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**CITY OF STATESBORO  
CITY COUNCIL MINUTES  
OCTOBER 16, 2012**

A regular meeting of the Statesboro City Council was held on October 16, 2012 at 6:00 pm in the Council Chambers at City Hall. Present were Mayor Joe R. Brannen, Council Members: Will Britt, 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. Absent was Councilman Travis Chance.

Mayor Joe R. Brannen called the meeting to order and recognized retired Councilmember Tommy Blich.

Invocation and Pledge of Allegiance was given by Councilman John Riggs

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

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

- A) Approval of Minutes**
  - a) October 2, 2012 Council Minutes**
  
- B) Notification of alcohol license applications:**
  - a) Licensee: Tina & Van Anderson**  
**DBA: Out of Ground**  
**Location: 22 A West Main Street**  
**Type of Alcohol License: Restaurant**  
**Type of Business: Beer, Wine & Liquor by the Drink – Pouring Sales**
  - b) Licensee: Michael Christopher Vickers**  
**DBA: The Olive Garden Italian Restaurant #1837**  
**Location: 201 Henry Blvd**  
**Type of Alcohol License: Restaurant**  
**Type of Business: Beer, Wine & Liquor by the Drink – Pouring Sale**
  - c) Licensee: Daniel Adam Long**  
**DBA: Eagle Creek Brewing Company LLC**  
**Location: 403 South Zetterower Avenue**  
**Type of Alcohol License: Manufacturing**  
**Type of Business: Brewery (Packaged Sales)**
  
- C) Consideration of a Motion for the purchase of two standard cab F-150 trucks from Rozier Ford at a bid price of \$16,098.00 each for a total of \$32,196.00 (Rozier to match the lowest bid of Wade Ford per our 3% in-county advantage). (Please note that originally the bid only called for two (2) of the standard cabs for CIP number WWD 75, but due to the low price submitted, the Water Sewer Department wishes to add an additional unit for CIP number WWD 95.) This is for the Water/Sewer Department**

- D) Consideration of a Motion for the purchase of one standard cab F-150 truck From Prater Ford at a bid price of \$15,723.00. (This was offered as an alternative bid and is a 2012 model. We specified 2012 or 2013 models.) This is for the Water/Sewer Department**
- E) Consideration of a Motion for the purchase of one (1) extended cab F-150 truck from Rozier Ford at a bid price of \$20,731.00. (Rozier to match the lowest responsive bid of Prater Ford per our 3% in-county advantage.)This is for the Water/Sewer Department**
- F) Consideration of a Motion for the purchase of one (1) crew cab F-150 truck from Rozier Ford at a bid price of \$22,969.00. This is for the Police Department.**
- G) Consideration of a Motion to award a contract to Aqua-Aerobic Systems, Inc. for the purchase of four (4) Aqua Disk Cloth Media Filters and recommended spare parts in the amount of \$ 1,526,648.00**
- H) Consideration of a Motion to Standardize the Fees for burial lots at the City owned Eastside Cemetery. Change in rates to become effective beginning January 1, 2013.**

Mayor Brannen asked for items C, D and G to be removed from the consent agenda for further discussion.

Director of Purchasing Darren Prather asked for consideration of a motion to void Item D of the consent agenda and increase Item C from the purchase of 2 trucks to the purchase of 3 trucks at a price of \$16,098.00 each. Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to approve the motion. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

Assistant Director of Water Sewer Van Collins asked Council to approve Item G of the consent agenda for the purchase of four (4) Aqua Disk Cloth Media Filters with the recommended spare parts in the amount of \$ 1,526,648.00 instead of three (3) that was previously discussed. Mayor Brannen asked City Attorney Alvin Leaphart to look over the purchase contract. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve the purchase of four (4) Aqua Disk Cloth Media Filters with the recommended spare parts in the amount of \$1,526,648.00 instead of 3 that was previously discussed. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to approve the remaining items on the consent agenda. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

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

- A) APPLICATION # RZ 12-06-04: DNA Properties requests a zoning map amendment from R-15 (Single-Family Residential) District to PUD (Planned Unit Development) District for property located on Zetterower Road (Tax Parcel # S14000028001).**

**APPLICATION # V 12-06-05: DNA Properties requests a variance from Section 1402 of the Statesboro Zoning Ordinance regarding lot regulations for PUD**

**(Planned Unit Development) for property located on Zetterower Road (Tax Parcel # S14000028001).**

John Dotson of Maxwell Reddick spoke in favor of the request on behalf of the property owners. Frank D’Arcangelo also spoke in favor of the request as well as Andy Aldred and Tim Durden. Dr. James Stephens, Robert Curry, Stanley Wood, James Nichols, Brooke Mobley and Cynthia Thompson spoke against the request. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to postpone the request for 30 days. The suggestion was for the builders and residents to have a meeting for further discussion. The request will come back to Council for consideration at the second Council meeting in November. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

**B) APPLICATION # V 12-09-02: Vaden Nissan of Statesboro, Inc., requests a variance from Article XV of the Statesboro Zoning Ordinance regarding signs for property located at 686 Brannen Street. (Tax Map # MS84000100000)**

Bill Daniel of Dan Vaden Chevrolet spoke in favor of the request. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve APPLICATION # V 12-09-02: Vaden Nissan of Statesboro, Inc., requests a variance from Article XV of the Statesboro Zoning Ordinance regarding signs for property located at 686 Brannen Street. (Tax Map # MS84000100000). Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

**C) APPLICATION # SE 12-09-03: Gracious Development, LLC requests a special exception be granted pursuant to the *Statesboro Zoning Ordinance* to allow the applicants to utilize the property located at 323 Johnson Street (Tax Parcel Number S11000011000) as a convenience store and/or a restaurant and that the property qualify for consideration for issuance of an alcohol license by the Mayor and City Council of the City of Statesboro.**

Laneka Walden spoke in favor of the request as well as Jerry Washington who is owner of the property. Nick Propps spoke against the request. Public Safety Director Wendell Turner updated Council on the many incidents they have faced with the establishment over the last few years. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to approve the Special Exception with the condition that it remains a convenient store only and will remain closed each night between the hours of 12:00p.m. and 6:00 am. There will be no alcohol, no pool tables and no restaurant. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

**Other Business from City Council**

City Manager asked for Council to approve the appointment of Robert Seamans to the Keep Bulloch Beautiful Board. Councilman Lewis made a motion, seconded by Councilman Riggs to approve the appointment of Robert Seamans to the Keep Bulloch Beautiful Board. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

Director of Community Planning Mandi Cody asked Council to approve the major subdivision plat for Lighthouse Pointe. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve the major subdivision plat for Lighthouse Pointe. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote.

**Public Comments (General):** None

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

Councilman Lewis made a motion, seconded by Councilman Riggs to enter into Executive Session at 8:10 pm with a 5 minute break before discussion of “Potential Litigation” in accordance with **O.C.G.A. §50-14-3 (2012)**. Councilman Britt, Riggs and Lewis voted in favor of the motion. The motion carried by a 3-0 vote. Present were Mayor Joe R. Brannen; Council Members: Will Britt, John Riggs and Gary Lewis. Also present were City Manager Frank Parker, City Attorney Alvin Leaphart, City Clerk Sue Starling, and Director of Public Safety Wendell Turner.

Executive Session ended at 9:05 pm

**Regular Session**

Mayor Brannen called the regular session back to order at 9:06 pm 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, Riggs and Lewis voted in favor of the motion. The motion carried by a 4-0 vote. The meeting adjourned at 9:08 pm.