

**CITY COUNCIL
MARCH 7, 2006**

A regular meeting of the Statesboro City Council was held March 7, 2006, at 9:00 a.m. Present were Mayor William Hatcher, Council Members Joe Brannen, Will Britt, Gary Lewis, and Tommy Blitch. Absent was Councilman John Morris. Also present were City Manager George Wood, City Attorney Sam Brannen, Director of Finance and Administration Judy McCorkle, Planning Director Jim Shaw and City Engineer Maz Elhaj.

APPROVAL OF MINUTES

Councilman Brannen requested the following corrections to be made to the February 21, 2006 Council meeting minutes:

Page 9 change “Mayor Pro tem Brannen asked if this *soul* source would match” to “Mayor Pro tem Brannen asked if this *sole* source would match”

Page 11 change “we purchased the equipment and did the *insulation* ourselves” to “we purchased the equipment and did the *instillation* ourselves”

Councilman Brannen made a motion, seconded by Councilman Britt to approve the minutes for February 21, 2006 as corrected. Councilmen Britt, Lewis, Brannen and Blitch voted in favor of the motion. The motion carried by a 4-0 vote.

PUBLIC HEARING TO DISCUSS RESOLUTION #2006-05: A RESOLUTION EXEMPTING CERTAIN VEHICLES FROM MARKING REQUIREMENTS FOR ONE YEAR, PER OCGA 36-80-20

City Manager George Wood stated state law O.C.G.A.36-80-20 requires you to hold a public hearing once a year on vehicles that are not required to be marked. This law states all vehicles must be marked unless Council takes action against it. He said the City Manager, Director of Water and Wastewater, Assistant Director of Water and Wastewater, Director of Natural Gas, and the City Engineer are exempted for one year from the requirement to have decals on their vehicle. None of these are City owned, but personal vehicles and they receive a car allowance which the law will allow.

Mayor Hatcher asked if anyone wanted to speak on the issue. No one spoke and the public hearing was closed. No action was taken. Mr. Wood said it would be voted on at the next meeting.

MOTION TO ADOPT RESOLUTION #2006-06: A RESOLUTION AUTHORIZING THE WAIVER OF ANY PAYMENT IN LIEU OF TAXES (PILOT) BY THE STATESBORO HOUSING AUTHORITY TO THE CITY OF STATESBORO FOR THE 2005 TAX YEAR

Mr. Wood referred to a letter from Bobby Cason, Executive Director of the Statesboro Housing Authority, stating in previous years the Mayor and City Council have annually waived the requirement to make this payment in lieu of taxes in order for the Housing Authority to utilize that money on capital improvements and /or maintenance on its facilities.

He stated they are asking for the 2005 taxes in the amount of \$16, 998.00 to be waived. Mr. Cason provided evidence of prior PILOT funds that were waived and have been used for maintenance on the facilities. Mr. Wood recommends the City to continue with this exemption.

Mayor Hatcher asked if there were any discussion. There was none.

Councilman Brannen, seconded by Councilman Blitch, made a motion to adopt Resolution #2006-06 authorizing the Waiver of any payment in lieu of taxes (PILOT) by the Statesboro Housing Authority to the City of Statesboro for the 2005 Tax Year.

Councilmen Britt, Lewis, Blitch and Brannen voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO ADOPT RESOLUTION #2006-07: A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY OF THE CITY AS SURPLUS AND AUTHORIZING ITS DISPOSAL

City Manager George Wood referred to a list of personal property from the City and recommended its disposal. Mayor Hatcher asked the council what is your pleasure.

Councilman Brannen made a motion, seconded by Councilman Blitch, to adopt resolution #2006-07 declaring certain personal property of the City as surplus and authorizing its disposal. Mayor Hatcher asked if there was any discussion. There was none.

Councilman Britt asked if this could be donated. Mr. Wood said he and Director of Public Works Bobby Colson will try finding a place, but some of it is in bad condition. Mr. Colson will try to recycle the surplus if possible, but we want authorization for disposal if it can't be done. Mayor Hatcher asked if there was any further discussion. There was none.

Councilmen Britt, Blitch, Lewis and Brannen voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE GDOT CERTIFICATE OF OWNERSHIP AND AGREEMENT FOR THE LOCAL ROAD ASSISTANCE PROGRAM (LARP) FOR STATE FUNDING OF SOME LOCAL ROAD REPAVING PROJECTS

City Manager George Wood stated this is the local certification we are required to have each year before we can receive the LARP funds. He presented a list of streets to be repaired and said we repair the ones that do not have curb and gutter. He stated some have been replaced many times and now will be nailed down before we redo the curb and gutter. He said City Engineer Maz Elhaj has taken part of what we were doing and put it on the LARP and will try to do it without curb and gutter. Mayor Hatcher asked the council for a motion.

