



CITY OF STATESBORO  
COUNCIL MINUTES  
DECEMBER 17, 2019

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

1. **CALL TO ORDER**

Mayor Jonathan McCollar called the meeting to order

2. **INVOCATION AND PLEDGE**

Councilman Jeff Yawn gave the Invocation and Pledge of Allegiance.

**ATTENDENCE**

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Sam Jones	Councilmember	Present	
Jeff Yawn	Councilmember	Present	
John Riggs	Councilmember	Present	
Derek Duke	Councilmember	Present	

Other staff present was: City Manager Charles Penny, Assistant City Manager Jason Boyles City Attorney Cain Smith and City Clerk Leah Harden.

3. **Recognitions/Public Presentations**

A) **Presentation of Plaques by Mayor McCollar to the outgoing Councilmembers, Sam Jones, Jeff Yawn and Derek Duke for their dedicated service to the City of Statesboro.**

Mayor McCollar presented a plaque to each outgoing Councilmember, District 2 Sam Jones, District 3 Jeff Yawn and District 5 Derek Duke, for their dedicated service to the City of Statesboro.

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

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

A) **Approval of Minutes**

a) **12-03-2019 Council Minutes**

A motion was made to approve the consent agenda.

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilman Jeff Yawn

**SECONDER:**

Councilman Derek Duke

**AYES:**

Boyum, Jones, Yawn, Riggs, Duke

**ABSENT**

**6. Council review of Mayoral disapproval of Sec 38-162 made and to be considered pursuant to Charter Sec 4-1(c).**

Mayor McColter stated as it stands this ordinance has a multiplier of .01. City Attorney Cain Smith stated four votes would overrule the Mayor’s adjustment, he also stated they could adopt the compromise proposal through a unanimous vote, or it could be tabled for presentation to be placed on the agenda for February 18, 2020.

A motion was made to table this issue until the second meeting in February.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman John Riggs
<b>SECONDER:</b>	Councilman Derek Duke
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**7. Consideration of a Motion to adopt the Master Bond Resolution and the First Supplemental Bond Resolution in order to refinance the Series 2010 Bonds and certain outstanding GEFA Loans.**

City Manager Charles Penny stated our Financial consultants Davenport put out an RFP and has come back with a proposal from Zion Bank in Utah with a fixed interest rate of 2.14 which is a reduction of half of our current rate. Jon Pannell with the bond counsel stated the bank called about a change to the master bond resolution; in the section where you can issue additional bonds in the future wants to change the definition from Independent Certified Public Accountants to have a Qualified Independent Consultant which is a defined term in the Bond Resolution.

A motion was made to adopt the Master Bond Resolution and the First Supplemental Bond Resolution in order to refinance the Series 2010 Bonds and certain outstanding GEFA loans with the amendments prescribed by the bond counsel.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman Phil Boyum
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**8. Consideration of a motion to approve the City’s Employee Retirement Plan Modifications as recommended by the City Manager.**

City Manager Charles Penny stated this modification would increase the multiplier from 1.25 to 2.00 and to have an alternative retirement designation with full benefits after 30 years of service and remove the cap on sick leave and allow the employees to accrue sick leave with no maximum limits to be used towards years of service. Employees hired on or after January 1, 2020 would contribute to the retirement system at a rate of 3% of their annual salary.

A motion was made to approve the City’s Employee Retirement Plan Modifications as recommended by the City Manager.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman John Riggs
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**9. Public Hearing and First Reading of Ordinance 2019-14: An Ordinance amending Chapter 6 of Statesboro Code of Ordinances adding a definition of “brewpub” and the requirements and privileges conferred under this classification.**

A motion was made to open the Public Hearing

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman John Riggs
<b>SECONDER:</b>	Councilman Derek Duke
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

City attorney Cain Smith explained the modification to the definition for a brewpub. This modification would not require at package license to sell their own product as long as they are within the barrel limitations set out by State code.

Councilman Boyum recommended changing term from “brewpub” to “local brewery” which would allow someone to be a brewery, restaurant and package sales all wrapped into one.

