



**CITY OF STATESBORO
Council Minutes
May 1, 2018**

A regular meeting of the Statesboro City Council was held on May 01, 2018 at 9:00 am in the Council Chambers at City Hall. Present were Mayor Jonathan McCollar, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn and John Riggs. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Cain Smith.

The Meeting was called to Order by Mayor Jonathan McCollar.

Invocation and Pledge of Allegiance by Councilman John Riggs

Recognitions/Public Presentations

- A) Ms. Kania Greer would like to give an update on the Community Dog Park**
- B) Recognize Ms. Tammy Davis' 7th Grade "Advanced Science" Class from Langston Chapel Middle School.**
- C) Recognition of Robbie Sewell, Parks Supervisor, for obtaining certification as a Georgia Certified Landscape Professional.**

Kania Greer was not present. Director of DSDA Allen Muldrew gave the update on the Dog Park. He stated the organization was selling brick as a fund raiser for the Park.

Ms. Tammy Davis' and the 7th Grade class were not present.

Mayor McCollar presented Robbie Sewell with his certificate for obtaining certification as a Georgia Certified Landscape Professional.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
 - a) 04-03-2018 Council Minutes**
 - b) 04-06-2018 Budget Retreat Minutes**
 - c) 04-17-2018 Council Minutes**
 - d) 04-24-2018 Called Council Minutes**

Councilman Yawn made a motion, seconded by Councilman Riggs to approve the consent agenda in entirety. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Second Reading and Consideration of a Motion to approve Ordinance 2018-01: An Ordinance to amend Chapter 5-336 –Vendor and Professional Appeals.

Councilman Yawn made a motion, seconded by Councilman Boyum to approve **Ordinance 2018-01**: An Ordinance to amend Chapter 5-336 –Vendor and Professional Appeals.

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

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

A) Jay Suree Ambe 2018 Inc.

Vrundaben Patel

118 Lanier Drive

B) New Tokyo Ga Inc.

Yan Zhu

100 Brampton Ave

Suite 1A

C) Shriji Food

Mohanlal Babarbhahi Patel

218 N Main Street

D) Loco Inc.

DBA: Loco's Grill and Pub

91 Briarwood Lane

E) Southern Bars LLC

DBA/ The Cotton Barrel

125 Gata Drive

The public hearing was not opened or closed. Councilman Yawn made a motion, seconded by Councilman Riggs to approve all alcohol applications in one vote. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION 17-09-01: Valor Investments, LLC requests a conditional use variance from Article II Section 201 for 2.17 acres of property addressed 557 East Main Street and currently zoned R20 (Single-family Residential) to utilize the property as a group home for the treatment of alcohol and/or drug dependency.

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

Stuart Gregory spoke in favor of the request.

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

Councilman Riggs made a motion, seconded by Councilman Yawn to approve **APPLICATION 17-09-01**: Valor Investments, LLC requests a conditional use variance from Article II Section 201 for 2.17 acres of property addressed 557 East Main Street and currently zoned R20 (Single-family Residential) to utilize the property as a group home for the treatment of alcohol and/or drug dependency. Councilman Boyum, Jones, Yawn and Riggs 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 18-03-04: Gemini Construction requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the minimum required setback for a freestanding sign permitted for installation July 17, 2017.

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

Matt Patrick spoke in favor of the request.

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

Councilman Jones made a motion, seconded by Councilman Riggs to approve **APPLICATION V 18-03-04**: Gemini Construction requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the minimum required setback for a freestanding sign permitted for installation July 17, 2017. Councilman Boyum, Jones, Yawn and Riggs 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 18-03-05: Ken Kitching requests a zoning map amendment for roughly .21 acres of a .73 acre parcel from the HOC (Highway Oriented Commercial) zoning district to the CR (Commercial Retail) zoning district. The applicant will subsequently subdivide the entire .73 acre parcel and construct an office building on the resulting .21 acre parcel.

Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 18-03-03: Ken Kitching requests a variance from Article X Section 1003(A), which requires a minimum lot area of 10,000 square feet. Consideration should first be given to variance application V18-03-05.

Councilman Boyum made a motion, seconded by Councilman Yawn to open the public hearing for Application V-18-03-05 and Application RZ 18-03-03. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Ken Kitching spoke in favor of the request.

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

Councilman Riggs made a motion, seconded by Councilman Yawn, to include staff recommendations for approval of APPLICATION V 18-03- 05: Ken Kitching requests a zoning map amendment for roughly .21 acres of a .73 acre parcel from the HOC (Highway Oriented Commercial) zoning district to the CR (Commercial Retail) zoning district. The applicant will subsequently subdivide the entire .73 acre parcel and construct an office building on the resulting .21 acre parcel and APPLICATION RZ 18-03- 03: Ken Kitching requests a variance from Article X Section 1003(A), which requires a minimum lot area of 10,000 square feet. Consideration should first be given to variance application V18-03-05. Councilman Boyum, Jones, Yawn and Riggs 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 18-01-09: L&S Acquisitions and CFN Partners, LLC request a zoning map amendment of a proposed subdivision of 6.8 acres of a 60.92 acre parcel located at Josh Hagin Road from the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district to permit new retail construction (Tax Parcel 107 000009 000). This application was tabled at the request of the applicant at the January 16, 2018 City Council Meeting.

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

Joey Maxwell spoke in favor of the request.

Councilman Riggs made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn and Riggs 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 RZ 18-01- 09: L&S Acquisitions and CFN Partners, LLC request a zoning map amendment of a proposed subdivision of 6.8 acres of a 60.92 acre parcel located at Josh Hagin Road from the R8 (Single-Family Residential) and R10 (Single-Family Residential) zoning districts to the CR (Commercial Retail) zoning district to permit new retail construction (Tax Parcel 107 000009 000). This application was tabled at the request of the applicant at the January 16, 2018 City Council Meeting. The motion also included a five (5) foot wide landscape buffer will be required along the parking lot abutting Railroad Bed Road. Any materials planted in this buffer must have a maximum growth height no greater than three (3) feet at maturity. Councilman Boyum, Jones, Yawn and Riggs 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 18-04-01: Northland Communications requests to demolish one (1) structure addressed 32 East Main Street, which is a contributing property to the remains of the East Vine Street Warehouse and Depot District. The property lies within the boundaries of the Downtown Statesboro Development Authority and requires a finding of necessity for proposed demolitions where the structure does not exceed 35 percent in structural damage and meets one of the criteria contained in Section 3003(D).

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

Lee Johnson of Northland Cable spoke in favor of the request.

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

Councilman Boyum made a motion, seconded by Councilman Riggs Motion to approve: APPLICATION DSDA 18-04-01: Northland Communications requests to demolish one (1) structure addressed 32 East Main Street, which is a contributing property to the remains of the East Vine Street Warehouse and Depot District. The property lies within the boundaries of the Downtown Statesboro Development Authority and requires a finding of necessity for proposed demolitions where the structure does not exceed 35 percent in structural damage and meets one of the criteria contained in Section 3003(D). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and First Reading of Ordinance 2018-02: An Ordinance of the Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages) Amendment to Section 6-5 adding insurance requirements for alcoholic beverage licensees.

Public Hearing and First Reading of Ordinance 2018-04: An Ordinance of the Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages) Amendment adding Low Volume Licensees to Section 6-3 Definitions and consideration by Mayor and Council of whether a discount for license fees should be available for such licensees and in what amount.

Public Hearing and First Reading of Ordinance 2018-05: An Ordinance of the Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages) Amendment adding Special Events provision to Section 6-8 “Regulations pertaining to certain classes of licenses generally” as Section 6-8 9(d)(3)

Councilman Boyum made a motion, seconded by Councilman Yawn to table Ordinance 2018-02-2018-04, 2018-05 until the next meeting. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve the Memorandum of Understanding (MOU) between SPD and BCSO allowing Bulloch County Sheriff's Foundation and Statesboro Police Foundation to construct building at jointly owned training facility on 301 North.

Councilman Yawn made a motion, seconded by Councilman Riggs Motion to Approve the Memorandum of Understanding (MOU) between SPD and BCSO allowing Bulloch County Sheriff's Foundation and Statesboro Police Foundation to construct building at jointly owned training facility on 301 North. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Award of Contract to Southeastern Civil, Inc. for the South College Street Headwall project in the amount of \$104,135.00, base bid per unit pricing. This project will be paid by Stormwater Utility revenues.

Councilman Yawn made a motion, seconded by Councilman Boyum to approve Award of Contract to Southeastern Civil, Inc. for the South College Street Headwall project in the amount of \$104,135.00, base bid per unit pricing. This project will be paid by Stormwater Utility revenues. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to award a contract for general liability and workers compensation insurance brokerage services to Glenn - Davis and Associates. This award would be for a one (1) year term with the option to renew for two (2) additional one (1) year terms.

Councilman Yawn made a motion, seconded by Councilman Riggs Motion to award a contract for general liability and workers compensation insurance brokerage services to Glenn - Davis and Associates. This award would be for a one (1) year term with the option to renew for two (2) additional one (1) year terms. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to award a contract to CDW to purchase a citywide software upgrade off the National Joint Powers Alliance (NJPA) contract in the amount of \$45,054.50

Councilman Boyum made a motion, seconded by Councilman Riggs Motion to award a contract to CDW to purchase a citywide software upgrade off the National Joint Powers Alliance (NJPA) contract in the amount of \$45,054.50. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Award of Contract to Ellis Wood Contracting for the FY2018 Street Resurfacing project. Ellis Wood Contracting's bid was in the amount of \$494,131.25 based on unit pricing, however, staff requests approval to spend up to the approved budget amount of \$613,311.00 by unit price extensions in order to resurface additional street mileage. Funding is provided by a combination of GDOT funds (\$298,311.00) and 2013 SPLOST funds (\$315,000.00).

Councilman Yawn made a motion, seconded by Councilman Boyum to Approve Award of Contract to Ellis Wood Contracting for the FY2018 Street Resurfacing project. Ellis Wood Contracting's bid was in the amount of \$494,131.25 based on unit pricing, however, staff requests approval to spend up to the approved budget amount of \$613,311.00 by unit price extensions in order to resurface additional street mileage. Funding is provided by a combination of GDOT funds (\$298,311.00) and 2013 SPLOST funds (\$315,000.00). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Award of Contract to Jerry D. Rushing Construction Co., Inc., in the amount of \$40,000.00 for the Landfill Scale Ramp project. Funding is provided by Solid Waste Fund operating revenues.

Councilman Yawn made a motion, seconded by Councilman Boyum to Approve Award of Contract to Jerry D. Rushing Construction Co., Inc., in the amount of \$40,000.00 for the Landfill Scale Ramp project. Funding is provided by Solid Waste Fund operating revenues. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a motion for the surplus and disposal of various Streets and Parks Division equipment in the Public Works & Engineering Department.

Councilman Riggs made a motion, seconded by Councilman Yawn for the surplus and disposal of various Streets and Parks Division equipment in the Public Works & Engineering Department. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve the First Amendment to lease agreement with Verizon Wireless regarding City water tower access lease at 289 A.J. Riggs Road

Councilman Boyum made a motion, seconded by Councilman Yawn to approve the First Amendment to lease agreement with Verizon Wireless regarding City water tower access lease at 289 A.J. Riggs Road. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion for the approval of the Fifth Amendment to the lease agreement with AT&T regarding City water tower access lease at 201 Lanier Drive.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the Fifth Amendment to the lease agreement with AT&T regarding City water tower access lease at 201 Lanier Drive. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Resolution 2018-16 : A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the Planning and Development Specialist in the Planning and Development Department is hereby reclassified to a City Planner I, and that the existing City Planner be reclassified to City Planner II.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve **Resolution 2018-16** : A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the Planning and Development Specialist in the Planning and Development Department is hereby reclassified to a City Planner I, and that the existing City Planner be reclassified to City Planner II. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Resolution 2018-17: A Resolution to adopt the second amendment to the Fiscal Year 2018 budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding appropriated

Councilman Yawn made a motion, seconded by Councilman Riggs to approve **Resolution 2018-17**: A Resolution to adopt the second amendment to the Fiscal Year 2018 budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding appropriated. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to set the Public Hearing for the FY2019 Budget for Tuesday June 05, 2018 in the Council Chambers at City Hall.

Councilman Jones made a motion, seconded by Councilman Riggs to approve the Public Hearing for the FY2019 Budget as Tuesday June 05, 2018 in the Council Chambers at City Hall. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve the revision of the existing City Attorney contract to compensate for additional undertaken duties

Councilman Boyum made a motion, seconded by Councilman Riggs to approve the revision of the existing City Attorney contract to compensate for additional undertaken duties. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

Councilman Sam Jones stated that he had attended the GMA Spring Listening Session in Richmond Hill.

City Managers Comments

City Manager Randy Wetmore reminded everyone the TSPLOST was on the voting ballot. He also mentioned the cancellation of the July 3rd Council Meeting due to it being the 4th of July week and many would be on vacation.

Public Comments (General) None

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 (2012)

There was no Executive Session.

Consideration of a Motion to Adjourn

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

The meeting was adjourned at 10:15 am.