

**COUNCIL MEETING  
AUGUST 16, 2005-6:00 P.M.**

A regular meeting of the Statesboro City Council was held August 16, 2005 at 6:00 P.M. Present were Mayor William S. Hatcher, Council members John Morris, Gary Lewis, Tommy Blich, Joe Brannen and Will Britt. Also present were City Manager George Wood, City Attorney Sam Brannen, Director of Finance and Administration Judy McCorkle, City Engineer Maz Elhaj, and Planning Director Jim Shaw.

**APPROVAL OF THE AUGUST 2, 2005, REGULAR MEETING MINUTES**

Councilman Brannen made a motion, seconded by Councilman Britt to approve the minutes of August 2, 2005, with a minor correction on Pg. 7. Councilmen Brannen, Britt, Blich, Morris, and Lewis voted in favor of the motion. The motion carried by a 5-0 vote.

**ADOPTION OF RESOLUTION # 2005-26 AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATION TO OPEN AN ADDITIONAL ZERO BALANCE ACCOUNT FOR THE DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY**

Mr. Wood reported as a result of a meeting with the DSDA Executive Board, they have decided to split their capital monies from their operating fund. This would sweep into their investment account that would make the same rate of interest. Councilman Blich made a motion, seconded by Councilman Morris to adopt resolution #2005-26 authorizing the Director of Finance and Administration to open an additional zero balance account for the Downtown Statesboro Development Authority. Councilmen Blich, Morris, Britt, Lewis and Brannen voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE CITY TO PROVIDE ACCOUNTING SERVICES FOR THE STATESBORO DEVELOPMENT AUTHORITY AT NO COST**

Mr. Wood reported the DSDA writes approximately (15) fifteen checks per month and uses an accounting service. He recommended the City to provide accounting services to them at no cost. Councilman Brannen made a motion, seconded by Councilman Britt to authorize the City to provide accounting services for the Downtown Statesboro Development Authority at no cost. Councilmen Brannen, Britt, Lewis, Morris, and Blich voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY TO SHARE SPACE ON THE CITY'S WEBSITE AT NO COST**

Mr. Wood reported this would save the DSDA/Main Street Program \$2,000 that had been budgeted for this service. Instead of having a separate website, Mr. Wood recommended that they share space on the City's website. Councilman Morris made a motion, seconded by Councilman Blich to authorize the Downtown Statesboro Development Authority to share space on the City's website at no cost.

Councilman Britt asked if the City would be responsible for updating this website. Mr. Wood said DSDA Director Stephanie Howell would be able to update their contents. Councilmen Morris, Blich, Brannen, Lewis, and Britt voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE CITY MANAGER TO SUBMIT THE CITY'S OFFICIAL RESPONSE AND OBJECTIONS TO PORTIONS OF THE DRAFT NPDES PERMIT ISSUED BY THE ENVIRONMENTAL PROTECTION DIVISION, GEORGIA DEPARTMENT OF NATURAL RESOURCES**

Mr. Wood reported the Environmental Protection Division of the Georgia Department of Natural Resources is responsible for the Federal Clean Water Act to administer the NPDES Permitting Process in the State of Georgia. He said the City's response discusses points that they have not done the science to calculate the Total Maximum Daily Loads (TMDL's) point source solutions and non-point sources. The City also objects to cutting the BOD limits in half.

He said the EPD's decision to no longer test for toxicity does not add up, and believes it is a violation of the constitution that they request the City to hire an engineering firm to do a water assessment that drains into or out of the City. Mayor Hatcher asked the cost if we are required to do this. Mr. Wood said it would cost approximately \$150,000 - \$200,000 just for the assessment, which does not include the cost to enforce it. Director of Water/Wastewater Wayne Johnson said this goes beyond the City limits of Statesboro, anywhere we do watersheds and could cost \$700,000-\$900,000.

Mr. Wood said the core issue is the geographic area of the County. The major implication is to cut back on grease, oils, and fats. The biggest problem would be the City accepting septic waste from outside the City limits. He reported a certified letter was submitted to the State on July 28, 2005, requesting information on all of the draft permits issued in the Ogeechee River Basin, and as of today we have not had any response from the EPD. The letter files all the City's objections to the issuance of the permit as proposed within the 30 day comment period. The City has asked for a public hearing to be held in Statesboro on the issuance of the NPDES permit. A meeting was held in Statesboro last Wednesday with other representatives from cities in the area who are concerned as well. Mr. Blich asked how many cities are in the Ogeechee River Basin. Mr. Wood said approximately (35) thirty five.

Councilman Blich recommended Mr. Wood to forward a copy of the letter to the Attorney General. Councilman Blich made a motion to authorize the City Manager to submit the City's official response and objections to portions of the draft NPDES Permit issued by the Environmental Protection Division, Georgia Department of Natural Resources. Councilmen Blich, Britt, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE MAYOR TO EXECUTE THE LIHEAP CONTRACT FOR THE CITY TO BE AN ENERGY VENDOR WHOSE CUSTOMERS ARE ELIGIBLE FOR LOW-INCOME ENERGY ASSISTANCE**

Mr. Wood reported this is a State program to help low income citizens with their utility bills during the winter. Councilman Brannen made a motion, seconded by Councilman Blich to authorize the Mayor to execute the LIHEAP Contract for the City to be an energy vendor whose customers are eligible for low-income energy assistance. Councilman Blich asked how do citizens qualify. Natural Gas Director Steve Hotchkiss said they have certain criteria to meet in order to qualify and must go through a pre-approval process before being approved for assistance. Councilmen Brannen, Blich, Morris, Britt, and Lewis voted in favor of the motion. The motion carried by a 5-0 vote.

**APPROVAL OF CHANGE ORDER #1 TO THE STREET PAVING CONTRACT WITH MORGAN & WOODS TO INCLUDE THE SHORT REALIGNMENT SEGMENT ON OLD REGISTER ROAD AT FOREST DRIVE**

Mr. Wood reported the City has proposed to change the road alignment at the stop sign at Old Register Road, so Forest Drive would have the right-of-way. The college has agreed to this. He said the City would swap property with GSU as needed to do the realignment, and would bear the cost for road improvements. Councilman Morris made a motion, seconded by Councilman Brannen to approve Change Order #1 to the street paving contract with Morgan & Woods to include the short realignment segment on Old Register Road at Forest Drive. Councilmen Morris, Brannen, Britt, Lewis, and Blich voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION TO RESCIND THE BID AWARDS FOR THE TWO HOUSES ADJACENT TO THE MUNICIPAL COURT OFFICES, DUE TO NON-PAYMENT OF THE FEES**

Mr. Wood reported the two ladies that placed a bid on the houses have not come forward with the money. A certified letter was mailed to them, and a response has not been received. Councilman Britt made a motion, seconded by Councilman Morris to rescind the bid awards for the two houses adjacent to the Municipal Court Offices, due to non-payment of the fees. Councilmen Britt, Morris, Brannen, Lewis, and Blich voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE SOLE SOURCE PURCHASE OF NATURAL GAS METERS DUE TO THE NEED TO MAINTAIN CONSISTENCY IN THE FIELD, PER RECOMMENDATION OF THE NATURAL GAS DIRECTOR**

Natural Gas Director Steve Hotchkiss requested the Council to approve the sole purchase of natural gas meters because the system is standardized on a particular type of meter. He said it is impossible to go with the low bid because you could get things that are not compatible with the system. He said vendors are informed that their prices are compared with others.

Councilman Blicht made a motion, seconded by Councilman Brannen to authorize the sole source purchase of natural gas meters due to the need to maintain consistency in the field, per the recommendation of the Natural Gas Director, and to keep as unified as possible due to the meter calibrations and cost. Councilmen Blicht, Brannen, Morris, Lewis, and Britt voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION TO AWARD A BID TO ROZIER FORD FOR A REPLACEMENT PICKUP TRUCK FOR PUBLIC WORKS**

Councilman Brannen made a motion, seconded by Councilman Lewis to award a bid to Rozier Ford, the lowest bidder, in the amount of \$17,348.50 for a replacement pickup truck for Public Works. Councilmen Brannen, Lewis, Britt, Blicht, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO PURCHASE ONE ADDITIONAL LONG-HAUL TRAILER FOR THE SOLID WASTE TRANSFER STATION FROM THE SAVINGS ON THE PURCHASE OF THE FIRST TWO**

Mr. Wood reported according to the memo from the Public Works Director the solid waste tonnage has increased which is a requirement of the EPD. The budgeted amount was \$120,000 and we would receive a trade-in of \$46,000. Mr. Colson indicated that in prior years the budget was under spent. Mr. Wood made a recommendation to approve the purchase of a long-haul trailer, which would be followed up with a budget amendment.

Councilman Brannen made a motion, seconded by Councilman Morris to authorize the Public Works Director to purchase one additional long-haul trailer for the Solid Waste Transfer station from the savings on the purchase of the first two. Councilmen Brannen, Morris, Blicht, Britt, and Lewis voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION TO AWARD A BID FOR A BUSHHOG TRACTOR FOR THE STREETS DIVISION OF THE PUBLIC WORKS DEPARTMENT**

Mr. Wood reported Public Works Director Bobby Colson indicated in a memo that the lowest bid was received from Farm Mart, but they did not have Cat 3 telescopic lift arms, their parts inventory was very low with a standard order each thirty days, and the other tractor bids had a two year/2000 hr. warranty, whereas Farm Trac was one year total tractor. Councilman Morris made a motion, seconded by Councilman Britt to award a bid to Wade Tractor Company, the lowest responsive bidder meeting all the specifications, in the amount of \$19,327.70 for a bushhog tractor for the Streets Division of the Public Works Department. Councilmen Morris, Britt, Brannen, Lewis, and Blicht voted in favor of the motion. The motion carried by a 5-0 vote.

**MOTION AUTHORIZING THE CITY MANAGER TO CHANGE THE CAPITAL OUTLAY ALLOCATIONS FOR THE PUBLIC WORKS DEPARTMENT FROM A SIDEARM MOWER TO A TRACTOR REPLACEMENT AND A VAN REPLACEMENT, PER THE RECOMMENDATION OF THE PUBLIC WORKS DIRECTOR**

Councilman Blich made a motion, seconded by Councilman Morris to authorize the City Manager to change the capital outlay allocations for the Public Works Department from a sidearm mower to a tractor replacement and a van replacement, per the recommendation of the Public Works Director. Councilmen Blich, Morris, Lewis, Brannen, and Britt voted in favor of the motion. The motion carried by a 5-0 vote.

**UPDATE ON PROPERTY CLEANUP EFFORTS BY THE ENGINEERING DEPARTMENT'S CODE ENFORCEMENT PERSONNEL**

Mr. Wood reported at the last meeting he indicated the City Marshal Will Ellis would give an update on properties regarding housing rehabilitation and nuisances. Several of the properties went before the court today. Mr. Ellis gave an update of the nuisance violations in progress. Councilman Lewis inquired about the court status on the abandoned fire damaged house located at 204 Roundtree St. Mr. Ellis said this property has been going on for a while and the Judge has given the owner an additional 30 days, and his recommendation is to tear it down. Councilman Lewis said this is an eyesore in the neighborhood and he has received calls from residents of his district about this property. He said this structure has been on the property for some time and recommended the City to tear it down. He also informed the Council that the property owner is deceased. Mayor Hatcher informed Councilman Lewis that the Judge has given a continuance on the property, and the owner has 30 days. Councilman Lewis said he would like to take the Council on a bus tour of areas in his district.

Councilman Lewis said the City Marshall needs to enforce the junk law for Eagle Automotive. He said the law was enforced for Woodard Lewis to put up a fence, but it has not been enforced for Eagle Automotive. He said this needs to be a fair issue across the board. Mr. Ellis said the overall response for the demolition rehab has been very positive. Councilman Lewis asked about property located at 208 Proctor St. The City Marshall said at this time his focus is specifically abandoned property, not inhabited houses. He also asked about Mr. Joseph Moore's property. The City Marshall informed Councilman Lewis that Mr. Moore plans to demolish his property. Mayor Hatcher commented to the City Marshall that he appreciates what he is doing, and he needs to be aggressive. He said when he improves the community; he needs to be sure things do not fall through the cracks. He also would like to follow up with Councilman Lewis suggestion for the tour.

**STAFF REPORTS:  
CITY MANAGER – ADVERTISEMENT FOR THE NEW POLICE DEPARTMENT CONSTRUCTION**

Mr. Wood reported an advertisement was released in Sunday's Statesboro Herald for the construction of the new Police Department. General Contracting firm bids must be submitted by September 13, 2005.

Once the City decides which bid is eligible, a pre-bid conference will be held September 22, 2005, and the bid will be held October 24, 2005.

**DIRECTOR OF FINANCE & ADMINISTRATION – NOTICE OF ELECTION**

Director of Finance and Administration Judy McCorkle reported a Notice of the Election will be advertised Thursday, August 18, and Sunday, August 21 in the Statesboro Herald. Qualifying fees will also be posted.

**AD VALOREM TAX DUE DATE**

Mrs. McCorkle reported she and Bulloch County Tax Commissioner James Deal met to decide on a due date for City and County ad valorem taxes. They both agreed to set the due date for January 10, 2006. She hopes to mail the tax bills in late September.

**PLANNING DIRECTOR - PUBLIC HEARINGS**

Planning Director Jim Shaw brought before the City Council the following public hearings that are scheduled for the next Council meeting:

1. Mrs. Connie Stewart-Sacks and Mrs. Glenda Heller are requesting a special exception to locate a day spa at 221 South Zetterower Avenue.
2. EMC Engineering Services requesting: (1) a variance to allow 34 apartment units instead of the allowed 32 units, and (2) a 10' side yard variance for property located on Rucker Lane.
3. Mark Bryant of JMB Developers, Inc. is requesting the rezoning of a 35.02 acre tract fronting on Bird Lane from PUD with an R-10 overlay and a portion of the 5.70 acre tract at 5 Lanier Drive from PDR (Bulloch County zoning) to PUD with an R-4 overlay limited to 6 units per acre and 24 occupants per acre.
4. Stan York, Statesboro Police Department, is requesting: (1) a 10' variance of the 20' rear yard setback requirement, (2) a 5' variance of the 10' buffer strip requirement for property located on West Grady Street between Martin Luther King Boulevard and South College Street.
5. Garland Nessmith is requesting the rezoning of a 0.52 acre tract at 815 South Main Street from R-4 to HOC. This is a legal non-conforming use.

**EXECUTIVE SESSION – LAND ACQUISITION & PERSONNEL**

Councilman Morris made a motion, seconded by Councilman Lewis to enter into an executive session to discuss land acquisition and personnel. Councilmen Morris, Lewis, Brannen, Britt, and Blich voted in favor of the motion. The motion carried by a 5-0 vote.

### **EXECUTIVE SESSION**

An executive session of the Statesboro City Council was held on August 16, 2005 for the purpose to discuss land acquisition and personnel matters. Present were Mayor William S. Hatcher, Council members John Morris, Gary Lewis, Joe Brannen, Tommy Blich and Will Britt. Also present were City Manager George Wood, City Attorney Sam Brannen, Director of Finance and Administration Judy McCorkle, and Public Works Director Bobby Colson. The meeting adjourned at 7:40 p.m.

### **RECONVENED SESSION**

A regular meeting reconvened after the executive session. Mayor Hatcher announced no action was taken, and the meeting adjourned at 7:40 p.m.