



CITY OF STATESBORO  
COUNCIL MINUTES  
MAY 17, 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 Venus Mack 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	Absent	
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. Recognitions/Public Presentations:**

**A) Presentation of a proclamation recognizing May 15 – 21, 2022 as National Public Works Week.**

Mayor Jonathan McCollar presented Assistant Public Works Director Marcos Trejo with a proclamation recognizing May 15-21, 2022 as National Public Works Week.

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

Mayor Jonathan McCollar called on Lehman Franklin to speak.

Lehman Franklin came forward and introduced himself stating that he is running for State Representative in the 160<sup>th</sup> district. He stated you can call me any time and to learn more about me and my platform visit [leefranklin.com](http://leefranklin.com), and looks forward to doing some good things for the city and county.

Mayor McCollar recognized Mr. Tutt and asked him to introduce himself.

Preston Tutt introduced himself stating he is running for county commissioner in district 1B and hopes to bring some new blood in the machine.

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

**A) Approval of Minutes**

- a) 05-03-2022 Council Minutes**
- b) 05-03-2022 Executive Session Minutes**

A motion was made to approve the consent agenda.

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

**6. Public Hearing and Consideration of a motion to approve a Package Distilled Spirits Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-12(a) and 6-23(h):**

**GATA Package, LLC DBA GATA Package  
Tormenta Way  
Statesboro, GA 30458**

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, Barr
<b>ABSENT</b>	Councilmember John Riggs

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 Venus Mack
<b>AYES:</b>	Boyum, Chavers, Mack, Barr
<b>ABSENT</b>	Councilmember John Riggs

A motion was made to approve a Package Distilled Spirits Location Reservation in accordance with City of Statesboro Alcohol Ordinance Chapter 6-12(a) and 6-23(h) to:  
 GATA Package, LLC DBA GATA Package  
 Tormenta Way  
 Statesboro, GA 30458

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

**7. Public Hearing and Consideration of a motion to approve Resolution 2022-17: A Resolution approving the application for a Community Development Block Grant (CDBG) to the Georgia Department of Community Affairs and commitment of matching funds.**

A motion was made to open the public hearing.

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

A motion was made to approve **Resolution 2022-17**: approving the application for a Community Development Block Grant (CDBG) to the Georgia Department of Community Affairs and commitment of matching funds.

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

**8. Consideration of a motion to approve Resolution 2022-18: A Resolution authorizing the destruction of certain Municipal Records.**

A motion was made to approve **Resolution 2022-18**: authorizing the destruction of certain Municipal Records.

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

**9. Consideration of a motion to approve Resolution 2022-19: A Resolution amending the 2019 Service Delivery Strategy agreement with Bulloch County.**

A motion was made to approve **Resolution 2022-19**: amending the 2019 Service Delivery Strategy agreement with Bulloch County.

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

**10. Consideration of a motion to approve Resolution 2022-20: A Resolution to re-establish the Downtown Statesboro Incentive Program.**

A motion was made to approve Resolution 2022-20: to re-establish the Downtown Statesboro Incentive Program and to make it retroactive to February 2022.

<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, Barr
<b>ABSENT</b>	Councilmember John Riggs

**11. Consideration of a motion to award a contract for digital review software to iWorq Systems Inc. in the amount of \$35,000.00.**

A motion was made to award a contract for digital review software to iWorq Systems Inc. in the amount of \$35,000.00.

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

**12. Consideration of a motion to award a contract with Y-Delta Inc. in the amount of \$695,991.09 for the installation of sanitary sewer infrastructure in the Foxlake Subdivision. To be paid from the American Rescue Plan Act funds approved in the FY2022 CIP Budget item #WWD-32-B.**

A motion was made to award a contract with Y-Delta Inc. in the amount of \$695,991.09 for the installation of sanitary sewer infrastructure in the Foxlake Subdivision. To be paid from the American Rescue Plan Act funds approved in the FY2022 CIP Budget item #WWD-32-B.

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

### **13. Other Business from City Council:**

Councilmember Paulette Chavers stated she just wants people to be cognizant of what's going on in Buffalo, New York and to send up prayers for the families of those who have lost individuals.

Councilmember Phil Boyum asked for some details on the information provided to them in the FYI packet regarding Southern City Lounge.

City Attorney Cain Smith explained the judgement letter received from the City's Alcohol Administrative Judge came from a hearing held on May 3, 2022. The hearing was conducted due to a motion from the Police Chief to revoke their alcohol license for being a danger to public safety. Judge Peterson did not revoke their license rather he fined them and gave them a ten day suspension for five weekends that would run through mid-June.

Councilmember Boyum gave a brief history lesson regarding platinum lounge that was located next to the newspaper stating it was an establishment that went from fighting to shooting and at the time Council did not have the authority to revoke these licenses. After going through some legal issues the judge came back to council and stated that council is responsible for giving licenses out and you have the responsibility to revoke them when there's an issue. He stated that as far as he is concerned Southern City Lounge is now a problem. They say they are a restaurant but their hours of operation do not match that of a restaurant, the business is being deceptive and lying and any business that does, does not deserve to have the license.

Mayor Pro Tem Shari Barr asked what are our options legally, right now. Have they been to court?

City Attorney Cain Smith answered yes they have been to court. He stated that in Chapter 6 – 19 council granted exclusive jurisdiction to the administrative judge to handle these sorts of hearings. There is a provision in the Charter regarding regulations for general welfare, Section 4-2 of the charter gives an option for council to do a resolution to go against what is previously written in Section 6-19 of the ordinance.

Councilmember Venus Mack stated she recommends sitting down with the owner and have a conversation. She stated she has spoken with the owner and they have concerns about the things that are going on, the owners stated they have been trying to get police to come and watch to see what is going on. They don't want incidents happening around their building and I don't agree with suspending their license at this time.

There was further council discussion regarding the business practices of Southern City Lounge and the incidents that have occurred around the location.

Councilmember Paulette Chavers stated she agrees with the judge's decision but also open to having conversations with this particular business owner and other business owners as well.

Mayor McCollar called on Police Chief Mike Broadhead to share insight on the calls for service to this particular location.

Police Chief Mike Broadhead stated a report was compiled and there have been 44 calls there from January 2020 to April 2022. Some of those calls were for medical issues of an individual waiting in line to get into the establishment. The calls do not include traffic stops made in the area or anything like that. Nine of the calls were firearms related and four of them were shootings. So what we've done to try and rectify some of that is we have charged the owner of the establishment with the violations of the alcohol in the past. The owner has been in front of the administrative judge previously and has been fined for business practices. It does not appear that they're open very often and it doesn't appear they are working as a restaurant. We asked the City Clerk to request per the ordinance their financial information showing that they are selling enough food to have a restaurant license, which is really significant in this area because they are not eligible to get a bar license because of a DUI council center in the area and the ordinance prohibits them from getting a bar license. The documents they turned into the City Clerk which were presented to the administrative judge was in my

opinion woefully inadequate to prove they were selling any kind of food. The judge reviewed the information and allowed them to keep their license. Incidents have continued and we requested a revocation of their license based upon the most recent incident down there.

Councilmember Phil Boyum made a motion to have Southern City Lounge’s alcohol license revoked.

The motion failed due to the lack of a second.

Mayor Pro Tem Shari Barr congratulates all graduates, their teachers, and all the ones who helped get them there.

Mayor McCollar spoke regarding the shootings that took place over the weekend in our country. He stated that the current state of politics in this country is a direct threat to our national security. We need to recognize that our future as Americans are woven together. My hope is that our City will strive to be better.

**14. City Managers Comments**

City Manager Charles Penny gave an update on the community garden and stated the property should be ready by mid-June at which time we will need to schedule a ribbon cutting.

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

Marcus Toole with Habitat for Humanity came forward to encourage Mayor and Council to put money in the budget for the land bank.

Scott Marchbanks with the Boys and Girls Club came forward to say he supports the Kid Zones and would like to partner with the city to expedite the program.

**16. 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 6:27 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, Mack, Barr
<b>ABSENT</b>	Councilmember John Riggs

At 6:50 pm a motion was made to exit executive session.

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

Mayor McCollar called the regular meeting back to order.

A motion was made to appoint Lissa Leege, William (Bill) Herring, Victor Dickey, Ben Morris, Karen Sanders, Kristine Yager-Rushton, Melanie Sparrow, Carolyn Altman, and Jon Cook to the Greener Boro Commission and Beverly Graham, Loren Mathews, and George Fechter to the Keep Statesboro Bulloch Beautiful Advisory Board and Pam Bland and Virginia Russell to the Tree Board.

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

### 17. 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 Chaves
<b>AYES:</b>	Boyum, Chavers, Mack, Barr
<b>ABSENT</b>	Councilmember John Riggs

The meeting was adjourned at 6:51 pm.

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Jonathan McCollar, Mayor

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Leah Harden, City Clerk