones Avenue. The Gentilly Road Sidewalk Project is to be funded by 2007 SPLOST. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Consideration of a Motion to approve the Sole Source Vendor, Dell, in the amount of \$26,311.79 for the network storage server

Purchasing Agent Darren Prather stated the approval should be for Dell State Contract not Sole Source. Mayor Pro Tem Will Britt made a motion seconded by Councilman Riggs to approve the Sole Source Vendor, Dell, in the amount of \$26,311.79 for the network storage server. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Public Hearing and Consideration of a Motion to consider the abandonment of an unimproved City alley located between Donehoo Street and Granade Street

City Engineer Robert Cheshire asked Council to consider closing a portion of the alley to public access as it remains unimproved. The City would only maintain the utility easements on the property. Mayor Pro Tem Will Britt stated there were several other alleyways that may need to be looked at by the City that would also fit in this category. City Attorney Alvin Leaphart stated this alleyway was a liability to the City as the City was not receiving tax money. He also stated this public hearing was to show it was in the best interest of the general public's welfare. He stated City Engineer Robert Cheshire has showed proper evidence of that to be true. He suggested that a resolution be brought back for Council's approval showing those specific findings to close this alleyway or others that fit this description. These findings would justify giving the property owned by the City back to the adjacent land owners. No one from the public spoke for or against the request. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to table this item until a resolution can be presented at the next Council meeting. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Consideration of a Motion to award a construction contract to Pearce Building Systems for phase I of the Fire Department's renovation project on West Grady Street in the amount of \$459,829.00.

Purchasing Agent Darren Prather stated this is a Public Works contract viewed by the State. The low bidder has complied with all requirements. Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to award a construction contract to Pearce Building Systems for phase I of the Fire Department's renovation project on West Grady Street in the amount of \$459,829.00. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Other Business from City Council

Mayor Pro Tem Will Britt recognized a guest from the audience and asked him to introduce himself. Life Scout Chandler Liggett of Troop 340 stated he was here today to complete some requirements for the "Citizenship Community" Merit Badge. He is sponsored by the First Baptist Church.

Councilman Phil Boyum stated he would like to look into the possibility of using half of the budgeted funds (approx. \$25,000.00) from the shower head rebate program to assist citizens with payment of their utility bills. The shower head rebate program has not progressed as was expected.

Councilman Boyum stated they were working on some changes to utility billing and would like to look into the option of changing some of the due dates or penalty dates for citizens. Mayor Brannen confirmed with City Attorney Alvin Leaphart that he was already working on some written policy and procedures.

City Manager Frank Parker stated there were some applications for the vacancies on the Tree Board and Beautification Committee. He asked Council if they would like to fill the vacancies at this time or bring the applications back at the next Council meeting. Councilman Boyum recommended filling the vacancies today. City Engineer Robert Cheshire stated there are presently 4 vacancies on the Tree Board and 3 applications have been received. The applicants are Jason Lanier, Lissa Legee and Virginia Ann Franklin Waters. Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to appoint Jason Lanier and Lissa Legee to the Tree Board and Virginia Ann Franklin Waters to the Beautification Committee. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Public Comments (General)

Mr. Bill Thomas request to address to Council

Bill Thomas was not present at the meeting

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

At 11:15 am, Councilman Boyum made a motion, seconded by Councilman Riggs to enter into Executive Session with a 5 minute break. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Present were Mayor Joe Brannen, Council Members: Will Britt, John Riggs and Phil Boyum. Also present were City Manager Frank Parker, City Clerk Sue Starling, and City Attorney Alvin Leaphart and Director of Human Resource Jeff Grant. Councilman Travis Chance and Councilman Gary Lewis were absent from the Executive Session.

Regular Session

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to come out of Executive Session at 12:55 pm. Councilman Britt, Boyum, and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Mayor Brannen called the regular session back to order at 12:56 p.m. with no action taken.

Consideration of a Motion to Adjourn

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to adjourn. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote. The meeting was adjourned at 12:57 pm.