



CITY OF STATESBORO  
COUNCIL MINUTES  
APRIL 16, 2024

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**

Mayor Pro Tem Shari Barr gave the Invocation and led the Pledge of Allegiance.

**ATTENDANCE**

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present Via Zoom	
Paulette Chavers	Councilmember	Present	
Ginny Hendley	Councilmember	Present	
John Riggs	Councilmember	Present Via Zoom	
Shari Barr	Mayor Pro Tem	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, Senior IT Specialist Alan Schleder, Attorney Ben Perkins and City Clerk Leah Harden

**3. Recognitions / Public Presentation:**

**A) Presentation of a Proclamation recognizing April 2024 as Fair Housing Month.**

Mayor Jonathan McCollar read the Proclamation recognizing April 2024 as Fair Housing Month and presented it to Ronald Love, President of the Statesboro Board of Realtors.

**B) Presentation of a Certificate to former Councilmember Venus Mack for her Completion of the Robert E. Knox, Jr. Municipal Leadership Institute.**

Mayor Jonathan McCollar presented a Certificate of Completion of the Robert E. Knox, Jr. Municipal Leadership Institute to former Councilmember Venus Mack.

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

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

**A) Approval of Minutes**

**a) 04-02-2024 Council Minutes**

**b) 04-02-2024 Executive Session Minutes**

**B) Consideration of a motion to approve surplus and disposition of a 1997 Ford F-350 in the Public Utilities Department.**

A motion was made to approve the consent agenda.

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

**6. Public hearing and consideration of a motion to approve: APPLICATION RZ 24-03-01: Nikira Boggs requests a Zoning Map Amendment from the LI (Light Industrial) zoning district to the MX (Mixed-Use) zoning district on approximately 0.31 acres of property in order develop a walk-up restaurant at 193 West Main Street (Tax Parcel # S18 000178 000).**

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 Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Hendley, 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>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Ginny Hendley
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

A motion was made to approve with staff conditions **APPLICATION RZ 24-03-01**: Nikira Boggs requests a Zoning Map Amendment from the LI (Light Industrial) zoning district to the MX (Mixed-Use) zoning district on approximately 0.31 acres of property in order develop a walk-up restaurant at 193 West Main Street (Tax Parcel # S18 000178 000).

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

**7. Public hearing and consideration of a motion to approve: APPLICATION SUB 24-03-02: Simcoe Investment Group, LLC requests a Preliminary Subdivision PLAT on approximately 26.32 acres of property in order to construct 152 townhome units on Jones Mill Road (Tax Parcel # MS84000002 001).**

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 Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

Keith Stevens with EMC Engineering representing the applicant spoke in favor of the request.

Stephen Rigg who lives in Bel Air Estates stated as a neighborhood they are concerned with the encroachment into the pond as well as the maintenance of the spill will that helps control the water in the pond keeping the water from encroaching on some of the homes near the pond.

John Oldmixon who lives across the pond in Bel Air Estates voiced his concern about the lack of the 20 foot buffer and requests the buffer to be in place before construction begins.

Sydna Davidson who lives in Bel Air Estates subdivision voiced her concerns with increased traffic issues and inquired about a traffic light at the intersection of Jones Mill Road and the Bypass.

A motion was made to close the public hearing.

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

Mayor McCollar asked staff about the buffer situation.

Assistant City Engineer David Moyer stated the buffers are required and if they would have left just some large pine trees that doesn't create much of a buffer. The developers will have to come back and plant an approved species in the plan of something that will grow thicker to create that buffer. Other options would be to do a fence and trees or a lot trees.

Mayor Pro Tem Shari Barr thanked the Bel Air neighborhood folks for coming and stated she been hearing concern from folks that no trees were left on the edges of the development as we hoped. She stated she has learned, sometimes it is not practical leaving those trees but shares in the frustration. She also stated she shares in their concerns about increased traffic

Councilmember Paulette Chavers asked what it would take to get a traffic light.

Assistant City Manager Jason Boyles stated that Georgia Department of Transportation would be the one to make the determination. Staff can submit a request to them and they would then to conduct a traffic study in order to make their decision.

A motion was made to approve with staff conditions **APPLICATION SUB 24-03-02**: Simcoe Investment Group, LLC requests a Preliminary Subdivision PLAT on approximately 26.32 acres of property in order to construct 152 townhome units on Jones Mill Road (Tax Parcel # MS84000002 001).

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

**8. Public hearing and consideration of a motion to approve:**

**a. APPLICATION RZ 24-03-03: Ogeechee Area Hospice requests a Zoning Map Amendment from the O/R-15 (Office and Business/Single-Family Residential) zoning district to the O (Office & Business) Zoning District on approximately 0.49 acres of property in order develop an expansion to the existing hospice business at 1001 East Inman Street (Tax Parcel # S18 000178 000).**

**b. APPLICATION V 24-03-04: Ogeechee Area Hospice requests a Variance from the setback requirements of Section 2.3.3 – Dimensional Standards of the Unified Development Code, in order to construct a proposed hospice accessory building at 1001 East Inman Street (Tax Parcel # S18 000178 000).**

A motion was made to approve open the public hearing.

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

Doug Lambert President of Ogeechee Area Hospice spoke in favor of the request.  
 Jeb Stewart with Maxwell Reddick and Associates engineers on the project 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>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Ginny Hendley
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

A motion was made to approve with staff conditions **APPLICATION RZ 24-03-03**: Ogeechee Area Hospice requests a Zoning Map Amendment from the O/R-15 (Office and Business/Single-Family Residential) zoning district to the O (Office & Business) Zoning District on approximately 0.49 acres of property in order develop an expansion to the existing hospice business at 1001 East Inman Street (Tax Parcel # S18 000178 000) and **APPLICATION V 24-03-04**: Ogeechee Area Hospice requests a Variance from the setback requirements of Section 2.3.3 – Dimensional Standards of the Unified Development Code, in order to construct a proposed hospice accessory building at 1001 East Inman Street (Tax Parcel # S18 000178 000).

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

**9. Public hearing and consideration of a motion to approve: APPLICATION RZ 24-03-05: Burbank Pointe, LLC requests a Zoning Map Amendment from the R-15 (Single-Family Residential) zoning district to the R-6 (Single-Family Residential) zoning district on approximately 0.32 acres of property in order develop an infill cottage court 231 East Main Street (Tax Parcel # S39 000054 000).**

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 Paulette Chavers
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

Haydon Rollins with HGB 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>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Ginny Hendley
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

A motion was made to approve with staff conditions **APPLICATION RZ 24-03-05**: Burbank Pointe, LLC requests a Zoning Map Amendment from the R-15 (Single-Family Residential) zoning district to the R-6 (Single-Family Residential) zoning district on approximately 0.32 acres of property in order develop an infill cottage court 231 East Main Street (Tax Parcel # S39 000054 000).

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

**10. Consideration of a motion to approve Public hearing and consideration of a motion to approve application for an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a):**  
**Azul Tex-Mex Express, LLC**  
**408 South Main Street**  
**Statesboro, Ga 30458**  
**License Type: Restaurant**

A motion was made to open the public hearing.

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

Lorena Cisneros 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>	Mayor Pro Tem Shari Barr
<b>SECONDER:</b>	Councilmember Ginny Hendley
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

A motion was made to approve application for an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a) issued to Azul Tex-Mex Express, LLC located at 408 South Main Street, Statesboro, Ga 30458 for License Type: Restaurant.

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

**11. Public hearing and consideration of a motion to approve: Resolution 2024-09: A Resolution to transmit the Statesboro Comprehensive Plan to the Coastal Regional Commission for the 40 day comment and review period.**

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, Hendley, Riggs, Barr
<b>ABSENT</b>	

A motion was made to close the public hearing.

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

A motion was made to approve **Resolution 2024-09**: A Resolution to transmit the Statesboro Comprehensive Plan to the Coastal Regional Commission for the 40 day comment and review period.

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

**12. Consideration of a motion to approve Resolution 2024-10: A Resolution authorizing the destruction of certain municipal records.**

A motion was made to approve Resolution 2024-10: A Resolution authorizing the destruction of certain municipal records.

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



**13. Consideration of a Motion to approve Resolution 2024-11: A Resolution to re-certify the City of Statesboro as a Georgia Certified City of Ethics.**

A motion was made to approve Resolution 2024-11: A Resolution to re-certify the City of Statesboro as a Georgia Certified City of Ethics.

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

**14. Consideration of a motion to approve Ordinance 2024-02: recodification of Article IV: Noise of Chapter 38.**

A motion was made to waive the formalities of Sec. 2-2-4 of the Statesboro Code of Ordinances.

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

A motion was made to approve Ordinance 2024-02: recodification of Article IV: Noise of Chapter 38.

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

**15. Consideration of a motion to approve a 50 year ground lease with the Food Bank, Inc. for 3.75 acres located at the intersection of Northside Drive and Miller Street.**

A motion was made to approve a 50 year ground lease with the Food Bank, Inc. for 3.75 acres located at the intersection of Northside Drive and Miller Street.

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

**16. Consideration of a motion to conditionally approve an application submitted by Centurion Property 111 South, LLC dba South Apartments for funding under the Security Enhancement Incentive Program in the amount of \$19,969.50, subject to the fulfillment of all eligibility requirements.**

A motion was made to conditionally approve an application submitted by Centurion Property 111 South, LLC dba South Apartments for funding under the Security Enhancement Incentive Program in the amount of \$19,969.50, subject to the fulfillment of all eligibility requirements.

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

**17. Consideration of a motion to approve an award of contract to Hudson and Hubbard Contractors in the amount of \$131,530.00 for the Averitt Center for the Arts façade renovation. If approved, this project will be funded using 2019 SPLOST funds.**

A motion was made to approve an award of contract to Hudson and Hubbard Contractors in the amount of \$131,530.00 for the Averitt Center for the Arts façade renovation. If approved, this project will be funded using 2019 SPLOST funds.

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

**18. Consideration of a motion to execute a Professional Services Agreement with Hussy, Gay, Bell Engineering, Inc. in the amount not to exceed \$374,100.00 to provide design, bid, and contract administration services for the extension of sanitary sewer and water to the Burkhalter Rd / Railroad Bed Rd area. To be paid for with operating revenues and 2019 SPLOST as approved in CIP Projects WWD-196 & WWD-197.**

A motion was made to execute a Professional Services Agreement with Hussy, Gay, Bell Engineering, Inc. in the amount not to exceed \$374,100.00 to provide design, bid, and contract administration services for the extension of sanitary sewer and water to the Burkhalter Rd / Railroad Bed Rd area. To be paid for with operating revenues and 2019 SPLOST as approved in CIP Projects WWD-196 & WWD-197.

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

**19. Other Business from City Council**

Mayor Pro Tem Shari Barr shared that the Family Resource Day set for May 4<sup>th</sup> has been canceled.

**20. City Managers Comments**

City Manager Charles Penny stated that a budget work session will be held on May 14, 2024 at 2:00pm in the Council Chambers. Then at the first meeting in June we will have a public hearing on that budget with approval of the budget at the second meeting in June. Mr. Penny shared this week we kick off the 2<sup>nd</sup> year of Downtown A-live at 7 pm this Thursday with the Tams. There will be a total of eight concerts this year and invites everyone to come out and enjoy some good music.

Mayor Pro Tem Shari Barr shared that the application process for the Tree Board will be open from April 22 – May 3 for a couple openings. Appointments will be made at the first meeting in May.

Lastly City Manager Charles Penny brought to Mayor and Councils attention that GSU notified the city they are renewing their rental agreements with the city for the Business Innovation Group properties downtown.

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

Paul Jarrett asked the Mayor how the lack of a noise ordinance could have possibly affected Greek life from Georgia Southern had they known and taken advantage of the lack of an ordinance.

Mayor McCollar stated the question is absolutely speculator and doesn't know exactly how they could have taken advantage that. Tonight we have administered the noise ordinance and we would like the folks on Greek row to enjoy themselves.

Raymond D Gordon stated that he does not live in Statesboro but owns property here and inquired about applying for the Statesboro Tree Board.

Mayor McCollar asked Mr. Gordon to leave his contact information with the City Clerk and she will follow up with him.

Mike Price owner of Cotton Tire addressed Mayor and Council about issues he is having with the neighboring business customer parking overflow at his business. He inquired about parking regulations in the city and how to mitigate this issue.

Mayor McCollar stated we will get staff on this matter.

**22. 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 6:48 pm a motion was made to enter into Executive Session.

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

At 7:12 pm a motion was made to exit executive session.

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

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

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

A motion was made to adjourn.

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

The meeting was adjourned at 7:12 pm.

\_\_\_\_\_  
Jonathan McCollar, Mayor

\_\_\_\_\_  
Leah Harden, City Clerk