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**CITY OF STATESBORO  
Council Minutes  
September 19, 2017**

A regular meeting of the Statesboro City Council was held on September 19, 2017 at 5:30p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn and Travis Chance. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Cain Smith. Councilman John Riggs was absent.

The Meeting was called to Order by Mayor Jan J. Moore

Mayor asked for a moment of silence for the victims of Hurricane Irma.  
The Invocation was led by Mayor Jan Moore

**Recognitions/Public Presentations**

- A) Recognition of Rob Bryan, Deputy Chief, earned his Bachelor's Degree in Criminal Justice from Reinhardt University in August.**
- B) Update on Hurricane Irma cleanup**

Deputy Chief Rob Bryan was recognized by Mayor Moore for earning his Bachelor's Degree in Criminal Justice from Reinhardt University.

Director of Public Works and Engineering Jason Boyles updated Council on the clean-up process after Hurricane Irma.

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

Mayor Moore read several notes that were received regarding customer service. The notes reflected positive feedback from the citizens.

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

- A) Approval of Minutes**
  - a) 09-05-2017 Council Minutes**
  - b) 09-05-2017 Executive Session Minutes**

Councilman Yawn made a motion, seconded by Councilman Jones to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Public Hearing and Second Reading of Ordinance 2017-10 An Ordinance Amending Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages) Amendment of 6-6 to fix codifying error and allow for more Council licensure discretion.**

Councilman Chance made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Chance to close the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Jones to approve **Ordinance 2017-10** An Ordinance Amending Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages) Amendment of 6-6 to fix codifying error and allow for more Council licensure discretion. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Public Hearing and Second Reading of Ordinance 2017-11: An Ordinance to revise Chapter 6 of the City Code of Ordinances to allow brew pubs to offer package sales in accordance with new Georgia Law.**

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Jones to approve **Ordinance 2017-11**: An Ordinance to revise Chapter 6 of the City Code of Ordinances to allow brew pubs to offer package sales in accordance with new Georgia Law. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-02: Adam Tsang requests a variance from Article XV of the Statesboro Zoning Ordinance for 1.2 acres of property located at 727 Buckhead Drive regarding the maximum height and maximum square footage allowed for a freestanding sign in sign district 3 (Tax Parcel # MS84 000102 07A).**

Councilman Boyum made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Sam Dipolito spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Jones to approve **APPLICATION # V 17-07-02**: Adam Tsang requests a variance from Article XV of the Statesboro Zoning Ordinance for 1.2 acres of property located at 727 Buckhead Drive regarding the maximum height and maximum square footage allowed for a freestanding sign in sign district 3 (Tax Parcel # MS84 000102 07A). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # CUV 17-01-01: Carol Lind Mooney requests a conditional use variance from Article II of the Statesboro Zoning Ordinance for 1.46 acres of property located at 207 Lee Street to utilize the property as a drug rehabilitation center (Tax Parcel S51 000009 000).**

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Chance to approve **APPLICATION # CUV 17-01-01**: Carol Lind Mooney requests a conditional use variance from Article II of the Statesboro Zoning Ordinance for 1.46 acres of property located at 207 Lee Street to utilize the property as a drug rehabilitation center (Tax Parcel S51 000009 000). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 17-07-04: Steve Herndon requests a zoning map amendment from HOC (Highway Oriented Commercial) to CR (Commercial Retail) for .9 acres of property located at 6381 Burkhalter Road to construct a hotel (Tax Parcel MS88 000025 000).**

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-03: Steve Herndon requests a variance from Article XXIII Section 2301 of the Statesboro Zoning Ordinance regarding the buffer requirements for a 1.9 acre (combined) parcel located at Highway 67 and 6381 Burkhalter Road in the CR (Commercial Retail) zoning district to construct a hotel (Tax Parcels MS88 000026 007 and MS88 000025 000).**

Councilman Chance made a motion, seconded by Councilman Jones to open the public hearing for **APPLICATION # RZ 17-07-04** and **APPLICATION # V 17-07-03**. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

John Dotson of Maxwell, Reddick and Assoc. spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Jones to close the public hearing for **APPLICATION # RZ 17-07-04**. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Boyum to close the public hearing for **APPLICATION # V 17-07-03**. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve **APPLICATION # RZ 17-07-04**: Steve Herndon requests a zoning map amendment from HOC (Highway Oriented Commercial) to CR (Commercial Retail) for .9 acres of property located at 6381 Burkhalter Road to construct a hotel (Tax Parcel MS88 000025 000). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Chance to approve **APPLICATION # V 17-07-03**: Steve Herndon requests a variance from Article XXIII Section 2301 of the Statesboro Zoning Ordinance regarding the buffer requirements for a 1.9 acre (combined) parcel located at Highway 67 and 6381 Burkhalter Road in the CR (Commercial Retail) zoning district to construct a hotel (Tax Parcels MS88 000026 007 and MS88 000025 000). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 17-07-08: Five Points Stores requests a zoning map amendment from R6 (Single-Family Residential) to HOC (Highway Oriented Commercial) for a roughly .344 acre section of a parcel located at 2855 Northside Drive West to permit the construction of a convenience store (Tax Parcel S08 000057 000).**

