



CITY OF STATESBORO
COUNCIL MINUTES
NOVEMBER 15, 2022

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

1. Call to Order

Mayor Pro Tem Shari Barr called the meeting to order

2. Invocation and Pledge

Councilmember Paulette Chavers gave the Invocation and led the Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Absent	
Phil Boyum	Councilmember	Absent	
Paulette Chavers	Councilmember	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Present via Zoom	
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. Public Comments (Agenda Item): None

Mayor Pro Tem Shari Barr announced the addition of a Resolution to the agenda as item #16.

4. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 11-01-2022 Council Minutes

b) 11-01-2022 Executive Session Minutes

B) Consideration of a grant of license for the package sale of distilled spirits, beer, and wine to Shree Dhan Laxmi, LLC DBA EZ Liquors located at 1525 Fair Road Suite 106.

C) Consideration of motion to approve execution of documents to amend Service Delivery Strategies agreement to allow for extension of provision of water services by the City of Brooklet.

A motion was made to approve the consent agenda.

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

5. Second reading and consideration of a motion to approve Ordinance 2022-08: An Ordinance amending Chapter 2 of the Statesboro Code of Ordinances establishing the Statesboro Business Commission.

A Motion was made to approve Ordinance 2022-08 amending Chapter 2 of the Statesboro Code of Ordinances establishing the Statesboro Business Commission.

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

6. Public Hearing and Consideration of a Motion to Approve: APPLICATION SE 22-10-01: Samantha Lindley requests a Special Exception from Article IX of the Statesboro Zoning Ordinance in order to allow for a non-medical massage therapy office at 108 South Zetterower Avenue.

A motion was made to open the public hearing.

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

Samantha Lindley and Judy Simmons 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 Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Chavers, Mack, Riggs, Barr
ABSENT	Councilmember Phil Boyum

A motion was made to approve **APPLICATION SE 22-10-01**: a Special Exception from Article IX of the Statesboro Zoning Ordinance in order to allow for a non-medical massage therapy office at 108 South Zetterower Avenue.

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

7. Public Hearing and Consideration of a Motion to Approve: APPLICATION SE 22-10-02: Kirk Farrelly requests a Special Exception from Article X of the Statesboro Zoning Ordinance in order to develop a tire shop/minor auto repair store at 35 Freedom Way.

A motion was made to open the public hearing.

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

Michael Corcoran with Civil Logistics spoke on behalf of the owner 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 Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Chavers, Mack, Riggs, Barr
ABSENT	Councilmember Phil Boyum

Mayor Pro Tem Shari Barr voiced her concern regarding the look of tires being out and that this type of business seems to be out of character in the area. A place like this would be more suited in an industrial oriented area.

There was council discussion regarding the landscape buffer between the back of the building and the walking trail. There will be a landscape buffer strip and a strip at least 10 feet wide densely planted with shrubs and or trees at least

three feet high at the time of planting that will possess growth characteristics to produce a dense, compact, screen capable of growing to a height of at least six feet in three years.

A motion was made to approve **APPLICATION SE 22-10-02**: a Special Exception from Article X of the Statesboro Zoning Ordinance in order to develop a tire shop/minor auto repair store at 35 Freedom Way.

RESULT:	Approved 3-1
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Chavers, Mack, Riggs
ABSENT	Councilmember Phil Boyum
NAYS	Mayor Pro Tem Shari Barr

8. Public Hearing and consideration of a motion to approve an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a):
Publix Super Markets, Inc.
101 Tormenta Way
Statesboro, Ga 30458
License Type: Package Sales – Beer and Wine only

A motion was made to open the public hearing.

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

No one spoke for or against the request.

A motion was made to close the public hearing.

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

A motion was made to approve an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a): Publix Super Markets, Inc. 101 Tormenta Way Statesboro, Ga 30458 License Type: Package Sales – Beer and Wine only.

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

9. Public Hearing and consideration of a motion to approve Ordinance 2022-09: An ordinance to adopt an amendment to the City of Statesboro Speed Control Ordinance including the accompanying GDOT List of Roadways List Number 09092019 document in order to enforce posted speed limits within the City of Statesboro utilizing speed detection devices.

A motion was made to open the public hearing.

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

No one spoke for or against the request.

A motion was made to close the public hearing.

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

Councilmember John Riggs asked what the process would be to reduce the speed limit from Gentilly to Georgia Avenue on Fair Road from 45 mph to 35mph.

City Manager Charles Penny said we would need to speak with GDOT about reducing speed limits on state roads and that staff will make that request.