Cain Smith stated we can consider these as restaurants for the purposes of license fees and for the purposes of 6-9 which is the underage admission regulation.

No one spoke for or against the Ordinance.

A motion was made to close the Public Hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Phil Boyum
<b>SECONDER:</b>	Councilman Jeff Yawn
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

A motion was made to move forward to a second reading of Ordinance 2019-14 with the amendments; the licensing fees and guidelines match the restaurant category pursuant to Section 6-9 and we refer to them as “local brewery” as opposed to “brewpubs”.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman John Riggs
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**10. Public Hearing and Consideration of a Motion to approve application for an alcohol license Sec. 6-5.**

- A) Hare Krishna 342 Corporation**
- DBA: Sym food Store**
- Jyoti Patel**
- 218 N Main Street**

A motion was made to open the Public Hearing

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Phil Boyum
<b>SECONDER:</b>	Councilman John Riggs
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

No one spoke for or against this application.

A motion was made to close the Public Hearing.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman Phil Boyum
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

A motion was made to approve the alcohol application for Hare Krishna 342 Corporation DBA: Sym Food Store, Jyoti Patel, 218 N Main Street.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman John Riggs
<b>SECONDER:</b>	Councilman Jeff Yawn
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

11. **Consideration of a Motion to approve Resolution 2019-41: A Resolution to adopt the second 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 2019-41: adopting the second amendment to the fiscal year 2020 budget.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman John Riggs
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

12. **Consideration of a Motion to approve Resolution 2019-42: A Resolution to adopt the second amendment to the six year Capital Improvement Program for the Fiscal Year 2019-2020 through 2024-2025 for the City of Statesboro, Georgia.**

A motion was made to approve Resolution 2019-42 adopting the second amendment to the six year Capital Improvement Program for the fiscal year 2019-2020 through 2024-2025.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman John Riggs
<b>SECONDER:</b>	Councilman Jeff Yawn
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**13. Consideration of a Motion to approve Resolution 2019-43: A Resolution authorizing the filing of an application by the Coastal Regional Commission of Georgia on behalf of the City of Statesboro with the Georgia Department of Transportation and the United States Department of Transportation for a Grant for Public Transportation Assistance under Title 49 U.S.C., Section 5311, for Fiscal Year 2021.**

A motion was made to approve Resolution 2019-43: Authorizing the filing of an application by the Coastal Regional Commission of Georgia on behalf of the City of Statesboro with the Georgia Department of Transportation and the United States Department of Transportation for a Grant for Public Transportation Assistance.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Phil Boyum
<b>SECONDER:</b>	Councilman Sam Jones
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**14. Consideration of a Motion to approve Resolution 2019-44: A Resolution setting 2020 alcohol license renewal fees for Eagle Creek Brewery.**

A motion was made to approve Resolution 2019-44: setting 2020 alcohol license renewal fees for Eagle Creek Brewery.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Phil Boyum
<b>SECONDER:</b>	Councilman Jeff Yawn
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**15. Consideration of a Motion to approve Resolution 2019-45: A Resolution authorizing the Mayor and City Clerk to execute documents with the Development Authority of Bulloch Count for installation of Utilities Infrastructure at the 301 South Industrial Park.**

A motion was made to approve Resolution 2019-45: authorizing the Mayor and City Clerk to execute documents with the Development Authority of Bulloch County for installation of Utilities Infrastructure at the 301 South Industrial Park.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Phil Boyum
<b>SECONDER:</b>	Councilman Sam Jones
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**16. Consideration of a Motion to approve Memorandum of Understanding with Bulloch County to pay 50% of costs for provision of an Intergrated Public Alert and Warning System (Reverse 911) to the Citizens of Statesboro and Bulloch County under a proposed contract between Bulloch County and OnSolve.**

A motion was made to approve Memorandum of Understanding with Bulloch County to pay 50% of costs for provision of an Intergrated Public Alert and Warning System (reverse 911).

