



CITY OF STATESBORO
COUNCIL MINUTES
MAY 18, 2021

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.

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 recognizing May 16-22, 2020 as National Public Works Week.

Mayor Jonathan McCollar read a proclamation recognizing May 16-22, 2021 as National Public Works Week and presented it to Streets and Parks Superintendent Richard Smiley, Shop Superintendent Ronnie Lane and Director of Public Works and Engineering John Washington.

b) Presentation of a Proclamation recognizing May 12-18, 2021 as National Police Week.

Mayor Jonathan McCollar read a proclamation recognizing May 12-18, 2021 as National Police Week and presented the proclamation to Police Chief Mike Broadhead.

c) Presentation of a Proclamation recognizing May 18, 2021 as CASA Volunteer Day.

Mayor Jonathan McCollar read a proclamation recognizing May 18, 2021 as CASA Volunteer Day and presented the proclamation to CASA volunteers April Schueths and Suzanne Christian.

City Manager Charles Penny introduced to Mayor and Council Zakiya Daniel who is the intern in the City Manager's office this summer.

- 4. **Public Comments (Agenda Item):** None
- 5. **Consideration of a Motion to approve the Consent Agenda**
 - A) **Approval of Minutes**
 - a) **04-27-2021 Budget Work Session Minutes**
 - b) **05-04-2021 Council minutes**
 - c) **05-04-2021 Executive Session Minutes**

A motion was made to approve the consent agenda.

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

6. Public Hearing to solicit input on the proposed FY 2022 Budget for the City of Statesboro.

A Motion was made to open the public hearing.

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

City Manager Charles Penny reviewed with Mayor and Council the FY 2022 proposed budget for the City of Statesboro stating we have a balanced budget.

No one spoke for or against the proposed FY 2022 budget.

A motion was made to close the public hearing.

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

7. Second Reading and Consideration of a Motion to approve 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 waiver permits to pubs and low volume licensees.

A motion was made to approve Ordinance 2021-02 amending the Statesboro Code of Ordinance Chapter 6, Sections 6-5 (o) and 6-7 (e) extending eligibility for distance waivers permits to pubs and low volume licensees.

RESULT:	Approved
MOVER:	Mayor Pro Tem Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
NAYS:	Councilmember John Riggs

8. Public Hearing & Consideration of a Motion to approve application for an alcohol license Sec. 6-5:

**Sai 218 Inc DBA Sym Food Store
218 N Main St
Statesboro, Ga 30458
Owner: Radhika Amin**

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
NAYS:	

No one spoke for or against the request.

A motion was made to close the public hearing.

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

NAYS:

A motion was made to approve application for an alcohol license to Sai 218 Inc. DBA Sym Food Store located at 218 North Main Street.

RESULT:

MOVER:

SECONDER:

AYES:

NAYS:

9. Public Hearing and Consideration of a Motion to Approve: Application RZ 21-03-04: Valnoc, LLC & PDC Statesboro LLC requests a zoning map amendment from the R-4 (High-Density Residential) zoning district to the PUD (Planned Unit Development) zoning district on 64.93 acres of undeveloped property in order to construct 209 attached single-family dwellings and 30 detached single-family dwellings on Cawana Road.

A motion was made to open the public hearing.

RESULT:

MOVER:

SECONDER:

AYES:

NAYS:

Planning Director Kathy Field presented Application RZ 21-03-04 stating the applicant requests a rezone in order to construct 209 attached single-family dwellings (townhomes) and 30 detached single family dwellings on Cawana Road. In addition, the applicant requests changes to the annexation conditions placed on the property. By the removal of condition I, which refers to purple irrigation piping for reuse water, amending condition II by reducing the required 80-foot wide strip of land to a 60-foot wide strip of land and amending condition III build out this right of way to collector road standards instead to local street standards.

Staff recommends denial of the application due to the lack of consistency with the annexation conditions. Specifically the request for the reduction of the right of way from 80-feet to 60-feet. Losing the opportunity to construct a collector road serving existing and proposed development in the area would create a future system failure in terms of its impact on traffic flow.

The Planning Commission voted unanimously to approve this zoning map amendment with the following conditions: one, annexation condition I removed in its entirety. Two, modify condition II reducing the 80-foot wide strip of land to a 60-foot strip of land. Three, modify condition III to state the proposed roads will meet the intent of the City of Statesboro’s subdivision ordinance for a local street. Four, all utility installations shall be installed according to the attached utility placement detail. Five, the front building setback shall be 15 feet

as measured from the proposed right of way to the front building facade. Porches and patios shall be allowed inside the building setback. Six, driveways and subsequent parking shall be allowed inside the proposed right of ways. Seven, approval of this zoning map amendment does not grant the right to begin construction on the site. All development must be approved by the City. Eight, all subdivision regulations as per Article 4, Section 4.3(13) must be adhered to, including prior approval by the City Engineer of the proposed local street alignment.

Francys Johnson spoke in favor of the request stating that housing is essential to Statesboro flourishing.

Joey Maxwell spoke in favor of the request stating 60-feet is normal for a right of way. The infrastructure cost for an 80-foot right of way is too large to absorb for the developer. This project is a townhome development and PUD zoning is the only zoning that allows for the building and selling of townhomes.

Keely Fennell spoke in favor of the request stating in the market right now here is Statesboro there is no place for young professionals to live.

Steve Rushing spoke in favor of the request stating the proposed development meets the current housing need in the city it also meets the land uses anticipated in the future land use plan for developing Urban neighborhood areas.

Marcus Toole spoke in favor of the request stating Statesboro needs to allow for smaller houses on smaller lots with smaller setbacks. Our laws prevent us from building normal decent places to live that the average person can afford.

No one spoke against the request.

A motion was made to close the public hearing.

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

Councilmember Shari Barr stated she is in favor of the need for housing I would love to put in a development like this that has single-family homes and townhomes. I think there is a real market for it. My concern from the very beginning is that fact that there's so much traffic out there already and if we are encouraging people to cut through that can create a real hazard.

Mayor Pro Tem Paulette Chavers asked about the calming measures to alleviate the traffic issue.

Joey Maxwell said that is correct. We propose three-way stops at each one of the intersections. The curves will slow people down as well.

Mayor Pro Tem Paulette Chaves stated she is adamant about this; we need affordable housing in Statesboro for young individuals and that's what we don't have. I am in favor of this project and if you can build it safely because that is a concern of mine as well then I agree with this project.

Councilmember Venus Mack asked if this is going to be affordable housing.

Keely Fennell stated the price range is projected anywhere from \$140,000 to \$170,000.

Councilmember Venus Mack stated I am concerned about the safety aspect of the development. Kathy, what do you feel about the calming measures?

Director of Planning Kathy Field stated it goes back to do you want a collector road which serves all the new development as well as the proposed development here because if you don't build a collector road which would serve all the Cawana Road development as well as this development you lose the opportunity forever in the future. There really aren't any connections at this point with the exception of this property right here. That's

why when the annexation was voted in they voted in with an 80-foot collector road. This represents a local road which is a lot different. The local road will serve this development and perhaps another development on Cawana Road but it's a really different type of road, yes it does have the traffic calming measures in it but it's not part of the transportation system for the whole area.

Councilmember Phil Boyum stated a concern is the driveways are directly on the road and the homeowners will be backing up directly into the road.

Joey Maxwell stated if the City wants a collector road, the cost of it is placed back onto the developers. If a collector road is a requirement then leave the property zoned as R-4.

Shari Barr stated that as people charged with making decisions for the good of the whole city we have to do it as safely as possible. We know traffic is building up out there and if there is a connection people will cut through.

Charles Penny stated there are challenges for our staff. That will put staff into a hard place approving those driveways backing into public roads.

Steve Rushing stated this development does take into account safety with the calming traffic measures. We think this is the best plan that is why we are tendering this and ask for your support.

Francys Johnson stated a way to give the City maximum flexibility and the developers' comfort that they won't be back here again over the same issue is to strike condition recommendation number eight. That give the City and developer the space and certainty they need to move forward.

Condition number eight is all subdivision regulations as per Article 4, Section 4.3(13) must be adhered to, including prior approval by the City Engineer of the proposed local street alignment.

City Manager Charles Penny stated if they remove condition number eight it does not remove the City's right to approve the plan. We would still have to work together to get the development and address those safety issues that are important to us.

A motion was made to approve application RZ 21-03-04 per the Planning Commission's recommendations with the elimination of condition #8.

RESULT:	Approved
MOVER:	Councilmember John Riggs
SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs
NAYS:	Councilmember Shari Barr

10. Public Hearing and Consideration of a Motion to Approve: Application RZ 21-04-01: Southern Coastal Investment Properties, LLC requests a zoning map amendment from the R-20 (Single-Family Residential) zoning district to the R-4 (High Density Residential) zoning district, in order to construct 18 single story townhomes at 10 Briarwood Court.

A motion was made to open the public hearing.

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

NAYS:

--

Planning Director Kathy Field presented the application stating the site contains significant wetlands and requires delineation and approval from the Army Corp of Engineers to develop. The Statesboro Comprehensive Plan shows this site as part of the conservation area. There is an easement dividing the property. The proposed development is on the northern section of the property.

Staff recommends denial of this application due to the significant wetlands and the inconsistency with the comprehensive plan. However if approved staff conditions are as follows: it does not grant the right to develop on the site without approval and all additional construction must be approved by the City. In addition, a greenspace plan must be submitted to preserve as much of the available wetlands in the area and should show the retention of stormwater to prevent issues related to the surrounding flood zone.

The Planning Commission voted unanimously to approve this zoning map amendment with staff conditions.

Joey Maxwell spoke in favor of the request. Mr. Maxwell stated the wetlands have been delineated as shown on the map. The development does not propose to impact any wetlands. There is a flood plain line that runs across the back of the property, which would be used as a turnaround for fire apparatuses if there were a fire. The zoning map shows a large area of R-4 zoning to the northwest of the property as well as to the south. There is a single family residence on the property that is going to be demolished. The easement that goes through is an old road right of way and through that right of way, the City has their outfall line that goes through to Bird's pond.

No one spoke against the request.

A motion was made to close the public hearing.

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

Councilmember Shari Barr stated she is concerned that if we approve the zoning variance it applies to both properties so the owner can do whatever is allowed under the R-4. Shari Barr asked if there is anything planned for the site closest to the bypass.

Joey Maxwell stated no, there is a 48-inch concrete pipe that runs through from the wastewater treatment plant but the property along the bypass is not part of this request we don't have any plans for development at this point. We would come back to you in the future for that. The site is one tax parcel divided by the easement so the way its presented is to rezone the whole parcel. All we are really asking for is the northern section to be rezoned to build the duplexes.

Councilmember Shari Barr stated she is interested in approving one portion of the property not both and asked if there was anyway they could do just that.

John Lavender state they need both portions of property in order to put in the sewer infrastructure.

A motion was made to approve application RZ 21-04-01.

RESULT:	Approved
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Phil Boyum
AYES:	Boyum, Chavers, Mack, Riggs
NAYS:	Councilmember Shari Barr

11. Public Hearing and Consideration of a Motion to Approve: Application RZ 21-04-02: Jessica Herrmann requests a zoning map amendment from the R-15 (Single-Family Residential) zoning district to the O (Office) zoning district, in order to open a real estate office on the site located at 110 South Zetterower Avenue.

A motion was made to open the public hearing.

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

Planning Director Kathy Field presented the application stating this is one of the many residential conversions in the area. Staff recommends approval of the application with the condition that if approved it does not grant the right to develop on the site without approval and all construction must be approved by the City. The Planning Commission voted unanimously to approve this Zoning map amendment with staff conditions.

Jessica Herrmann 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 John Riggs
SECONDER:	Mayor Pro Tem Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

A motion was made to approve application **RZ 21-04-02** with staff conditions.

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

12. Public Hearing and Consideration of a Motion to Approve: Application SE 21-04-03: Jamie Lynn Stowbridge requests a special exception to locate a trailer on a 0.3 acre property located in the R-10 (Single-Family Residential) zoning district on a property located on Lewis Street.

Mayor Jonathan McCollar stated this item is stricken from the agenda as the applicant has withdrawn this application.

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

- A) **Application AN 21-04-04: Adams Property Group requests an Annexation by the 100% method of 8.72 acres of vacant land for the purposes of constructing a self-storage mini warehouse facility on Veterans Memorial Parkway.**
- B) **Application RZ 21-04-05: Adams Property Group, LLC requests a zoning map amendment from the R-40 (Single-Family Residential) zoning district to the CR (Commercial Retail) zoning district to allow for the construction of a self-storage mini warehouse facility on Veterans Memorial Parkway.**

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
NAYS:	

Planning and Development Director Kathy Field presented both applications stated the site is currently vacant with commercial uses to the east and north. The current zoning of the property is HC highway commercial by the county. The proposal is to come into the City with a commercial retail zoning. The site plan is for a mini self-storage unit. Staff recommends approval of AN 21-04-04 and RZ 21-04-05 with the condition that project(s) will be required to meet all City Ordinances and applicable building codes. The Planning Commission voted unanimously to approve the Annexation and Zoning map amendment with staff conditions.

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
NAYS:	

A motion was made to approve applications **AN 21-04-04** and **RZ 21-04-05** with staff conditions.

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

14. Consideration of a Motion to approve Resolution 2021-19: A Resolution amending the job position classification and compensation plan to reclassify one Code Compliance Officer Position to Senior Code Compliance Officer.

A motion was made to **Resolution 2021-19** amending the job position classification and compensation plan to reclassify one Code Compliance Officer Position to Senior Code Compliance Officer.

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

15. Consideration of a motion to approve change orders #7, 8, 10, 11, 13, 14, and 15 with John Lavender & Associates, Inc. in the not to exceed amount of \$107,136.00 for the Luetta Moore Park and Grady Street Park improvements project and authorize the Mayor to execute contract document amendments.

A motion was made to approve change orders # 7, 8, 10, 11, 13, 14, and 15 with John Lavender & Associates, Inc. in the not to exceed amount of \$107,136.00 for the Luetta Moore and Grady Street Park improvements project and to authorize the Mayor to execute contract document amendments.

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

16. Consideration of a motion to purchase a new mini skid steer with attachments for the Public Works and Engineering Department in the amount of \$39,431.00 from Vermeer Southeast using Sourcewell Member #33094, Contract #062117-VRM.

A motion was made to approve the purchase of a new mini skid steer with attachments for the Public Works and Engineering Department in the amount of \$39,431.00 from Vermeer Southeast.

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

17. Consideration of a motion to approve a joint resolution with Bulloch County to authorize payment of proceeds from 2019 SPLOST to the City of Statesboro in the amount of 480,331.73.

A motion was made to approve a joint resolution with Bulloch County to authorize payment of proceeds from 2019 SPLOST to the City of Statesboro in the amount of \$480,331.73.

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

18. Consideration of a motion to approve a Memorandum of Agreement with GDOT for roadway and pedestrian crosswalk maintenance on State Route 73 (South Main Street) between Tillman Road and State Route 67 (Fair Road) for the Blue Mile Streetscape project.

A motion was made to approve a Memorandum of Agreement with GDOT for roadway and pedestrian crosswalk maintenance on State Route 73 (South Main Street) between Tillman Road and State Road 67 (Fair Road) for the Blue Mile Streetscape project.

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

19. Other Business from City Council:

Councilmember Shari Barr wants to encourage folks to get their vaccination if you haven't already. In addition, for those folks who for whatever reason are not vaccinated continue to wear your mask and social distance keep protecting yourself and other people.

20. City Managers Comments

City Manager Charles Penny updated Mayor and Council on the Youth Connect Program stating the program will begin on June 7th with 20 young people working for the City. We received 79 applications we narrowed it down to about 42 applicants and we will start interviews tomorrow.

21. Public Comments (General):

A) Annie Bellinger to address conflicts on the Westside.

Annie Bellinger stated she has been having issues in her neighborhood on the west side about her being told what can and cannot be done in the neighborhood. She also addressed an issue she has had with some energy assistant she applied for, and not receiving the amount she was told her she would receive.

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

There was no Executive Session held.

23. Consideration of a Motion to Adjourn

A motion was made to adjourn.

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

The meeting was adjourned at 7:57 p.m.

Jonathan McCollar, Mayor

Leah Harden, City Clerk