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-07: Five Points Stores requests a variance from Article XI Section 1102 (D) of the Statesboro Zoning Ordinance regarding the minimum required setback for a .88 acre parcel zoned HOC (Highway Oriented Commercial) located at 2855 Northside Drive West (Tax Parcel S08 000057 000).**

**Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-06: Five Points Stores requests a variance from Article X Section 1003 (F) of the Statesboro Zoning Ordinance regarding commercial street access to a primarily residential road for a .88 acre parcel located at 2855 Northside Drive West (Tax Parcel S08 000057 000).**

Councilman Yawn made a motion, seconded by Councilman Chance to open the public hearing for **APPLICATION # RZ 17-07-08, APPLICATION # V 17-07-07 and APPLICATION # V 17-07-06**. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Among those who spoke against the request included Gwendolyn Collier, Mattie Perry, Desiree Franklin and Jim Thibodeau. Trey Baird and Lindsey Martin, owners of the property, spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Chance to close the public hearing for **APPLICATION # RZ 17-07-08, APPLICATION # V 17-07-07 and APPLICATION # V 17-07-06**. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve **APPLICATION # RZ 17-07-08**: Five Points Stores requests a zoning map amendment from R6 (Single-Family Residential) to HOC (Highway Oriented Commercial) for a roughly .344 acre section of a parcel located at 2855 Northside Drive West to permit the construction of a convenience store (Tax Parcel S08 000057 000). The motion included an 8ft. privacy fence with a 5 ft. vegetative buffer to line Lovett Street. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion seconded by Councilman Chance to approve **APPLICATION # V 17-07-07**: Five Points Stores requests a variance from Article XI Section 1102 (D) of the Statesboro Zoning Ordinance regarding the minimum required setback for a .88 acre parcel zoned HOC (Highway Oriented Commercial) located at 2855 Northside Drive West (Tax Parcel S08 000057 000). Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The applicant (Lindsey Martin) withdrew **APPLICATION # V 17-07-06**: Five Points Stores requests a variance from Article X Section 1003 (F) of the Statesboro Zoning Ordinance regarding commercial street access to a primarily residential road for a .88 acre parcel located at 2855 Northside Drive West (Tax Parcel S08 000057 000).

Public Hearing and Consideration of a Motion to Approve: **APPLICATION # T 17-07-05**: The City of Statesboro recommends a text amendment to Article XV of the Statesboro Zoning Ordinance regarding the permitted districts in which projecting signs can be installed.

This item was actually an ordinance change with public hearing and first reading. **Ordinance 2017-13**

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

There was no action taken.

**Consideration of a motion to award a contract to Shaw Hankins to provided brokerage services for health, life and disability insurance to the City of Statesboro.**

Councilman Boyum made a motion, seconded by Councilman Yawn to award a contract to Shaw Hankins to provided brokerage services for health, life and disability insurance to the City of Statesboro. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Consideration of a Motion to approve Resolution 2017-33: A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the Project Manager in the Planning and Development Department is hereby reclassified to a City Planner.**

Councilman Yawn made a motion, seconded by Councilman Boyum to approve Resolution 2017-33: A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the Project Manager in the Planning and Development Department is hereby reclassified to a City Planner. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Consideration of a Motion to approve Resolution 2017-34: A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the following positions in the Police Department are hereby reclassified one (1) Captain to Lieutenant, IT Specialist to Police Officer, and Public Relations Corporal to Detective.**

Councilman Boyum made a motion, seconded by Councilman Yawn to approve Resolution 2017-34: A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the following positions in the Police Department are hereby reclassified one (1) Captain to Lieutenant, IT Specialist to Police Officer, and Public Relations Corporal to Detective. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

**Other Business from City Council**

Councilman Chance apologized for not being present when voting on the property tax millage rate but wanted to go on record stating that he would only support the rate increase to be used for public safety.

Councilman Boyum stated if there has been no resolution to the Garland Nesmith property on E. Main St. then he would suggest that the City start the condemnation process.

**City Managers Comments:** None

**Public Comments (General)**

**A) Michael Czarnamski regarding towing fees**

Mr. Czarnamski stated the towing rates were too high and that when his car was towed; it was very difficult to pay the fee.

Jessica Grossman also stated she had the same issue with the towing of vehicles at her apartment complex

Alan Gross addressed Council with his concerns regarding the fees that are charged for variance application fees. He would like for his fees to be waived since he is promoting the downtown area.

### **Consideration of a Motion to Adjourn**

Councilman Chance made a motion, seconded by Councilman Yawn to adjourn the meeting. Councilman Boyum, Jones, Yawn and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 8:30 pm.