Councilman Blitch made a motion, seconded by Councilman Britt, to authorize the Mayor and City Clerk to execute the GDOT Certificate of Ownership and Agreement for the Local Road Assistance Program (LARP) for state funding of some local road repaving projects.

Councilman Britt, Brannen, Lewis and Blich voted in favor of the motion. The motion carried by a 4-0 vote. Councilman Brannen said he would like to bring attention to the condition of Savannah Avenue and to Zetterower. He stated due to the high traffic several of the streets are in need of repairing, although he realizes they all can not be done at one time.

Mr. Wood said he and Mr. Colson will look at them, but these projects are done in the summer. He stated this is not the only funding we will get. We will also get some local funding. One of Savannah Avenues' problem is it is made of concrete and when it is overlaid the trash and expansion joints come back through the asphalt. City Engineer Maz Elhaj said there is presently a plan for resurfacing on Savannah Avenue. The money came from the GDOT grant in the amount of \$260,000. He stated part of Savannah Avenue will be overlaid when the Savannah at Hwy 80 project is completed.

UPDATE ON WATER AND WASTEWATER DEPARTMENT CAPITAL PROJECTS BY THE DIRECTOR OF WATER/WASTEWATER

Director of Water and Wastewater Wayne Johnson gave a PowerPoint presentation on capital improvements the Water/Sewer and Wastewater department has completed or is currently working on.

Packinghouse Pump Station-

Mr. Johnson said this project was completely remodeled and upgraded. It was built in the early 1950s. This project was done by the maintenance department and the Water/Sewer department. The new larger pumps and the electrical control panel were purchased directly from the supplier. He said all the building and piping modifications, installation of the new control panel and pumps, cleaning and repainting the building and reworking the grounds , and installing an emergency generator were done by the staff.

He said adding a third pump gives maximum capacity in the Treatment Plant. This is a dry pitt station, but if we have a problem with flooding, we will not lose the pump. Mayor Hatcher asked how old the pumps were. Mr. Johnson said they were installed in the 1950s, and the have been rebuilt several times and increased the size of the pumps and motors. He stated a total of \$188, 093.00 was spent on the project for equipment and construction materials, an estimated savings of over \$100,000.00 doing the work in house.

Laboratory Expansion and Remodeling

Mr. Johnson said the Wastewater and lab were combined. The upper floor was taken for the lab. The majority of work was done by the maintenance department. He said tile flooring was used, so it would not need replacing. The ceiling and heating/air conditioning were subbed out. The cabinets and equipment were purchased direct and installed. Operations and the lab were separated by a wall which was removed. Operations were relocated to the new administrative building and the room was gutted making a large expansion for the laboratory.

He said a small office was built so office personnel could do paperwork or meet with customers and EPD. This doubles the size of the of the Wastewater laboratory and added a separate enclosed area for the water laboratory as requested by EPD. He said the total cost of this project was \$127,452.00 compared to the Engineers estimate of \$250,000.00.

Fine Screen Structure Replacement

Mr. Johnson said there are four screens and a lot of bridge work to be repaired. A contract has been awarded and the construction will soon begin. The approximate cost of the project will be \$163,000.00.

Water/Wastewater Treatment Plant Paving and Grading

Mr. Johnson said this resurfaced approximately 2/3 of the pavement at the Treatment Plant which was originally installed in 1980. He stated this project also will be completed as funding is available and its cost for engineering and construction is \$208, 903.00. The Wastewater Treatment Plant was expanded from 5 to 10 million gallons in house saving a lot of money.

Water and Sewer Department Projects completed department personnel (in house):

South College Street was upgraded from a 2” to an 8” pipe north of West Kennedy Street with a fire hydrant. A commercial project was in progress on Main Street and they needed better fire protection. Approximately 500 feet was used. Mr. Johnson said this is located on the back side of the new Midtown Project.

Nelson Way- The water main was upgraded from a 2” to a 6” pipe with fire hydrants. This project required 1,512 feet of piping. Mr. Johnson said the people had inadequate water pressure and limited fire protection.

East Moore Street- The water main was upgraded from a 2” to a 6” pipe with fire hydrants. This project required 970 feet of piping. He said this increased the fire protection. The Engineering Department resurfaced the street.