A motion was made to approve **Ordinance 2022-09**: An ordinance to adopt an amendment to the City of Statesboro Speed Control Ordinance including the accompanying GDOT List of Roadways List Number 09092019 document in order to enforce posted speed limits within the City of Statesboro utilizing speed detection devices.

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

10. Consideration of a motion to approve a sole source emergency purchase with Y-Delta Inc in the amount of \$36,367.79 for a sewer main repair on Tillman Road. Funding is from Operating Revenues.

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

11. Consideration of a motion to award the purchase of three hundred ¾” Sensus domestic water meters and one 10” Sensus commercial water meter from Core&Main Inc in the amount of \$55,300.00. To be purchased with funds approved in the 2023 Water Sewer Operating Budget funded with system revenue.

A motion was made to award the purchase of three hundred ¾” Sensus domestic water meters and one 10” Sensus commercial water meter from Core&Main Inc in the amount of \$55,300.00. To be purchased with funds approved in the 2023 Water Sewer Operating Budget funded with system revenue.

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

12. Consideration of a motion to award the purchase of two 12” Check Valves to Ferguson Waterworks in the amount of \$36,318.00. To be purchased with funds approved in 2023 CIP item #WWD-154, funded with system revenue and grant proceeds.

A motion was made to approve to award the purchase of two 12” Check Valves to Ferguson Waterworks in the amount of \$36,318.00. To be purchased with funds approved in 2023 CIP item #WWD-154, funded with system revenue and grant proceeds.

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

13. Consideration of a motion to award a contract to C&H Pipeline Inc. in the amount of \$366,413.39 with approval to spend up to \$420,000.00 for the installation of 3800’ of 6” steel natural gas main at the Gateway Industrial park to serve Aspen Aerogels. To be paid for with Operating Revenue funds approved in the FY2023 CIP Budget item #NGD-99.

A motion was made to award a contract to C&H Pipeline Inc. in the amount of \$366,413.39 with approval to spend up to \$420,000.00 for the installation of 3800’ of 6” steel natural gas main at the Gateway Industrial park to serve Aspen Aerogels. To be paid for with Operating Revenue funds approved in the FY2023 CIP Budget item #NGD-99.

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

14. Consideration of a motion to award a contract to Vortex Services, LLC in the amount of \$797,065.00 with the approval to spend up to \$850,000.00 to rehabilitate approximately 14000’ of sewer main. This project was funded as part of the 2023 CIP Budget, Item #WWD14, with funds from 2019 SPLOST.

A motion was made to approve to award a contract to Vortex Services, LLC in the amount of \$797,065.00 with the approval to spend up to \$850,000.00 to rehabilitate approximately 14000’ of sewer main. This project was funded as part of the 2023 CIP Budget, Item #WWD14, with funds from 2019 SPLOST.

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

15. Consideration of a motion to award a contract to Yancey Cat in the amount of \$134,034.00 for the purchase of a new Caterpillar 306 CAB A/C Mini Excavator for the Streets Division in the Public Works & Engineering Department per Sourcewell contract. Funding is from 2018 TSPLOST.

A motion was made to award a contract to Yancey Cat in the amount of \$134,034.00 for the purchase of a new Caterpillar 306 CAB A/C Mini Excavator for the Streets Division in the Public Works & Engineering Department per Sourcewell contract. Funding is from 2018 TSPLOST.

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

16. Consideration of a motion to approve Resolution 2022-39: A Resolution to rescind Resolution 2021-29.

A motion was made to approve Resolution 2022-39 to rescind Resolution 2021-29.

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

17. Other Business from City Council:

Mayor Pro Tem Shari Barr congratulated the Tormenta players on their recent win. She also announced the downtown Holiday Celebration will hosted by the DSDA will take place Friday December 2, 2022 and encourages people to attend.

18. City Managers Comments

City Manager Charles Penny invited Mayor and Council to join us on Tuesday November 22, 2022 for the employee luncheon. The luncheon will begin at 11:00 am at the Nesmith Lane Center on Georgia Southern Campus.

Mr. Penny announced that Bill Gross the developer of the old Julia P Bryant property received notification that they are funded for the tax credits to build senior housing. Also the Fernhill Farm project, which is a project we used some of our housing incentive funds has started moving land for an 80 lot subdivision.

Other exciting news is we are getting the busses tomorrow.

19. Public Comments (General): None

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

No Executive Session was held.

21. Consideration of a Motion to Adjourn

A motion was made to adjourn.

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

The meeting was adjourned at 6:17 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk