



CITY OF STATESBORO
COUNCIL MINUTES
JUNE 16, 2020

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 AM

1. **CALL TO ORDER**

Mayor Jonathan McCollar called the meeting to order at 5:37 pm

2. **INVOCATION AND PLEDGE**

Councilmember Venus Mack gave the Invocation and Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Present	
Shari Barr	Councilmember	Present	

Other staff present was: 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: None**

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

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

A) Approval of Minutes

a) **06-02-2020 Council Minutes**

b) **06-09-2020 Public Hearing Minutes**

B) Consideration of a Motion to approve Surplus and Disposition of the following items in the Public Utilities Department:

a) **2002 F-150 Ford Pickup (Serial # 1FTRF17W53NA13582)**

b) **2006 F-150 Ford Pickup (Serial # 1FTRF12297NA37670)**

c) **1989 Case Backhoe (Serial # JJG0030707)**

d) **One Lot of assorted brass water meters and fittings (approximately 5000 pounds)**

A motion was made to approve the consent agenda

RESULT:

Approved (Unanimous)

MOVER:

Councilmember John Riggs

SECONDER:

Councilmember Venus Mack

AYES:

Boyum, Chavers, Mack, Riggs, Barr

NAYS

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6. **Second Reading and Consideration of a Motion to Approve Ordinance 2020-03: An Ordinance revising City Ord 6-8(d)(3) for Temporary Special Event Permits.**

A motion was made to approve **Ordinance 2020-03** revising City Ord. 6-8(d)(3) for Temporary Special Event Permits.

RESULT:	4-1
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
NAYS	Riggs

7. **Second reading and Consideration of a Motion to Approve Ordinance 2020-04: An Ordinance revising City Ord 6-7(d) exemptions in order to provide for a pedestrian downtown open container exemption zone.**

A motion was made to approve **Ordinance 2020-04** revising City Ord. 6-7(d) exemptions in order to provide for a pedestrian downtown open container exemption zone with the addition, this exemption shall be effective during those hours of operation when by the drink sales in the City are allowed and up to the time allowed for alcohol licensees to clear patrons from their premises.

RESULT:	3-2
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Chavers, Mack, Barr
NAYS	Boyum, Riggs

8. **Second Reading and Consideration of a Motion to Approve Ordinance 2020-05: An Ordinance revising the restriction found in City Ord 6-7(i).**

A motion was made to approve **Ordinance 2020-05** revising the restriction found in City Ord. 6-7(i).

RESULT:	3-2
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Chavers, Mack, Barr
NAYS	Boyum, Riggs

9. **Public Hearing and Consideration of a Motion to Authorize the Mayor to execute a contract for services with the Statesboro Arts Council, Inc. to market downtown Statesboro by operating and managing the Averitt Center for the Arts, using proceeds from the Hotel/Motel Tax.**
10. **Public Hearing and Consideration of a Motion to Authorize the Mayor to execute a contract for services with the Downtown Statesboro Development Authority/Main Street to market downtown Statesboro, using proceeds from the Hotel/Motel Tax.**
11. **Public Hearing and Consideration of a Motion to Authorize the Mayor to execute a contract for services with the Statesboro Convention and Visitors Bureau, Inc. to market Statesboro and Bulloch County, using proceeds from the Hotel/Motel Tax.**

A motion was made to open the public hearing for agenda items 9, 10, and 11.

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

Rahn Hutcheson with the Averitt center spoke in favor of the request and gave an update of programs going on at the Averitt Center. Due to the COVID pandemic, it is one day at a time.

Allen Muldrew with the Downtown Statesboro Development Authority spoke in favor of the request and gave an update on the programs the DSDA has going.

Becky Davis with the Statesboro Convention and Visitors Bureau spoke in favor of the request and gave an update stating since the COVID pandemic they have changed gears and are providing information about the City of Statesboro they have also started working with the online farmers market.

A motion was made to close the public hearing.

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

A motion was made to authorize the Mayor to execute a contract for services with the Statesboro Arts Council, Inc., Downtown Statesboro Development Authority and Statesboro Convention and Visitor Bureau, Inc. to market downtown Statesboro by operating and managing the Averitt Center for the Arts, using proceeds from the Hotel/Motel Tax.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack

SECONDER:	Councilmember Shari Barr
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

12. **Public Hearing and Consideration of a Motion to approve Resolution 2020-17: A Resolution Exempting Certain Vehicles from Marking Requirements for One Year.**

A motion was made to open the public hearing.

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

A motion was made to approve Resolution 2020-17: A Resolution Exempting Certain Vehicles from Marking Requirements for One Year.

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

13. **Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 20-05-01: Landrum Hodges requests a zoning map amendment of 2.24 acres of property located at 814 South Main Street from R-4 (High Density Residential) to the CR (Commercial Retail) zoning district in order to utilize the property for a commercial land use (Tax Parcel MS52 000027 000).**

A motion was made to open the public hearing.

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

Mark Bruce representing the applicant 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:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

A motion was made to approve **Application RZ-20-05-01** with staff recommendations.

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

14. Public Hearing and Consideration of a Motion to approve:

- A) **APPLICATION V 20-05-02:** West District Development, LLC requests a variance from Article XIV, Section 1402 to reduce the minimum lot size requirements for property to be considered for the PUD (Planned Unit Development) zoning district in order to construct a mixed-use development on 5.362 for a combination of parcels addressed South College Street, West Cherry Street and 40 West Cherry Street (Tax Parcel(s) S19 000001 000, S19 000001 A000, S18 000170 000).

- B) **APPLICATION RZ 20-05-03:** West District Development, LLC requests a zoning map amendment of 5.362 acres located along South College Street from the CBD (Central Business District) to the PUD (Planned Unit Development) zoning district in order to construct a mixed-use development for a

combination of parcels addressed South College Street, West Cherry Street and 40 West Cherry Street (Tax Parcel(s) S19 000001 000, S19 000001 A000, S18 000170 000).

No one spoke for or against the request.

A motion was made to open the public hearing.

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

A motion was made to approve 14-A Application V20-05-02 and 14-B Application RZ 20-05-03 with staff recommendations.

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

15. **Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 20-05-04: S.D. Sauers Construction Company, LLC requests a zoning map amendment of approximately 1.30 acres of property located at 723 and 723 ½ South Main Street from a split-zoning of R-4 (High Density Residential), PUD (Planned Unit Development), and HOC (Highway Oriented Commercial) to the CR (Commercial Retail) zoning district in order to utilize the property for a mixed-use, residential and commercial retail development (Tax Parcel MS52 000007 000, MS52 000009 000).**

A motion was made to open the public hearing.

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

Grace Stewart 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:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
NAYS:	

A motion was made to approve **Application RZ 20-05-04** with staff recommendations.

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

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

- A) **APPLICATION V 20-05-05:** Drayton-Parker Companies, LLC requests a variance from Article XI, Section 1102(C) to reduce the required front yard setback in order to allow for the new construction of a automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
- B) **APPLICATION V 20-05-06:** Drayton-Parker Companies, LLC requests a variance from Article XI, Section 1102(D) to reduce the required rear yard setback in order to allow for the new construction of a automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
- C) **APPLICATION V 20-05-07:** Drayton-Parker Companies, LLC requests a variance from Article XI, Section 1104(F) regarding the location of all permanent points of vehicular access to and from public streets within close proximity to intersections in order to allow for the new construction of a automotive

gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).

D) **APPLICATION V 20-05-08:** Drayton-Parker Companies, LLC requests a variance from Article XVI, Section 1601 regarding the minimum parking space size requirements in order to allow for the new construction of an automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).

E) **APPLICATION V 20-05-09:** Drayton-Parker Companies, LLC requests a variance from Article XXX, Section 3014(B) regarding the maximum number of parking spaces allowed in front of a building within the Downtown District in order to allow for the new construction of an automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).

A motion was made to open the public hearing.

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

Thomas Matthews spoke in favor of the request.

David Civil Engineer with Parkers presented the site plan of the store. The plans include a pavilion facing North Main Street where patrons can sit and eat.

A motion was made to close the public hearing.

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

There was discussion regarding the safety of patrons in the pavilion. It was stated a railing would be put in place to safeguard their safety.

A motion was made to approve 16-A **APPLICATION V 20-05-05** with staff recommendations.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Venus Mack

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

A motion was made to approve 16-B **APPLICATION V 20-05-06** with staff recommendations.

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

A motion was made to approve 16-C **APPLICATION V 20-05-07** with staff recommendations.

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

Agenda Item 16-D Application V 20-05-08 has been withdrawn, as the applicant will be complying with Statesboro Code.

A motion was made to approve 16-E **APPLICATION V 20-05-09** per the Planning Commission's recommendations.

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

A motion was made to add the safety railing consideration to the Planning Commissions list of contingencies to **APPLICATION V 20-05-09** on this property.

RESULT: Approved (Unanimous)
MOVER: Councilmember Shari Barr
SECONDER: Councilmember Venus Mack

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

17. **Consideration of a Motion to Approve Resolution 2020-18: A Resolution To Adopt The Third Amendment To The Fiscal Year 2020 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**

A motion was made to approve Resolution 2020-18 adopting the third amendment to the Fiscal Year 2020 Budget.

RESULT:	4-1
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
NAYS:	Riggs

18. **Consideration of a Motion to approve Resolution 2020-19: A Resolution to adopt he Fiscal Year 2021 Budget for each fund of the City of Statesboro, Georgia, appropriating the amount shown in each budget as expenditures/expenses, adopting the several items of revenue anticipations, and prohibiting expenditures or expenses from exceeding the actual funding available for appropriations.**

A motion was made to approve Resolution 2020-19 adding an increase to the Boys and Girls Club from \$9,000.00 to \$20,000.00.

RESULT:	Motion failed due to the lack of a second
MOVER:	Councilmember Phil Boyum
SECONDER:	Councilmember
AYES:	
NAYS:	

A motion was made to approve Resolution 2020-19 adopting the Fiscal Year 2021 budget for each fund of the City of Statesboro, Georgia as presented.

RESULT:	3-2
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Paulette Chavers
AYES:	Chavers, Mack, Barr

NAYS:

Boyum, Riggs

19. Consideration of a Motion to Approve Resolution 2020-20: A Resolution adopting the Statesboro Schedule of Rates, Fees and Fines.

A motion was made to approve Resolution 2020-20 a Resolution adopting the Statesboro Schedule of Rates Fees and Fines.

RESULT:

4-1

MOVER:

Councilmember Paulette Chavers

SECONDER:

Councilmember Venus Mack

AYES:

Boyum, Chavers, Mack, Barr

NAYS:

Riggs

20. Consideration of a Motion to Approve Resolution 2020-21: A Resolution of the Mayor and Council of the City of Statesboro designating June 19 as “Juneteenth Independence Day” in honor of June 19, 1865, the date on which news of the end of slavery reached the slaves in the Southwestern States, and designating Juneteenth as a paid City Holiday beginning in 2021.

A motion was made to approve Resolution 2020-21 designating June 19 as “Juneteenth Independence Day” and designating Juneteenth as a Paid City Holiday beginning in 2021.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember John Riggs

SECONDER:

Councilmember Paulette Chavers

AYES:

Boyum, Chavers, Mack, Riggs, Barr

NAYS:

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21. Consideration of a Motion to restrict \$125,000 in the Water and Sewer Fund and \$125,000 in the Natural Gas Fund for the Loan Loss Reserve established May 19, 2020.

A motion was made to restrict \$125,000.00 in the Water and Sewer Fund and \$125,000.00 in the Natural Gas Fund for the Loan Loss Reserve established May 19, 2020.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember Shari Barr

SECONDER:

Councilmember Venus Mack

AYES:

Boyum, Chavers, Mack, Riggs, Barr

NAYS:

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22. Consideration of a Motion to Award Contract Extension for Audit Services

A motion was made to award contract extension for Audit Services to Lanier Deal & Proctor

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

23. Consideration of a Motion to Approve an Intergovernmental Agreement (IGA) with Bulloch County to renew and amend terms of provision of Statesboro Fire Department (SFD) services within the Five Mile Fire District.

A motion was made to approve an Intergovernmental Agreement (IGA) with Bulloch County to renew and amend terms of provision of Statesboro Fire Department (SFD) services within the Five Mile Fire District.

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

24. Consideration of a motion to approve the Mayor to execute a letter of support and commitment of funds for intersection improvements for South Main Street/Fair Road (SR73/SR67) intersection.

A motion was made to approve the Mayor to execute a letter of support and commitment of funds for intersection improvements for South Main Street/Fair Road (SR73/SR67) intersection.

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

25. Consideration of a motion to approve the Mayor to execute a letter of commitment for maintenance and lighting of intersection improvements for South Main Street/Fair Road (SR73/SR67) intersection.

A motion was made to approve the Mayor to execute a letter of commitment for maintenance and lighting of intersection improvements for South Main Street/Fair Road (SR73/SR67) intersection.

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

26. Consideration of a Motion to cancel the July 7, 2020 meeting of Mayor and Council.

A motion was made to cancel the July 7, 2020 meeting of Mayor and Council

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

27. Other Business from City Council

Mayor McCollar called on Police Chief Mike Broadhead to present the report which was requested from Councilmember Phil Boyum regarding the violence in the City since May 6th.

Police Chief Mike Broadhead presented a report of shooting incidents in Statesboro over the past 30 days.

Mayor McCollar stated we need to encourage our young people on a real level. We need to figure out what is going to be the best approach to do so and giving alternatives. He thanked Chief Broadhead for all they do to keep the community safe and commended the Police Department for the compassion they show towards others.

Councilmember Phil Boyum stated there is discrimination going on in the rental community. He would like to direct the City Attorney to draft an anti-discrimination ordinance for the City of Statesboro.

A motion was made to direct the City Attorney to draft an anti-discrimination ordinance.

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

28. City Managers Comments

City Manager Charles Penny thanked staff for putting together a good budget.

He also commended Police Chief Mike Broadhead for being personally involved with the peaceful protests that have been going on.

Mr. Penny stated we are monitoring citizens coming into our public buildings, the hours of 9-2 will continue through the 26th at that time we will reevaluate the situation.

29. Public Comments (General): None

30. 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(b)

There was not executive session.

31. 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 8:24 pm