



CITY OF STATESBORO
WORK SESSION MINUTES
AUGUST 18, 2020

Mayor & Council Work Session

50 East Main Street

4:00 PM

A Work Session of the Statesboro City Council was held on August 18, 2020 at 4:00 p.m. in City Hall Council Chambers, 50 East Main Street. Present was Mayor Jonathan McCollar; Council Members: Phil Boyum, Paulette Chavers, Venus Mack John Riggs and Shari Barr. Also present was City Clerk Leah Harden, City Attorney Cain Smith, City Manager Charles Penny, Assistant City Manager Jason Boyles and Public Information Officer Layne Phillips.

Mayor Jonathan McCollar called the meeting to order.

City Manager Charles Penny reviewed the agenda as follows 1. Anti-Discrimination Ordinance, 2. Rapid Testing for COVID-19, 3. CARES Act Funding, and 4. Governor's Executive Order – Mask Mandate. Mr. Penny stated agenda item 4 is moved up to number 2.

1. Anti-Discrimination Ordinance

City Attorney Cain Smith reviewed with Mayor and Council the drafted Anti-Discrimination Ordinance. Mr. Smith stated the prohibited discriminatory actions are enumerated fully in 80-2 which says businesses cannot discriminate based on race, religion, color, sex, disability, national origin, ancestry, sexual orientation, gender Identity , age or military status in the provision of public accommodations; employment, housing. A person complaining of a prohibited action can file with the City Clerk and pay a \$25.00 filing fee. The City Clerk will then notify the accused violator within 7 days. After a complaint is filed, action is referred to non-binding mediation with costs of mediation being split equally between parties. However should either party decline mediation or mediation is unsuccessful, the action shall be referred to the municipal court judge for review and placed for hearing in Municipal Court. Burden of proof falls on the complaining party. The judge may issue a civil fine up to \$500.00 for first offense and up to \$1,000.00 and/or suspension/revocation of the occupational tax certificate for subsequent violations. Any appeal of the Municipal Court decision may be made to Superior Court of Bulloch County by writ of certiorari.

The second part of Chapter 80 is the non-discrimination in purchasing and contracting, setting out annual goals for MFB which stands for Minority and Female Business Enterprise. An annual percentage goal for overall MFBE prime and subcontract participation in City procurement contracts shall be a percentage determined by Mayor and Council. Mr. Smith reviewed several methods for promoting non-discrimination in purchasing and contracting as policy of nondiscrimination by the City of Statesboro, through the City's website listing bidding opportunities, MFBE certification assistance, MFBE directory of vendors both in and outside of the area, Enhancement of contracting opportunities, letter of contract award and prompt payment and certification. It is the policy of the City that discrimination against businesses by reason of race, color, gender, or national origin of the ownership of any such business is prohibited. Any bidder, contractor, or vendor shall be required to submit to the director of Central Services an attested promise of nondiscrimination enforceable by law as set out in ordinance. The department of Central Services may designate certain procurement projects or contracts as requiring a certain number of percentage of subcontracting opportunities. The City of Statesboro shall have an in-county MFBE vendor advantage of and amount determined by Mayor and City Council and other to be determined vendor advantage for out of county MFBE's.

Councilmember Paulette Chavers asked if the marketing tool being used for these contracts will only be the website? City Manager Charles Penny stated that will not be the only tool used we will do vendor fairs a couple of times a year for people to learn what type of opportunities for competition of City services. City Attorney Cain Smith stated we would have a MFBE directory of businesses that are qualified and make sure those bidding opportunities for the City get to them as well.

City Manager Charles Penny stated we need to be intentional that these businesses have opportunities to know about the kinds of services we are seeking and what types of opportunities they would have doing business with the City of Statesboro. Mr. Penny presented a list of MFBE vendors currently being used by the City of Statesboro.

April Schueths with One Boro stated they would like to have the equity piece added to the ordinance. The Equity piece is two and a quarter pages in length with four priorities violence prevention, community programing, City of Statesboro employee equity and access training and measuring and monitoring a campaign for equity.

City Attorney Cain Smith stated the Statesboro Equity Agenda Draft from One Boro includes Part 1 which is the Equity Package and Part 2 which is the ordinance itself. The ordinance presented today included part 2 and nondiscrimination in purchasing and contracting.

Councilmember Phil Boyum stated part 1 from One Boro is agenda but is not legislation. It is not really an ordinance it is ideas.

After some discussion, direction was given to City Attorney Cain Smith to include the Equity piece as part of the ordinance and present it at the next work session in September.

2. Governor's Executive Order – Mask Mandate

City Attorney Cain Smith stated on Saturday August 15, 2020 Governor Kemp's new Executive Order came out and it does have a local option face covering requirement and this is for communities that meet threshold. The threshold requirement is 100 new cases within the last 14 days per 100,000 population. The Georgia Municipal Association (GMA) put out a model ordinance to be considered. What this ordinance does it requires face masks to be worn in private entities which is a private establishment, corporation, non-profit basically any private operation. We cannot do this with county, state, or school district facilities. Businesses have the option of whether they want to enforce it or not. If they choose to opt out, they will have to post a sign on the front door of their business in one inch Arial font stating "This location does not consent to enforcement of any local face covering requirement upon this property."

Councilmember Venus Mack stated we need to mandate masks in the City of Statesboro.

Councilmember Paulette Chavers stated the Governor has given us the right to mandate these masks. We have been following the Governor whether we agreed with him or not and we should continue to follow him.

Mayor McCollar stated he is concerned about our medical infrastructure. He called on Dr. Davis to come forward to address the issue.

Dr. Davis reviewed with Mayor and Council some statistics about COVID-19 stating there are only two states in the red zone Georgia and Florida. What makes our state red are the average number of new cases averaged over seven days per 100,000. We have a responsibility to try to mitigate what we are seeing out there. The bottom line is this wear a mask, social distance, wash your hands, and avoid crowds.

3. Rapid Testing for COVID-19

City Manager Charles Penny stated the impact of COVID-19 testing on the workforce of the City has been huge. So far the City has had 21 employees test positive, 105 employees have been tested which has resulted in 4000 hours of employee time being lost. Testing will need to continue due to City Employee exposure that could result in increased loss of employee time. Currently employee testing is going through Urgent Care with a 3-7 day turnaround for results. We currently have an agreement with East Georgia Health Center for rapid testing we are able to send employees to their facility in Swainsboro, which is 45 minutes away or we

could send them to Dublin that is 90 minutes away. The turnaround time for rapid testing is 20 -30 minutes for results. There is a proposal from South Georgia Family Medicine Associates, P.C. to provide rapid testing starting September 1, 2020. Dr. John Gerguis feels good they will get their machine. For every 1,000 tests, Dr. Gerguis orders he gets a machine. The cost is \$175.00 per test. The proposal from Dr. Gerguis is he will provide staff to administer the test. The proposal states the City will provide a location for testing to be done for our employees and their dependents. The biggest difference is it will be local rather than having to drive to Swainsboro or Dublin for the same test.

Dr. John Gerguis explained how the test is performed and the accuracy of the test he stated that the test from Abbott has a 96.4-97.5 percent sensitivity which is the rate which a positive test is truly positive. On the specificity that is the accuracy of a negative test, the percentage is running 98.6 specific. These tests have an accuracy within four days of exposure all the way up to the fourteen days.

4. CARES Act Funding – Uses

This agenda item will be addressed during the regular meeting under “Other Business”.

The meeting was adjourned at 5:25 pm.