



CITY OF STATESBORO
COUNCIL MINUTES
NOVEMBER 21, 2023

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.

ATTENDANCE

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

4. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 11-07-2023 Council Minutes

b) 11-07-2023 Executive Session Minutes

B) Consideration of a motion to approve the surplus and disposition of a 2003 Ford F150 in the Planning and Development Department.

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

ABSENT

5. Public Hearing and Consideration of a motion to approve: APPLICATION SUB 23-09-04: Mitchell Ball requests Preliminary Subdivision Plat approval on approximately 32.6 acres of property in order to develop a single-family detached subdivision of approximately 90 units on Timber Road & Stockyard Road (Tax Parcel # MS38000068 001).

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
ABSENT	

Haydon Rollins with Hussey Gay Bell 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 Venus Mack
SECONDER:	Councilmember John Riggs
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

A Motion was made to approve APPLICATION SUB 23-09-04: Mitchell Ball requests Preliminary Subdivision Plat approval on approximately 32.6 acres of property in order to develop a single-family detached subdivision of approximately 90 units on Timber Road & Stockyard Road (Tax Parcel # MS38000068 001) with staff conditions as with the additional condition that a traffic study be completed before any city permits are issued.

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

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

- a) **APPLICATION AN 23-09-05:** Five Guys Development requests Annexation of 0.78 acres of property located at Burkhalter Road in order to provide contiguity for a Residential Subdivision (Tax Parcel # 108 000001 000)
- b) **APPLICATION AN 23-09-06:** Five Guys Development requests Annexation of approximately 113.4 acres of property located at 6922 Burkhalter Road in order to construct a mixed single-family detached and townhouse subdivision (Tax Parcel # 108 000002 000).
- c) **APPLICATION RZ 23-09-07:** Five Guys Development requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district of approximately 113.4 acres of property in order to construct a 335 unit mixed single-family detached and townhouse subdivision at 6922 Burkhalter Road (Tax Parcel # 108 000002 000).

The applicant requests to have this item tabled until January 2024.

A motion was made to table this item until the January 16, 2024 Council Meeting.

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

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

- a) **APPLICATION AN 23-10-01:** Hadden Capital LLC requests Annexation of 13.43 acres of property in order to construct a townhome subdivision on Langston Chapel Road (Tax Parcel # MS76000010 000).
- b) **APPLICATION RZ 23-10-02:** Hadden Capital LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district on 13.43 acres of property in order to construct a townhome subdivision on Langston Chapel Road (Tax Parcel # MS76000010 000).

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
ABSENT	

Local Attorney Steve Rushing 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
ABSENT	

A Motion was made to approve **APPLICATION AN 23-10-01**: Hadden Capital LLC requests Annexation of 13.43 acres of property in order to construct a townhome subdivision on Langston Chapel Road (Tax Parcel # MS76000010 000) and **APPLICATION RZ 23-10-02**: Hadden Capital LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district on 13.43 acres of property in order to construct a townhome subdivision on Langston Chapel Road (Tax Parcel # MS76000010 000).

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

8. Public Hearing and Consideration of a Motion to Approve: APPLICATION SUB 23-10-03: Burbank Point LLC request a Preliminary Subdivision PLAT on 1.21 acres of property located on Hill Street (Tax Parcel# S39 000043 000).

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
ABSENT	

Haydon Rollins with Hussey Gay Bell 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
ABSENT	

A Motion was made to approve **APPLICATION SUB 23-10-03**: Burbank Point LLC request a Preliminary Subdivision PLAT on 1.21 acres of property located on Hill Street (Tax Parcel# S39 000043 000).

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

9. Public Hearing and First Reading of Ordinance 2023-19: An Ordinance amending Chapter 66 Solid Waste, Article V Collection Practices of the Statesboro Code of Ordinances in order to amend the text in Section 66-91 (c) (1).

A motion was made to open the public hearing.

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

Marcus Toole spoke against the revision.
Sue Palmer and Don Armel spoke in favor of the revision.

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
ABSENT	

A Motion was made to approve the First Reading of **Ordinance 2023-19**: An Ordinance amending Chapter 66 Solid Waste, Article V Collection Practices of the Statesboro Code of Ordinances in order to amend the text in Section 66-91 (c) (1).

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

10. Second reading and consideration of a motion to approve Ordinance 2023-17: An Ordinance amending Chapter 6 Section 6-5 (f) and (r) of the Statesboro Code of Ordinances to allow for consideration of application prior to having a certificate of occupancy and waiving background requirements for certain applicants.

A motion was made to approve **Ordinance 2023-17**: An Ordinance amending Chapter 6 Section 6-5 (f) and (r) of the Statesboro Code of Ordinances to allow for consideration of application prior to having a certificate of occupancy and waiving background requirements for certain applicants.

