



CITY OF STATESBORO
COUNCIL MINUTES
MAY 4, 2021

Regular Meeting

50 E. Main St. City Hall Council Chambers

9:00 AM

1. Call to Order

Mayor Jonathan McCollar called the meeting to order

2. Invocation and Pledge

Mayor Pro Tem Paulette Chavers gave the Invocation and led the Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Mayor Pro Tem	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Present	
Shari Barr	Councilmember	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 Proclamation for International Firefighters Day.

Mayor Jonathan McCollar read and presented a proclamation to Fire Chief Tim Grams of the Statesboro Fire Department for International Firefighters Day.

Mayor McCollar stated there is an addition to the agenda for another Proclamation for Municipal Clerks Week. Mayor McCollar read the proclamation and presented it to City Clerk Leah Harden.

4. Public Comments (Agenda Item): None

5. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

- a) **04-20-2021 Work Session Minutes**
- b) **04-20-2021 Council Minutes**
- c) **04-20-2021 Executive Session Minutes**

A motion was made to approve the consent agenda.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember John Riggs

SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

6. Public Hearing and Consideration of a Motion to Approve:

- A) APPLICATION RZ 21-03-05: Stockyard Housing LLP, requests a Zoning Map Amendment from the R-15 (Single-Family Residential) zoning district to the R-4 (High-Density Residential) zoning district on 4.51 +/- acres of property in order to redevelop and construct a multi-tenant senior housing development at Stockyard & Donnie Simmons Road (Tax Parcel #MS38 000056 000).**
- B) APPLICATION V 21-03-06: Stockyard Housing LLP, requests a variance from Article XVI: Section 1600 of the Statesboro Zoning Ordinance regarding off-street parking for multiple-family use buildings for a proposed senior housing development at Stockyard & Donnie Simmons Road (Tax Parcel # MS38 000056 000).**

A Motion was made to open the Public Hearing.

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

A Motion was made to close the Public Hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Councilmember Phil Boyum stated this will put lots of traffic on Donnie Simmons Way and wanted to make sure Paulette Chavers was ok with this since it is in her district. Mayor Pro Tem Paulette Chavers thanked Phil for his question and stated it may be a small challenge but it's worth it to have more senior housing in Statesboro. Councilmember Shari Barr stated she agrees with Mayor Pro Tem Chavers about the need for this kind of housing.

A Motion was made to approve **Application RZ 21-06-05** and **Application V 21-03-06**.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

7. Public Hearing and First Reading of Ordinance 2021-02: An Ordinance amending the Statesboro Code of Ordinances Chapter 6 Sections 6-5 (o) and 6-7 (e) extending eligibility for distance waivers to pubs and low volume licensees.

A motion was made to open the Public Hearing.

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

City Attorney Cain Smith explained that currently we do allow for proximity waivers for restaurants. Which is proximity from certain businesses set out in Section 6-7 (e). The proposed amendment would extend eligibility for distance waivers to pubs and low volume licensees.

Marcus Toole spoke in favor of the request.

No one spoke against the request.

A Motion was made to close the Public Hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Councilmember Shari Barr asked if in the process of obtaining a waiver permit would a sign be posted on the business so people around them would know.

City Attorney Cain Smith stated no, there would be no public posting of the request for a distance waiver. It would solely be brought before Mayor and Council after investigation by City Staff.

Councilmember John Riggs asked if the distance waiver includes churches.

City Attorney Cain Smith stated all forbidden businesses are listed in Section 6-7 (e) (1) and churches are part of that as well.

Councilmember Phil Boyum stated this gives flexibility and opportunities for business to approach us as well as the folks who may be affected by those businesses.

A Motion was made to approve the first reading of **Ordinance 2021-02**.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Phil Boyum
SECONDER:	Mayor Pro Tem Paulette Chaves
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

8. Consideration of a motion to set the date for a Public Hearing for the proposed City of Statesboro Fiscal Year 2022 Budget for May 18, 2021, during the regular scheduled Council Meeting.

A motion was made to set the date for a Public Hearing for the proposed City of Statesboro Fiscal Year 2022 Budget for May 18, 2021, during the regular scheduled Council Meeting.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Mayor Pro Tem Paulette Chaves
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

9. Consideration of a motion to award a contract to SAK Construction LLC in the amount of \$788,770.00 to rehabilitate sanitary sewer mains. This project is funded as part of the 2021 CIP Budget Item #WWD14-L with funds from the 2013 SPLOST.

A motion was made to award a contract to SAK Construction LLC in the amount of \$788,770.00 to rehabilitate sanitary sewer mains.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Phil Boyum
SECONDER:	Mayor Pro Tem Paulette Chaves

AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

10. Consideration of a motion to award a contract to McLendon Enterprises, Inc. in the amount of \$975,150.90 for the 2019 Community Development Block Grant (CDBG) infrastructure and drainage improvement project. The project is funded from CDBG (grant) funds, 2013 SPLOST funds, and utility enterprise funds.

A motion was made to award a contract to McLendon Enterprises, Inc. in the amount of \$975,150.90 for the 2019 Community Development Block Grant (CDBG) infrastructure and drainage improvement project.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Phil Boyum
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

11. Other Business from City Council:

Mayor Pro Tem Paulette Chaves stated that last September Council passed the Non Discrimination ordinance and that it has come to her attention a lot of individuals do not know the process of how to file a complaint. Mayor Pro Tem Chavers explained the process of how to file a complaint. You go to www.statesboroga.gov/boards-commissions, and scroll down to the non-discrimination complaint form, print the form, fill it out and turn it into the City Clerk’s office at City Hall, by hand delivery, mail, fax, or email. If you do not know how to complete the form, Statesboro City Clerk Leah Harden is available to assist with the completion of the form.

Councilmember John Riggs announced that after much consideration he has decided not to run for a fourth term as representative for District 4 on Statesboro City Council. He stated it has been my privilege and honor to serve.

Mayor McCollar stated John we are going to miss you. Thank you for everything you’ve done, thank you for having such a gentle heart.

Mayor McCollar deferred to City Manager Charles Penny. Mr. Penny stated he was going to introduce the developer of the Senior Housing Project Bill Gross to Mayor and Council; however, he was unable to make it today. Mr. Gross did say he could come to the next meeting to meet with Mayor and Council.

Mayor McCollar stated that staff has been remarkable with not only this project but also the entire housing initiative.

12. City Managers Comments

City Manager Charles Penny stated the Youth Connect applications are flowing in and today is the deadline. We will start the process for choosing twenty young people who will work with the City and other entities for the next five weeks beginning on June 7th.

13. Public Comments (General): None

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

At 9:41 am a motion was made to enter into Executive Session to discuss “Personnel Matter” Real Estate” and “Potential Litigation in accordance with O.C.G.A. 50-14-3(b)

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

At 10:03 am a motion was made to exit Executive Session.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Mayor Jonathan McCollar called the regular meeting back to order. In Executive Session Council made the decision to appoint Sam DeRocco as the Assistant Prosecuting Attorney for the City of Statesboro.

A motion was made to appoint Sam DeRocco as the Assistant Prosecuting Attorney for the City of Statesboro.

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

15. Consideration of a Motion to Adjourn

A motion was made to adjourn.

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

The meeting was adjourned at 10:04 am.

Jonathan McCollar, Mayor

Leah Harden, City Clerk