



CITY OF STATESBORO  
COUNCIL MINUTES  
FEBRUARY 15, 2022

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. Public Comments (Agenda Item):** None

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

**A) Approval of Minutes**

a) 01-27-2022 Work Session Minutes

b) 02-01-222 Council Minutes

c) 02-01-2022 Executive Session Minutes

**B) Consideration of a motion to surplus and dispose of a Public Utilities vehicle in accordance with City Purchasing Policy.**

A motion was made to approve the consent agenda.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilmember Venus Mack

**SECONDER:**

Councilmember Paulette Chavers

**AYES:**

Boyum, Chavers, Mack, Riggs, Barr

**NAYS**

**5. Consideration of a motion to approve the Downtown Master Plan as amended for the City of Statesboro, Georgia.**

A Motion was made to approve the Downtown Master Plan as amended for the City of Statesboro, Georgia.

<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>NAYS</b>	

**6. Consideration of a motion to approve a Memorandum of Understanding between the City of Statesboro and Whitesville Community Resource and Development Organization, Inc. (WCRDO) setting out terms for conveyance of real property commonly known as Whitesville Community Park from WCRDO to City in order to maintain the real property as a park.**

A motion was made to approve a Memorandum of Understanding between the City of Statesboro and Whitesville Community Resource and Development Organization, Inc. (WCRDO) setting out terms for conveyance of real property commonly known at Whitesville Community Park from WCRDO to City in order to maintain the real property as a park.

<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>NAYS</b>	

**7. Public Hearing & Consideration of a Motion to approve application for an alcohol license in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a):**

**A. New Stateboro Investment DBA Sparker  
 3348 Northside Dr W  
 Statesboro, Ga 30458  
 License Type: Package Sales: Beer and Wine and Sunday Sales**

**B. Phenomenal Memories  
 6 Carver St  
 Statesboro, Ga 30458  
 License Type: Event Venue**

A motion was made to open 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>NAYS:</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 John Riggs
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>NAYS:</b>	

A motion was made to approve the application for an alcohol license in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a) to:

A. New Stateboro Investment DBA Sparker  
3348 Northside Dr W  
Statesboro, Ga 30458  
License Type: Package Sales: Beer and Wine and Sunday Sales

B. Phenomenal Memories  
6 Carver St  
Statesboro, Ga 30458  
License Type: Event Venue

<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>NAYS:</b>	

**8. Consideration of a motion to approve Public Hearing and Consideration of a Motion to Approve:**

**APPLICATION V 22-01-01: Mary Beth Brown requests a Variance from Article XV, Section 1508 of the Statesboro Zoning Ordinance in order to place a roof sign of the building located at 239 South Main Street.**

**APPLICATION V 22-01-02: Mary Beth Brown requests a Variance from Article XV, Section 1509 (Table 5) of the Statesboro Zoning Ordinance in order to place a sign exceeding the allowed square footage for a building sign at 239 South Main Street.**

A motion was made to open the public hearing.

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

Jana Phillips with Whitfield signs spoke in favor of the request stating they proposed the sign to be placed on the roof due to the lack of area for a monument sign.

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>NAYS:</b>	

Councilmember Phil Boyum asked if this application is a substantial deviation from the sign ordinance. Planning Director Kathy Field stated that the ordinance does not allow for roof signs and I haven't seen any around. This would encourage more applications for roof signs which is a concern for setting a precedent. Councilmember Paulette Chavers asked where they would put a sign. Ms. Field stated this is a design issue as there are places to put a sign whether it is a monument or pole sign that can be used within the constraints of our sign ordinance. We did take into consideration that they plan to extend their outdoor seating area, however this is not a hardship there are places that a sign could be installed. Mayor Pro Tem Shari Barr stated she is sympathetic to staff concerns to setting a precedence to roof signs because aesthetically it is not what we are looking for. Mayor Jonathan McCollar stated we may want to look at placing a moratorium on signs to give staff more time, not in this case as the Planning Commission approved it with staff recommendations but moving forward.

After further discussion a motion was made to approve **APPLICATION V 22-01-01**: a Variance from Article XV, Section 1508 of the Statesboro Zoning Ordinance in order to place a roof sign of the building located at 239 South Main Street and **APPLICATION V 22-01-02**: a Variance from Article XV, Section 1509 (Table 5) of the Statesboro Zoning Ordinance in order to place a sign exceeding the allowed square footage for a building sign at 239 South Main Street.

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

**9. Consideration of a motion to approve Public Hearing and Consideration of a Motion to Approve:**

**APPLICATION V 22-01-03: Rael Development Corporation requests a variance from Article XIV, Section 1402 of the Statesboro Zoning Ordinance in order to apply for a PUD (Planned Unit Development) at 1 University Place.**

**APPLICATION RZ 22-01-04: Rael Development Corporation requests a Zoning Map Amendment in order to establish a PUD (Planned Unit Development) at 1 University Place.**

A motion was made to open the public hearing.

<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>NAYS:</b>	

Graeme Rael spoke in favor of 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>NAYS:</b>	

A motion was made to approve **APPLICATION V 22-01-03**: a variance from Article XIV, Section 1402 of the Statesboro Zoning Ordinance in order to apply for a PUD (Planned Unit Development) at 1 University Place and **APPLICATION RZ 22-01-04**: a Zoning Map Amendment in order to establish a PUD (Planned Unit Development) at 1 University Place.

<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>NAYS:</b>	

**10. Consideration of a motion to approve Resolution 2022-03: A Resolution reclassifying the position of Senior Planner in the Planning and Development Department to a Planning and Housing Administrator.**

A motion was made to approve **Resolution 2022-03**: reclassifying the position of Senior Planner in the Planning and Development Department to a Planning and Housing Administrator.

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

**11. Consideration of a motion to approve Resolution 2022-04: A Resolution approving application for the 2022 State Farm Neighborhood Assist Grant.**

A motion was made to approve **Resolution 2022-04**: approving application for the 2022 State Farm Neighborhood Assist Grant.

<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>NAYS:</b>	

**12. Consideration of a motion to approve Resolution 2022-05: A Resolution requesting approval to apply for Assistance to Firefighters – Fire Prevention and Safety Grant for the City of Statesboro, Georgia.**

A motion was made to approve Resolution 2022-05: requesting approval to apply for Assistance to Firefighters – Fire Prevention and Safety Grant for the City of Statesboro, Georgia.

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

**13. Consideration of a motion to award a contract to Everside Health for an onsite employee health clinic in the amount of \$286,123.00.**

A motion was made to table this item until March 1, 2022.

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

**14. Consideration of a motion to award a contract to Freese and Nichols, Inc. to perform engineering design and permitting services in the amount of \$2,650,450.00 for the Creek on the Blue Mile project.**

Councilmember Phil Boyum stated this item was just presented in the previous work session with a lot of other information and he would like to have another work session on this one item specifically.

A motion was made to table this item.

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

City Manager Charles Penny asked what date this item is tabled to; stating we typically do not have a work session in March due to the Council Retreat.

There was discussion about having a work session on March 1, 2022 after the regularly scheduled Council meeting.

City Manager Charles Penny requested that any questions you have be submitted to him before the work session in order to have them answered by a representative from Freese and Nichols at that time.

A second motion was made to have a work session regarding this item on March 1, 2022 after the regularly scheduled council meeting and to table this item until March 15, 2022.

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

**15. Second reading and Consideration of a motion to approve Ordinance 2022-01: An Ordinance amending the Statesboro Code of Ordinances Chapter 6 Section 6-23 to regulate the licensure and operation of package stores.**

City Attorney Cain Smith reviewed with Mayor and City Council the second reading of Ordinance 2022-01 for package stores which includes the revisions from the last meeting.

Councilmember Shari Barr made a motion to approve Ordinance 2022-01 with the addition of a 100 yard proximity requirement from college campus.

Councilmember Phil Boyum seconded the motion with an amendment to remove the minimum square footage requirement.

Councilmember Shari Barr rescinded her motion in order to hear from the public.

Bubba Hunt spoke regarding his concerns to the proximity requirements from GSU and the distance between stores. Scott Marchbanks with the Boys and Girls Club spoke in favor of the use of excise tax proceeds being used for social services.

Chris Gohagan spoke regarding the proximity requirements to campus suggesting limitations to physical locations. Mr. Gohagan also voiced his concerns regarding the application process.

Darin Van Tassell spoke regarding proximity to campus in terms of buildings as opposed to the border and the distance between stores.

Discussion by Council included proximity requirements to college buildings.



A motion was made to approve **Ordinance 2022-01**: amending the Statesboro Code of Ordinances Chapter 6 Section 6-23 to regulate the licensure and operation of package stores as written with the following adjustments adding a 100 yard distance requirement with regards to college buildings and remove the square footage requirement.

<b>RESULT:</b>	Approved 3-2
<b>MOVER:</b>	Councilmember Phil Boyum
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Mack, Barr
<b>NAYS:</b>	Chavers, Riggs

**16. Other Business from City Council:**

Mayor Pro Tem Shari Barr announced that the college is offering incentives for booster shots and asked if we would like to consider that as well.

Councilmember Paulette Chavers asked how long we are going to continue the program.

City Manager Charles Penny stated at this point we have not given people money for a booster shot. We stand at about 40% of our population that has been fully vaccinated. We still need to get the people who need their first and second shots which is a majority of the people coming for a vaccination. We are giving booster shots just not offering any incentive for it. Currently we have 60 cards left and we do have another clinic on the 26<sup>th</sup> and I wasn't going to ask to extend beyond that.

Councilmember Phil Boyum stated due to the percentage of individuals who still need to be vaccinated that we need to focus on the first timers. We need to keep the incentive on the most vulnerable and those are the ones without the vaccine.

**17. City Managers Comments**

City Manager Charles Penny brought to Mayor and Council's attention two items in the FYI packet first the proposal for a community garden, secondly the State of the City address on February 22, 2022 at 7 pm in the Statesboro High School Auditorium. The city will host a vaccination clinic on February 26, 2022 from 8:30am – 12:30 pm here at City Hall.

Next Mr. Penny asked for council's authorization for an emergency purchase to replace the air handler and duct work in the Public Works building. Because this is an emergency we have gotten prices from two vendors and we recommend Davis Heating and Air Conditioning in the amount of \$61,380.43.

A motion was made to approve an emergency purchase with Davis Heating and Air in the amount of \$61,380.43 to replace the air handler and duct work in the Public Works building.

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

**18. Public Comments (General): None**

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

No Executive Session was held.

**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>NAYS:</b>	

The meeting was adjourned at 7:23 pm

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Jonathan McCollar, Mayor

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Leah Harden, City Clerk