



CITY OF STATESBORO  
COUNCIL MINUTES  
FEBRUARY 18, 2020

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

1. **CALL TO ORDER**

Mayor Pro Tem Paulette Chavers called the meeting to order

2. **INVOCATION AND PLEDGE**

Pastor Cary Swanson with Crossroads Community Church gave the Invocation.

Mayor Jonathan McCollar gave the State of the City address.

Mayor Pro Tem Paulette Chaves stated we would have an 8-minute recess.

Mayor Jonathan McCollar called the meeting back to order.

Councilmember Phil Boyum 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	Councilmember	Present	

Other staff present was: City Manager Charles Penny, Assistant City Manager Jason Boyles, City Attorney Cain Smith and City Clerk Leah Harden.

3. **Recognitions/Public Presentations: None**

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

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

A) **Approval of Minutes**

a) **02-04-2020 Council Minutes**

A motion was made to approve the consent agenda.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilmember Shari Barr

**SECONDER:**

Councilmember Venus Mack

**AYES:**

Boyum, Chavers, Mack, Riggs, Barr

**ABSENT**

- 6. **Public Hearing and Consideration of a Motion to Approve Application V 20-01-01: Josh Whitfield requests a variance from Article XV, Section 1509 (C) Table 6 of the Statesboro Zoning Ordinances, for the installation of 2 signs with a maximum height of 24 feet at the property located on 87 College Street in Sign District 4 and the CBD (Central Business) zoning district (Tax Parcel #S19 000001 003).**

A motion was made to open the public hearing.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilmember John Riggs

**SECONDER:**

Councilmember Paulette Chavers

**AYES:**

Boyum, Chavers, Mack, Riggs, Barr

**ABSENT**

No one spoke for or against this request.

A motion was made to close the public hearing.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilmember John Riggs

**SECONDER:**

Councilmember Venus Mack

**AYES:**

Boyum, Chavers, Mack, Riggs, Barr

**ABSENT**

A motion was made to approve application V 20-01-01.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilmember Venus Mack

**SECONDER:**

Councilmember Phil Boyum

**AYES:**

Boyum, Chavers, Mack, Riggs, Barr

**ABSENT**

**7. Public Hearing and Consideration of a Motion to Approve Application CUV 19-10-07: Paula Becker requests a conditional use variance from article VII-A of the Statesboro Zoning Ordinances for 0.21 acres of property located at 109 Broad Street to utilize the property as an addiction recovery community residence in the R-6 (Single Family Residential) zoning district (Tax Parcel S29 000073 000).**

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>	

Assistant City Manager Jason Boyles gave an overview of this application. Staff recommends approval with conditions.

Paula Becker spoke for the request.

Pete Williams spoke against the request, voicing concerns such as safety, parking, crime, diminished property values, downtown enhancements and the diminished neighborly feel of the neighborhood.

David Posner spoke against the request

Glenn Hanes spoke against the request

Cathy Skidmore-Hess spoke against the request.

Helen Cannon 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>	

Councilmember Shari Barr asked Ms. Becker to answer the concerns that have been voiced.

Paula Becker explained the structure of the program. Explaining this is not a treatment facility, it is long term sober residential.

Councilmember John Riggs stated he appraised this house about 10 years ago and stated the driveway of this house is no more than ten feet from the bedroom window of the neighboring house. In light of those who have lived there since 1986 he is going to vote no on this. He thanks Ms. Becker for what she does stating the world needs more of what you do and he appreciates it very much.

Councilmember Phil Boyum asked City Attorney Cain Smith where we are on putting together a proposed ordinance for regulating recovery residences.

City Attorney Cain Smith stated he would propose an ordinance based on those that have gone through in Palm Beach Florida, which were put in place in conjunction with fair housing offices.

City attorney Cain Smith states this request is proper under a previously approved moratorium as it requests reasonable accommodations under the Americans with Disabilities Act. There is a potential legal exposure for denial of reasonable accommodation. Such accommodations must be made for abstinent alcoholics and addicts who qualify as persons with disabilities and are protected under federal law. The only way we could deny it would be if there were clustering of these residences.

A motion was made to approve **Application CUV 19-10-07** with staff recommendations as follows 1) applicant will be required to submit a business license application for City staff's review and approval, 2) within six (6) months from the date of the conditional use variance approval the applicant will be required to obtain a Georgia Association of Recovery Residences (GARR) certification for the community residence to be located at 109 Broad Street, 3) applicant will be required to coordinate with the City of Statesboro Fire Department to ensure life safety standards meet current code requirements, 4) applicant must not exceed reasonable standards for parking and avoid excessive parking at the location and 5) applicant may not install signage at the location.

<b>RESULT:</b>	Approved 4-1 Councilmember John Riggs Against
<b>MOVER:</b>	Councilmember Shari Barr
<b>SECONDER:</b>	Councilmember Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Barr
<b>ABSENT</b>	

**8. Consideration of a motion to approve Occupational Tax Certificate for a Massage Parlor and a Massagist Permit**

**A) Karla Schwartz Medical Massage Practitioner  
6 North Mulberry Street**

A motion was made to approve the Occupational Tax Certificate for a Massage Parlor and a Massagist Permit for Karla Schwartz Medical Massage Practitioner located at 6 North Mulberry Street.

<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>	

**9. Consideration of a Motion to Approve Resolution 2020-08: A Resolution authorizing the closing of the bank account for the Water & Sewer Construction Fund 2010.**

A motion was made to approve **Resolution 2020-08**: the closing of the bank account for the Water & Sewer Construction Fund 2010.

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

**10. Consideration of a Motion to approve Resolution 2020-09: A Resolution authorizing the closing of the bank account for the Water & Sewer Revenue Bond Sinking Fund.**

A motion was made to approve **Resolution 2020-09**: the closing of the Bank account for the Water & Sewer Revenue Bond Sinking 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>	

**11. Discussion of Implementing a Blight Tax under Georgia’s Community Development Tax Incentive Program.**

City Manager Charles Penny stated on December 17<sup>th</sup> 2019 Council passed the Community Development Tax and by the Mayors authority reduced the multiplier. Council would need to either override the Mayors reduction or ratify and leave the current rate in place.

Councilmember Phil Boyum stated there is a community demand from the real estate, development and other organizations throughout the community for this blight tax, which is why it was brought up in the first place. I realize we have new council and they need to be brought up to speed in order to make a decision. We need to encourage the community who have interest in the blight tax to reach out to their councilmembers and then to have a work session with the community to get their feedback. If we could take on action the blight tax is on the books, then we could make an adjustment based on the feedback we receive.

Mayor McCollar asked if ratification and no action results in the same thing.

City attorney Cain Smith stated there was not an action taken to override it we continue with the adjusted multiplier.

No action was taken on the Blight Tax under Georgia’s Community Development Tax Incentive Program.

A motion was made to put the Blight Tax on the agenda for the second meeting in May.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Phil Boyum

<b>SECONDER:</b>	Councilmember Paultette Chavers
<b>AYES:</b>	Boyum, Chavers, Mack, Riggs, Barr
<b>ABSENT</b>	

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

**13. City Managers Comments**

City Manager Charles Penny stated there is a press release for the Fire Department they will be doing neighborhood smoke alarm blitz this weekend in the Whitesville Neighborhood. They will be going around visiting and installing smoke alarms in their homes. The Statesboro Fire Department did one in November of 2019 and would like to start doing these on a quarterly basis.

**14. Public Comments (General)**

Mayor Jonathan McCollar stated there will be a Town Hall meeting at Pittman Park on Saturday February 22, 2020, 11:00 am.

**15. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A 50-14-3(b)**

There was no Executive Session.

**16. 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 6:51 pm