



**CITY OF STATESBORO
Council Minutes
November 15, 2016**

A regular meeting of the Statesboro City Council was held on November 15th, 2016 at 5:30p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn and Travis Chance. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Alvin Leaphart. Councilman John Riggs was absent.

The meeting was called to order by Mayor Jan J. Moore.

The Invocation and Pledge of Allegiance was led by Councilman Jeff Yawn

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
 - a) 11-01-2016 Council Minutes**

Councilman Chance made a motion, seconded by Councilman Yawn to approve the consent agenda in its entirety. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote

Public Hearing and Consideration of a Motion to Approve Alcohol License Application:

- A) Quick Shop**
 - Karan Patel**
 - 301 N Main Street**
 - Statesboro Ga 30458**

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Karan Patel was sworn in by Mayor Moore. Interim Police Chief Rob Bryan stated the previous owner of the business was cited in 2014 and 2015 with alcohol violations but there is no connection with the current owner. Chief Bryan stated there were no objections for the approval of the application.

Councilman Yawn made a motion, seconded by Councilman Jones to close the public hearing. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve the alcohol application. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 16-10-01: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for 1 acre of property located at 115 Continental Road from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000013 000).

Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 16-10-02: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for 8.21 acres of property located at 0 Veterans Memorial Parkway from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000012 000).

Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 16-10-03: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for a .5 acre parcel located at 0 Veterans Memorial Parkway from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000012 002).

Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 16-11-02: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for 4.8 acres of property located at 0 Veterans Memorial Parkway from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000012 001).

Councilman Chance made a motion, seconded by Councilman Yawn to open the public hearing for application RZ 16-10-01, RZ 16-10-02, RZ 16-10-03 and RZ 16-11-02.

Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Director of Planning and Zoning Frank Neal presented the details for application RZ 16-10-01., RZ 16-10-02, RZ 16-10-03 and RZ 16-11-02.

Marc Bruce representing J.C. Lewis and Walter Lewis were present. They spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Chance to close the public hearing for application RZ 16-10-01, RZ 16-10-02, RZ 16-10-03 and RZ 16-11-02.

Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Yawn made a motion, seconded by Councilman Chance to approve APPLICATION # RZ 16-10-01: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for 1 acre of property located at 115 Continental Road from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000013 000). Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to Approve: **APPLICATION # RZ 16-10-02**: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for 8.21 acres of property located at 0 Veterans Memorial Parkway from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000012 000). Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve **APPLICATION # RZ 16-10-03**: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for a .5 acre parcel located at 0 Veterans Memorial Parkway from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000012 002). Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve **APPLICATION # RZ 16-11-02**: Marc Bruce on behalf of J.C. Lewis Investment Company, LLC requests a zoning map amendment for 4.8 acres of property located at 0 Veterans Memorial Parkway from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail new and used automobile dealership at the location (Tax Parcel # MS42 000012 001).

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 16-09-02: Beacon Place Statesboro, LLC requests a variance from Article XV Section 1509(C) Table 3 regarding maximum allowed height for the installation of a monument sign at 0 S&S Railroad Bed Road (Tax Parcel # 107 000005 007).

Councilman Yawn made a motion, seconded by Councilman Chance to open the public hearing. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Josh Whitfield, Whitfield Signs, spoke in favor of the request.

Councilman Chance made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Councilman Yawn made a motion, seconded by Councilman Jones to approve **APPLICATION # V 16-09-02**: Beacon Place Statesboro, LLC requests a variance from Article XV Section 1509(C) Table 3 regarding maximum allowed height for the installation of a monument sign at 0 S&S Railroad Bed Road (Tax Parcel # 107 000005 007). Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 16-10-06: Compassion Christian Church requests a variance from Article XV Section 1509(C) Table 3 regarding the maximum aggregate sign area and maximum square feet allowed for installation of a monument sign and building signs at 0 Cawana Road (Tax Parcel # 107 000004 000).

Councilman Chance made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 3-0 vote.

Josh Whitfield, Whitfield Signs, spoke in favor of the request.

Councilman Phil Boyum joined the meeting at 5:50 pm.

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

Councilman Chance made a motion, seconded by Councilman Yawn to approve APPLICATION # V 16-10-06: Compassion Christian Church requests a variance from Article XV Section 1509(C) Table 3 regarding the maximum aggregate sign area and maximum square feet allowed for installation of a monument sign and building signs at 0 Cawana Road (Tax Parcel # 107 000004 000). Councilman Boyum, Jones, Yawn 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 16-10-05: Ray Hendley requests a zoning map amendment for a 1.19 acre parcel located at 453 South College Street from R20 (Single-Family Residential) zoning district to R4 (High Density Residential District) zoning district to permit the construction of five (5) one-bedroom cottages (Tax Parcel # S21 000006 000).

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

Brian Davis representing Hendley Properties spoke in favor of the request. Rich Curlin stated he was no against the request but was concerned with the traffic at the intersection. Jason McCoy also stated he was not opposed to the request but was concerned with the traffic and the traffic flow. Mr. Curlin and Mr. McCoy also stated that cars were not stopping at the stop signs.

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

Councilman Yawn made a motion, seconded by Councilman Jones to approve APPLICATION # RZ 16-10-05: Ray Hendley requests a zoning map amendment for a 1.19 acre parcel located at 453 South College Street from R20 (Single-Family Residential) zoning district to R4 (High Density Residential District) zoning district to permit the construction of five (5) one-bedroom cottages (Tax Parcel # S21 000006 000). Councilman Boyum, Jones, Yawn 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 # V 16-11-01: Ray Hendley requests a variance from Article XXII Sec. 2203.1(A) regarding the minimum size dwelling requirements and a variance from Article VI Sec. 603(A)(1) regarding the minimum rear yard setback for the parcel located at 453 South College Street (Tax Parcel # S21 000006 000).

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

Brian Davis representing Hendley Properties and Rick Curlin spoke in favor of the request.

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

Councilman Jones made a motion, seconded by Councilman Yawn to approve APPLICATION # V 16-11-01: Ray Hendley requests a variance from Article XXII Sec. 2203.1(A) regarding the minimum size dwelling requirements and a variance from Article VI Sec. 603(A)(1) regarding the minimum rear yard setback for the parcel located at 453 South College Street (Tax Parcel # S21 000006 000). Councilman Boyum, Jones, Yawn 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 # DSDA 16-10-002: AgSouth Farm Credit requests the demolition of a structure located at 20 East Vine Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S29 000022 000).

Public Hearing and Consideration of a Motion to Approve: APPLICATION # DSDA 16-10-001: AgSouth Farm Credit requests the demolition of a structure located at 0 East Vine Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S29 000021 000).

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing for APPLICATION # DSDA 16-10-001 and APPLICATION # DSDA 16-10-002.

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

Attorney Bob Mikell, representing Ag South, spoke in favor of the request. Also present was John Rule and Phyllis Thompson who spoke in favor the request.

Councilman Chance made a motion, seconded by Councilman Yawn to close the public hearing for APPLICATION # DSDA 16-10-001 and APPLICATION # DSDA 16-10-002.

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

Councilman Boyum made a motion, seconded by Councilman Yawn to approve **APPLICATION # DSDA 16-10-002:** AgSouth Farm Credit requests the demolition of a structure located at 20 East Vine Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S29 000022 000). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Chance to approve **APPLICATION # DSDA 16-10-001:** AgSouth Farm Credit requests the demolition of a structure located at 0 East Vine Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S29 000021 000). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

16. Public Hearing and Consideration of a Motion to Adopt Resolution 2016-41: A Resolution Authorizing the Abandonment and Relocation of a Public Right of Way, Specifically the Unnamed Paved Alley Connecting East Vine Street to East Cherry Street.

Councilman Boyum made a motion seconded by Councilman Jones to open the public hearing for Resolution 2016-41: A Resolution Authorizing the Abandonment and Relocation of a Public Right of Way, Specifically the Unnamed Paved Alley Connecting East Vine Street to East Cherry Street. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Attorney Bob Mikell spoke in favor of the request.

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

Councilman Chance made a motion seconded by Councilman Yawn to approve **Resolution 2016-41:** A Resolution Authorizing the Abandonment and Relocation of a Public Right of Way, Specifically the Unnamed Paved Alley Connecting East Vine Street to East Cherry Street. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

17. Public Hearing and First Reading on Ordinance 2016-12: An Ordinance amending Chapter 42 of the Statesboro Code of Ordinances (Fire Protection and Prevention).

Councilman Boyum made a motion seconded by Councilman Yawn to open the Public Hearing for the first reading on **Ordinance 2016-12:** An Ordinance amending Chapter 42 of the Statesboro Code of Ordinances (Fire Protection and Prevention). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion seconded by Councilman Jones to close the Public Hearing for the first reading on **Ordinance 2016-12**: An Ordinance amending Chapter 42 of the Statesboro Code of Ordinances (Fire Protection and Prevention). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

18. Consideration of a Motion to Apply for the Georgia Department of Transportation's (GDOT) FY 2017 Local Maintenance and Improvement Grant (LMIG), an annual program in which GDOT allocates transportation funds to local governments. For FY 2017, GDOT will allocate \$274,078.31 to the City of Statesboro if the City will commit to providing at least 30% matching funds.

Councilman Jones made a motion seconded by Councilman Boyum to apply for the Georgia Department of Transportation's (GDOT) FY 2017 Local Maintenance and Improvement Grant (LMIG), an annual program in which GDOT allocates transportation funds to local governments. For FY 2017, GDOT will allocate \$274,078.31 to the City of Statesboro if the City will commit to providing at least 30% matching funds. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

19. Consideration of a Motion to Adopt Resolution 2016-40 , A Resolution approving the City of Statesboro's proposed FY 2017 Street Resurfacing List, and further authorizing the Mayor to execute the GDOT LMIG Application. The City's share (at least 30% matching funds) will be funded through 2013 SPLOST. The City has \$320,000 in 2013 SPLOST funds allocated to Street Resurfacing in FY 2017.

Councilman Yawn made a motion seconded by Councilman Jones to Adopt **Resolution 2016-40**: A Resolution approving the City of Statesboro's proposed FY 2017 Street Resurfacing List, and further authorizing the Mayor to execute the GDOT LMIG Application. The City's share (at least 30% matching funds) will be funded through 2013 SPLOST. The City has \$320,000 in 2013 SPLOST funds allocated to Street Resurfacing in FY 2017. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

20. Consideration of a Motion to award the purchase of a new Caterpillar 304ECR mini-excavator with attachments per the Georgia State Contract in the amount of \$67,274.25. This machine is for use by the Stormwater Division of Public Works. This item is budgeted in FY 2017 in the amount of \$79,000.00 and is listed under CIP# STM-14 and will be funded through the GMA Lease Pool by Stormwater Fund revenues.

Councilman Chance made a motion seconded by Councilman Boyum to award the purchase of a new Caterpillar 304ECR mini-excavator with attachments per the Georgia State Contract in the amount of \$67,274.25. This machine is for use by the Stormwater Division of Public Works. This item is budgeted in FY 2017 in the amount of \$79,000.00 and is listed under CIP# STM-14 and will be funded through the GMA Lease Pool by Stormwater Fund revenues. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

21. Consideration of a Motion to Adopt Resolution 2016-36: A Resolution approving the Amended and Restated Gas Supply Contract between the City of Statesboro and Municipal Gas Authority of Georgia and authorizing the execution, delivery and performance of the Amended and Restated Gas Supply Contract, and for other purposes.

Councilman Chance made a motion seconded by Councilman Yawn to Adopt Resolution 2016-36: A Resolution approving the Amended and Restated Gas Supply Contract between the City of Statesboro and Municipal Gas Authority of Georgia and authorizing the execution, delivery and performance of the Amended and Restated Gas Supply Contract, and for other purposes. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

22. Discussion of Alcohol Administrative Hearings/Procedures.

City Attorney, Alvin Leaphart explained the basic rules and procedures for administrative hearings in accordance with Chapter 6 of the Code of Ordinances of the City of Statesboro.

23. Other Business from City Council: None

**24. City Managers Comments
A) Update on the CDBG Grant**

Director of Planning and Development Frank Neal gave an update on the \$500,000.00 CDBG for the street and drainage improvement. The designated areas for improvement will be on Kent Street, Lovett Street and Bryant Street.

Councilman Boyum made a comment stating this is our third major redevelopment downtown. A few years ago Council passed the TAD in order to encourage redevelopment downtown. Councilman Boyum stated he wants to challenge the Bulloch County Board of Commissioners and the Board of Education to vote on this TAD project and submit their participation in the support of the City of Statesboro's Blue Mile.

25. Public Comments (General): None

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

At 7:30 pm Councilman Chance made a motion seconded by Councilman Jones to enter into Executive Session to discuss "Personnel Matters" and/or "Potential Litigation" in accordance with O.C.G.A.§50-14-3 (2012). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

At 9:00 pm Councilman Chance made a motion seconded by Councilman Yawn to exit Executive Session. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

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

27. Consideration of a Motion to Adjourn

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

The meeting was adjourned at 9:00 pm.