



CITY OF STATESBORO  
COUNCIL MINUTES  
JANUARY 17, 2023

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

**1. Call to Order**

Mayor Jonathan McCollar called the meeting to order

**2. Invocation and Pledge**

Councilmember Paulette Chavers gave the Invocation and led the Pledge of Allegiance.

**ATTENDANCE**

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Present	
Shari Barr	Mayor Pro Tem	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

**3. Recognitions/Public Presentations:**

**A) Presentation of a retirement award to Allan Washington (Wastewater Treatment Plant Operator) who is retiring effective February 1, 2023, after 32 years of service.**

Mayor Jonathan McCollar presented a retirement award to Allan Washington, after 32 years of service to the City of Statesboro at the Waste Water Treatment Plant.

**B) Presentation of an award to the City of Statesboro for the Georgia Initiative for Community Housing received from the Georgia Department of Community Affairs.**

Mayor Jonathan McCollar presented an award to the Planning and Development Department for the Georgia Initiative for Community Housing that was received from the Department of Community Affairs.

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

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

**A) Approval of Minutes**

- a) 12-20-2022 Work Session Minutes
- b) 12-20-2022 Council Minutes
- c) 12-20-2022 Executive Session Minutes

**B) Consideration of a motion to approve Resolution 2023-01: A Resolution to fix and publish qualifying fees for the City of Statesboro November 7, 2023 General Election.**

A motion was made to approve the consent agenda.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**6. Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 22-10-03: Domenic Spencer requests a Zoning Map Amendment from the R15/HOC (Single-Family Residential/Highway Oriented Commercial) zoning districts to the R-4 (High-Density Residential) zoning district at 506 W Miller Street.**

A Motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

George Tullos with Pivotal Housing Partners spoke in favor of the request.  
No one spoke against the request.

A Motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

A Motion was made to approve **APPLICATION RZ 22-10-03**: a Zoning Map Amendment from the R15/HOC (Single-Family Residential/Highway Oriented Commercial) zoning districts to the R-4 (High-Density Residential) zoning district at 506 W Miller Street.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**7. Public Hearing and Consideration of a Motion to Approve: APPLICATION AN 22-12-01: Lehman Franklin requests Annexation of a property adjacent to Beasley Road in order to develop a single-family attached subdivision on approximately 41 acres.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember John Riggs
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

City Manager Charles Penny stated it has been the practice in Statesboro that annexation requests along with a request for a rezone of said property would go before the Planning Commission. Annexations going before the Planning Commission are not a legal requirement. It is recommended that annexations be considered by Mayor and Council separately. If after the annexation is complete and a rezone it desired the request would go before the Planning Commission to look at the zoning request. Mr. Penny stated in the future city staff will review requests for annexation and bring recommendations directly to City Council.

Mayor Jonathan McCollar stated the Planning Commission is not the right space to consider annexations and it puts them in a bad position considering such issues. People have elected us to be responsible for annexation projects for the city.

Councilmember Phil Boyum asked why it is the practice that it goes to the Planning Commission now.

City Manager Charles Penny stated it's just been done that way. When we deal with voluntary annexations, typically they are not controversial. What has also been the practice is when developers and/or owners want to annex a property it is normally tied to some sort of project which would have a recommendation of a rezone. We cannot rezone property that is not inside the city. A property owner takes a risk annexing inside the city, which is the risk they take that it becomes a part of the city and then once it's inside the city then it's simply sent back to the Planning Commission for zoning.

Joey Maxwell with Maxwell Reddick & Associates representing the property owner spoke in favor of the request. Marcus Toole spoke in favor of the request.

Raybon Anderson spoke against the annexation request and the proposed development of the land.

Susan Riley spoke on behalf of a core group of neighbors to the property against the annexation request objecting to the subsequent rezone from R-40 to R-2 for the proposed development. The main concerns are the rental units, the density, and the potential for public safety issues.

Sarah Thompson stated she is a neighbor to the property as well and spoke against the annexation request stating she is here as an advocate to defend life, liberty, and property and stated this proposal may seek to harm community stakeholders.

Bo Davis spoke against the request.

A Motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Councilmember John Riggs stated he does not understand why a site plan and a rezoning request was not presented along with the annexation.

Councilmember Venus Mack stated she agrees with the annexation and that developers could work with the neighbors in the area and the City to create a development everybody would be happy with.

Councilmember Phil Boyum stated that a rezone has to go through a public hearing process before consideration. Secondly if a property owner wants to annex into the City that is their right.

City Manager Charles Penny stated in order for the cities to grow and to thrive they need to grow and that is done through annexation. From a professional standpoint we recommend annexation. The property will be privately developed and any water or sewer extended to this property would be paid for by the developer.

A Motion was made to approve **APPLICATION AN 22-12-01**: Lehman Franklin requests Annexation of a property adjacent to Beasley Road in order to develop a single-family attached subdivision on approximately 41 acres.

<b>RESULT:</b>	Approved 4-1
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Barr
<b>NAYS:</b>	Councilmember John Riggs

**8. Public Hearing and Consideration of a Motion to Approve: APPLICATION SE 22-12-03: Branchwater Statesboro LLC, requests a Special Exception in order to allow for an automobile service operator on property zoned CR (Commercial Retail) on US Highway 80 East.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember John Riggs
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Steve Rushing a local attorney representing the applicant spoke in favor of the request. No one spoke against the request.

A Motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Mayor Pro Tem Shari Barr stated her concerns with special exceptions because the way it is worded it applies to the whole property.

A Motion was made to approve APPLICATION SE 22-12-03: a Special Exception in order to allow for an automobile service operator on property zoned CR (Commercial Retail) on US Highway 80 East with an additional condition that only 1 non-compliant business can be on the 6.3 acres.

<b>RESULT:</b>	Approved 4-1
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs
<b>NAYS:</b>	Mayor Pro Tem Shari Barr

**9. Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 22-12-04: CFN Rentals requests a Zoning Map Amendment in order to amend a PUD (Planned Unit Development), and add an additional unit on a property located at Grove Circle/Stockyard Road.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Joey Maxwell spoke in favor of the request.  
No one spoke against the request.

A Motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

A Motion was made to approve APPLICATION RZ 22-12-04: CFN Rentals requests a Zoning Map Amendment in order to amend a PUD (Planned Unit Development), and add an additional unit on a property located at Grove Circle/Stockyard Road.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**10. Public Hearing and First Reading of Ordinance 2023-01: An Ordinance amending Section 2-85 of the Statesboro Code of Ordinances regarding membership of the Statesboro Business Commission.**

A motion was made to open the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

No one spoke for or against the request.

A Motion was made to close the public hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

A Motion was made to approve the First Reading of Ordinance 2023-01: An Ordinance amending Section 2-85 of the Statesboro Code of Ordinances regarding membership of the Statesboro Business Commission.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**11. Consideration of a motion to approve Resolution 2023-02: A resolution authorizing the Mayor to execute a Georgia Department of Transportation (GDOT) Lighting Agreement for the South Main/Fair Road Roundabout Project.**

A motion was made to approve Resolution 2023-02: A resolution authorizing the Mayor to execute a Georgia Department of Transportation (GDOT) Lighting Agreement for the South Main/Fair Road Roundabout Project.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**12. Consideration of a motion to approve the acceptance of a recently awarded grant from the Criminal Justice Coordinating Committee (CJCC) in the amount of \$5000 for the purchase of Naloxone (Narcan).**

A motion was made to approve the acceptance of a recently awarded grant from the Criminal Justice Coordinating Committee (CJCC) in the amount of \$5000 for the purchase of Naloxone (Narcan).

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**13. Consideration of a motion to approve a Water/Sewer Agreement for HS Bulloch Holdings LLC for 39.05 acres located at 712 Elmer Phillips Drive, and fronting HWY 67 (Tax Parcel Numbers 093 000036 000 and 108 000018 000).**

A motion was made to approve a Water/Sewer Agreement for HS Bulloch Holdings LLC for 39.05 acres located at 712 Elmer Phillips Drive, and fronting HWY 67 (Tax Parcel Numbers 093 000036 000 and 108 000018 000).

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	



**14. Consideration of a motion to approve Task Order #7 of Stormwater Master Planning in the amount of \$131,250.00 with Goodwyn, Mills, and Cawood (GMC) for stream restoration engineering services. This project will be paid by Section 319(h) grant funds and Stormwater Utility operating revenue funds.**

A Motion was made to approve Task Order #7 of Stormwater Master Planning in the amount of \$131,250.00 with Goodwyn, Mills, and Cawood (GMC) for stream restoration engineering services. This project will be paid by Section 319(h) grant funds and Stormwater Utility operating revenue funds.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**15. Consideration of a motion to approve purchase of a new CAT D3 LGP Dozer for the Public Works and Engineering Department, Streets Division in the amount of \$202,602.00 from Yancey Bros. via Sourcewell Contract. Funding will be from the 2019 SPLOST Fund.**

A Motion was made to approve purchase of a new CAT D3 LGP Dozer for the Public Works and Engineering Department, Streets Division in the amount of \$202,602.00 from Yancey Bros. via Sourcewell Contract. Funding will be from the 2019 SPLOST Fund.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

**16. Other Business from City Council: None**

**17. City Managers Comments**

City Manager Charles Penny announced the first meeting of the Business Commission will be held on January 26, 2023 at 5:30 pm in the Council Chambers. Mr. Penny also announced the State of the City address will be held on February 28, 2023. In addition at the next work session we will have a presentation from the Statesboro Convention and Visitor Bureau about what they do and to talk about the Hotel/Motel tax.

Mayor Jonathan McCollar introduced two interns that have been assigned to the Mayor’s office.

**18. Public Comments (General):**

Marcus Toole with Habitat for Humanity stated their Executive Director Kathy Jenkins reported a pothole to public works on her way to work, when she went home for lunch it had been fixed. So, kudos to our public works department. Mr. Toole also stated the GICH program did so well due to the work done by Justin Williams to make it such a success.

**19. Consideration of a Motion to enter into Executive Session to discuss “Real Estate” in accordance with O.C.G.A 50-14-3(b).**

At 7:36 pm a motion was made to enter into executive session to discuss “Real Estate”.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

At 7:53 pm a motion was made to exit executive session.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Phil Boyum
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

Mayor Jonathan McCollar called the meeting back to order with no action taken in executive session.

**20. Consideration of a Motion to Adjourn**

A motion was made to adjourn.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Venus Mack
<b>SECONDER:</b>	Councilmember Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

The meeting was adjourned at 7:55 pm.

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Jonathan McCollar, Mayor

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Leah Harden, City Clerk