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman John Riggs
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**17. Consideration of a motion to award a contract to purchase vehicles from the following:**

- A) **O.C. Welch Ford (6) ½ ton Ford F150 Police Pickups in the amount of \$25,219.00 each with a total cost of \$151,314.00**
- B) **J.C. Lewis Ford (Statesboro) (1) one ton cab and chassis in the amount of \$26,248.52.**
- C) **J.C. Lewis Ford (Statesboro) (3) ½ ton Ford F-150 Pickups in the amount of \$25,582.76 with a total cost of \$76,748.28.**

A motion was made to award a contract to purchase vehicles from: O.C Welch Ford (6) ½ ton Ford F150 Police Pickups in the amount of \$25,219.00 each with a total cost of \$151,314.00; J.C. Lewis Ford (Statesboro) (1) one ton cab and chassis in the amount of \$26,248.52 and J.C. Lewis Ford (Statesboro) (3) /12 ton Ford F150 pickups in the amount of \$25,582.76 with a total cost of \$76,748.28.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman John Riggs
<b>SECONDER:</b>	Councilman Jeff Yawn
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**18. Discussion regarding the cut off fees for utilities.**

Councilman Jones stated he is concerned about the cut off fee for individuals who are going through a hardship. He states he would like for the City Manager or his designee to waive the cut off fee up to 2 times per year in the event of a citizen having a hardship.

Councilman Boyum is concerned about the impact this change would have to the staff. Mr. Penny stated our citizens have an option to get an extension when they are going through a hard time.

A motion was made to have the City Manager or his designee to waive the cut off fee up to 2 times a year.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Sam Jones
<b>SECONDER:</b>	Councilman Jeff Yawn
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

**19. Other Business from City Council**

Councilman Derek Duke stated the Bulloch County Historical Society would like to put a mural on the side of the building located adjacent to City Hall in the drive thru. The Statesboro Code of Ordinances Section 3005 Article XXX states a mural cannot exceed 25% of a single façade of a building but the Historical Society desires to place a mural in the Downtown District that would exceed the 25%.

Virginia Ann Franklin Waters stated this mural is of a picture from 1906 depicting the return from Savannah where Statesboro was selected as First District Agricultural Mechanical School. This mural is going to be 40 x 20.

Councilman Duke presented a resolution recommending approval for the mural presented by the Bulloch County Historical Society that will exceed the 25% restriction pursuant to Section 3005 Article XXX of the Statesboro Code of Ordinances.

A motion was made to approve **Resolution 2019-46:** A Resolution to approve a mural exceeding 25% of a single façade of a building pursuant to Section 3005 Article XXX of the Statesboro Code of Ordinances, to be placed on the side of a building located at 46 East Main Street by the Bulloch County Historical Society

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilman Jeff Yawn
<b>SECONDER:</b>	Councilman John Riggs
<b>AYES:</b>	Boyum, Jones, Yawn, Riggs, Duke
<b>ABSENT</b>	

Councilman John Riggs thanked the Statesboro Police Department, Fire Departments and all on-call staff for their services especially during the Holiday season.

Mayor McCollar thanked staff members and the community for their help in serving over 5,000 people during the Thanksgiving Holiday.

**20. City Managers Comments**

City Manager Charles Penny stated the sanitation department received a letter regarding their sanitary survey inspection from the Georgia Department of Natural Resources and in the report it was stated this system has been designated as an outstanding performer. Mr. Penny publicly congratulated Steve Hotchkiss and his staff for their outstanding performance by our water and sewer folks.

Mr. Penny stated on behalf of the City Employees thank you Mayor and Council for approving the modifications to the retirement plan.



**21. Public Comments (General)** None

**22. Consideration of a Motion to Adjourn**

A motion was made to adjourn the meeting

**RESULT:**

Approved (Unanimous)

**MOVER:**

Councilman Jeff Yawn

**SECONDER:**

Councilman Derek Duke

**AYES:**

Boyum, Jones, Yawn, Riggs, Duke

**ABSENT**

The meeting was adjourned at 6:50 p.m.