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

11. Second reading and consideration of a motion to approve Ordinance 2023-18: An Ordinance amending Chapter 82 Article IV of the Statesboro Code of Ordinance creating a sewer lateral assistance program.

A motion was made to approve Ordinance 2023-18: An Ordinance amending Chapter 82 Article IV of the Statesboro Code of Ordinance creating a sewer lateral assistance program.

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

12. Consideration of a Motion to Approve: Resolution 2023-46: A Resolution adopting the third amendment to the City of Statesboro Schedule of Fees, Rates, and Fines for Fiscal Year 2024.

A motion was made to approve Resolution 2023-46: A Resolution adopting the third amendment to the City of Statesboro Schedule of Fees, Rates, and Fines for Fiscal Year 2024.

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

13. Consideration of a motion to approve Resolution 2023-47: A Resolution of the Mayor and Council of the City of Statesboro, Georgia to rename Brown Street to Loretta's Way.

A motion was made to approve Resolution 2023-47: A Resolution of the Mayor and Council of the City of Statesboro, Georgia to rename Brown Street to Loretta's Way.

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

14. Consideration of a motion to approve Resolution 2023-48: A Resolution approving the City of Statesboro's proposed FY2024 Street Resurfacing Program, and authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) Application. Grant matching funds will be provided from 2018 TSPLOST Funds.

A motion was made to approve Resolution 2023-48: A Resolution approving the City of Statesboro's proposed FY2024 Street Resurfacing Program, and authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) Application. Grant matching funds will be provided from 2018 TSPLOST Funds.

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

15. Consideration of a motion to amend the contract with American Engineers, Inc. (AEI) to perform engineering services for the East Main Street Sidewalk project in the amount of \$38,090.38. This project is paid from the 2018 TSPLOST Fund.

A motion was made to approve the amendment to the contract with American Engineers, Inc. (AEI) to perform engineering services for the East Main Street Sidewalk project in the amount of \$38,090.38. This project is paid from the 2018 TSPLOST Fund.

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

16. Consideration of a motion to award a contract in the amount of \$235,502.50 to Tim Lanier Construction, LLC for the Brannen Street Sidewalk Improvements project. This project will be paid by 2018 TSPLOST funds.

A motion was made to approve an award of contract in the amount of \$235,502.50 to Tim Lanier Construction, LLC for the Brannen Street Sidewalk Improvements project. This project will be paid by 2018 TSPLOST funds.

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

17. Other Business from City Council

Councilmember Paulette Chavers wishes everyone a Happy Thanksgiving.

Councilmember Venus Mack stated this past weekend downtown streets were closed for the Turkey Trot 5K. Complaints were received from local business owners because they were not notified of street closure. The same thing happened last year for the Turkey Trot. Councilmember Mack requests staff to work on making sure the businesses downtown are notified when streets will be closed for an event so they can prepare accordingly.

City Manager Charles Penny stated there is a process for street closures and that staff will look into the process and report back with an update and recommendation.

Councilmember Phil Boyum stated in some communities they have three or four certified routes to choose from for 5K events and requested staff look into setting something like that up for the city.

Mayor Pro Tem Shari Barr wishes everyone a Happy Thanksgiving.

Councilmember Phil Boyum stated with all the development in this area we really need to figure out a way to increase the working relationship with the county.

Mr. Penny stated we will put in a request with the county to meet with them sometime in January.

Mayor Pro Tem Shari Barr announced the Statesboro Farmers Market is having their last event of the season “Shop by Lantern” this evening from 6pm-9pm. Also the City’s toy drive began today. The last day to drop toys off is December 8th.

18. City Managers Comments

City Manager Charles Penny stated the City’s United Way campaign raised \$37,498. Also, the city received a letter from the Department of Community Affairs informing the city that the Norris Hotel located at 9 Hill Street has been placed on the National Register of Historic Places.

Mr. Penny congratulated the Downtown Development Authority for receiving the Georgia’s Exceptional Main Street (GEMS) re-designation from the Georgia Department of Community Affairs.

19. Public Comments (General):

Annie Bellinger stated the city needs to look into getting more low income housing in the city. She also stated there are issues with homelessness on the west side of town.

Sue Palmer thanked council for listening and taking her concerns about trash cans on the road seriously and working to make a change for a more beautiful city.

Len Fatica thanked council for all they do for the youth in our community and stated the only issue is they are unable to get involved in the electoral process to have a seat on city council until the age of 25. Mr. Fatica asked council to consider reducing the eligible age to at least 21.

Marcus Toole commended City Manager Charles Penny and City Staff for bringing up the issue of Burkhalter Road and being forward thinking regarding issue if transportation infrastructure.

**20. 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).**

No executive session was held.

21. 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
ABSENT	

The meeting was adjourned at 6:47 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk