



**CITY OF STATESBORO
Council Minutes
October 07, 2014**

A regular meeting of the Statesboro City Council was held on October 7th, 2014 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, City Attorney Alvin Leaphart, Assistant City Engineer Jason Boyles and Director of Community Development Mandi Cody.

The meeting was call to Order by Mayor Jan Moore

The Invocation was given by Director of DSDA Allen Muldrew and the Pledge of Allegiance was led by Councilman Travis Chance.

Recognitions/Public Presentations:

A) Proclamation for National Disability Employment Awareness Month

Mayor Moore presented the National Disability Employment Awareness proclamation to Tiffany Williams who was representing the organization.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
 - a) **09-16-2014 Council Minutes**
 - b) **09-16-2014 Public Hearing Minutes**
 - c) **09-24-2014 Called Council Minutes**
- B) Consideration of a Motion to enter into a Water Tank Maintenance Contract with Utility Service Company, Inc., in the amount of \$13,925.00 per year for the 500,000 gallon Gateway water tank, which is located on J.C. Cannady Road.**
- C) Consideration of a Motion and Second Reading of Ordinance 2014-02: An Ordinance Amending Chapter 2 of the Statesboro Municipal Code Regarding Authorities, Boards and Commissions- Statesboro Planning Commission.**
- D) Consideration of a Motion to approve Special Event Permit**
 - a) **11-07-2014- Averitt Center for the Arts-Annual Statesboro Regional Arts Association**
 - b) **11-07-2014- Averitt Center for the Arts-"Sordid Lives" STAR Production-2 Act Play**
 - c) **11-15-2014-Averitt Center for the Arts-Ney Rosauo & GSU Percussion Ensemble**

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to approve the consent agenda in its entirety. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Administrative Hearing for alcohol violations: (Furnishing Alcohol to persons under 21)

- A) Ruby Tuesday
Scarlett May and Roger L. Collier**
- B) South City Tavern
Christopher Scott Springfield**
- C) El Sombrero(Buckhead Drive)
Avel Leon**
- D) Gata's
Christian Bennett**
- E) Big Show Burgers
Heath Robinson**
- F) Statesboro Millhouse
Thomas C. Jones**

Mr. Collier, owner of Ruby Tuesday's, waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Collier agreed that based on the evidence presented here today that Council finds that 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 the motion, seconded by Councilman Lewis to accept the guilty plea from Mr. Collier. 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 Chance 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. Springfield, owner of South City Tavern, waived his right to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Springfield agreed that based on the evidence presented here today that Council finds that 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 Chance made the motion, seconded by Councilman Boyum to accept the guilty plea from Mr. Springfield. 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 Lewis 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.

Avel Leon, owner of El Sombrero; Christian Bennett, owner of GATA'S; Heath Robinson, owner of Big Show Burgers; and Thomas Jones, owner of Statesboro Millhouse , waived their rights to a hearing and agreed to the violation of furnishing alcohol to under age persons. Mayor Moore then asked for a motion and Mr. Leon, Mr. Bennett, Mr. Robinson and Mr. Jones agreed that based on the evidence presented here today that Council finds that 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 the motion, seconded by Councilman Lewis to accept the guilty plea from Mr. Leon, Mr. Bennett, Mr. Robinson and Mr. Thomas. 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 Chance made a motion, seconded by Councilman Lewis 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.

Consideration of a motion to approve first reading of Annexation Ordinance 2014-03 for annexation by the 100% method filed by W&L Developers, LLC to annex 13.05 acres of property located on S&S Railroad Bed Road into the City of Statesboro. (Tax Map 107 00000 7000)

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve first reading of Annexation Ordinance 2014-03 for annexation by the 100% method filed by W&L Developers, LLC to annex 13.05 acres of property located on S&S Railroad Bed Road into the City of Statesboro (Tax Map 107 00000 7000). 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 first reading of Annexation Ordinance 2014-04 for annexation by the 100% method filed by W&L Developers, LLC to annex 1 acre of property located on S&S Railroad Bed Road into the City of Statesboro. (Tax Map 107 00006A 000)

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to approve first reading of Annexation Ordinance 2014-04 for annexation by the 100% method filed by W&L Developers, LLC to annex 1 acre of property located on S&S Railroad Bed Road into the City of Statesboro. (Tax Map 107 00006A 000). 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 a developer's request to connect or extend City water services outside the City Limits

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to approve (with a Memorandum of Understanding) a developer's request to connect or extend City water services outside the City Limits. 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 the change order No.1 for the Whitesville lifts station upgrade and Lakeview Force Main Extension.

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to approve the change order No.1 for the Whitesville lifts station upgrade and Lakeview Force Main Extension. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Presentation from Public Safety Director Wendell Turner regarding findings and recommendations for underage drinking of alcoholic beverages

Director of Public Safety Wendell Turner and Lt. Rob Bryan spoke about the findings and recommendations for underage drinking and presented a proposed plan of action based on the outline of the Athens-Clarke County Alcohol Policy. Councilman Chance asked why the cases from 2013 did not make it to Council for Administrative Hearings. There was not an answer to the question. Mr. Turner also asked Council if they had an interest in creating a position for an Alcohol Beverage Control Police Officer (ABC). The position was received in a positive manner.

Other Business from City Council

Councilman Riggs asked about the next work session for the alcohol ordinance. Mayor Moore and Council discussed the upcoming work sessions for alcohol and budgets. The general consensus was to have alternate work sessions with alcohol and budgets. The work session would be at 4:00 pm before the evening Council meeting at 5:15 pm and immediately following the morning meeting at 9:00 am.

Mayor Moore updated Council on the investigation by Tom Peterson. She stated Mr. Peterson hopes to have the report complete by the next Council meeting.

Mayor also addressed the question of why the 2013 citations for alcohol violations were not submitted to Council for administrative hearings. Because there was not answer to the question, she has asked for a time line to be put together to find out details of who, what, when where and how the process was being handled and how the information fell thru the cracks.

City Managers Comments

Interim City Manager Robert Cheshire updated Council on the renumbering of MLK Drive by the 911 Call Center. Councilman Boyum asked for a list to make sure everyone was satisfied with the changes. Mr. Cheshire said they would handle that at staff level as Councilman Boyum said that was satisfactory with him.

City Clerk Sue Starling notified Council of the alcohol application for Huifen Han for the Southern Palace Restaurant.

Director of Human Resource Jeff Grant updated Council on the Fit by '15 program. Cynthia Carter was the winner this month. Marcos Trejo was the winner for the most improved in steps and Councilman Phil Boyum was the winner from the Council members.

Mr. Grant also updated Council on the "Run in the Boro" set for December 5th, 2014 with United Way being the beneficiary.

Public Comments (General)

A) Mrs. Carrie Howard request to speak with Council regarding the Whitesville Community.

Ms. Howard spoke on the past and present conditions of the Whitesville Community. She asked when the community would become a priority for the City and not just for water, sewer and sanitation. She also asked about grants for the community. Interim City Manager Robert Cheshire stated because the community was a 501-C3, the City could not use its resources in the community.

B) Nathan Queen request to speak to Council regarding the state of affairs in Statesboro

Nathan Queen stated he just wanted to know why it took the death of Michael Gatto before the City took action for alcohol violations. Mayor Moore stated again the issues were being investigated.

Bill Thomas also talked about Councilmembers owing bars and why the Police Chief couldn't do his job without consequences. He stated the leadership caused the death of the young man.

Consideration of a Motion to Adjourn

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

The meeting was adjourned at 11:15 am.