North Street- a 6” water main was located and extended with fire hydrants. This street was part paved and part dirt. The water main was relocated and extended to allow the Engineering Department to redo the paving. This project required 700 feet of piping.

West Main Street- an 8” water main extension from Stockyard Rd. to The Groves was used for an entry into the subdivision. This project required 605 feet of piping.

Commercial Projects Water and Sewer Installation inspected by Water/Sewer Department

(1) *Brookster* on Highway 80 East had a minor extension of the water and sewer. He said personnel did an inspection, and it was certified before we could accept it.

(2) *The Market District*- Bermuda Run Dr. and Brampton Ave off Highway 67 South. Mr. Johnson stated this is one of the major commercial projects in progress at this time.

(a) *Nesmith Development*- He said this is part of the project with a lot of commercial construction in progress.

(b) *Village Park*- Mr. Johnson said this is a new area off Bermuda Dr. and Brampton Ave.

(c) *Simmons Development*- He stated this is part of the same project

(3) *Woodlands Square* on 301 South-(no comment)

(4) *Town Centre* on Highway 80 West- He said this is a small commercial development. Pizza Inn and a Bulk Ice station are at this location.

(5) *Franklins Commercial Park* on Brampton Road from Parkway to Cawanna Rd. - we put the sewer lines on Brannen Street. Mr. Johnson said when the Beasley Road sewer was installed the developer had to return to install water and do all the internal lines on that project.

(6) *Midtown on South Main Street* – He stated this backs up from Main Street to South College Street.

Residential Subdivision Projects:

Myrtle Crossing (PUD) Mr. Johnson said a portion of this is commercial adjoining 66 R-20 lots. Currently 6 houses are completed with 2 under construction.

Mossy Oak Cove (off Packinghouse road)- He said there are 27 R-10 lots. Currently 9 houses are completed with 2 under construction.

Moss Creek on Beasley Road- Mr. Johnson said there are 52 R15 lots. Currently 21 houses are completed with 6 under construction and curb and gutter on one side of the street.

Pepperidge on East Main Street- Mr. Johnson said there are 55 R-20 lots. Currently 19 houses are completed with 4 under construction. He said in order to build, we had to bring a major line in from Packinghouse Road. After completion of this area we continued on down so in the future we can pick up the Ramble Road subdivision.

Whispering Pines Phase I- He said this project is completed. There are 73 R-10 lots. Currently 44 are completed with 12 under construction. Phase IV is under construction with 62 R-10 lots. Phase II and III were jumped, so they moved back to do sewer lines on Phase IV. He said these are R-10 lots so we are not subsidizing it, but we will be responsible for the inspection.

Residential Rental (Apartments)

Cambridge Apartments on Lanier Drive- Mr. Johnson said there are 228 units with 564 bedrooms. This area gets a lot of attention from the Water/Sewer Department because everything is so close and crowded and it is critical that the water/sewer lines are installed properly so they will not require much maintenance in the future.

The Exchange Apartments- are located at Brampton Ave. off Veterans Parkway- Mr. Johnson said it will have 288 units with 840 bedrooms. This project backs up to the Garden District.

Caribbean in the Boro- Mr. Johnson said it is located on Rucker Lane off Highway 301 South and will have 36 units with 60 bedrooms.

The Copper Beach Town Houses- He said these will be located behind Sonny's BBQ off the parkway with 240 units with 730 bedrooms. These will probably be townhouses. Construction has not started but the review plans have been approved.

Map of Sewer Projects:

(a) *Westside* outfall sewer- He said this is an extension to Gateway Phase II, and the West Main sewer has been bid. Mr. Johnson invited the audience to look at the map after the council meeting so they could see what work has taken place with the GEFA loan and sales tax money used over the last five years.

(a) *Grady St.* water/sewer at Police Department

(b) *West Main Street* sewer extension to In The Grove

Under Design:

Fox Lake S/D sewer

Ramble Road sewer

Oak Crest S/D sewer

Williams Street Area sewer rehab

Gateway Phase II

Tillman Park PUB-with 40 units / 117 beds

Mr. Johnson stated some of the sewer lines date back to the turn of the 20th Century and need to be replaced in the next 12 to 15 years. To replace the remaining line will cost an estimated \$12 million. He said the City has taken steps in the last five years to address this issue, and the City has saved several hundred thousand dollars on recent projects by having the work done by City employees.

Mr. Johnson stated this is an overview of what they have done and what is coming in the future and asked Council if they had any questions

Mr. Wood said this is the most expensive part of our infrastructure and the City was preparing to enter negotiations regarding how to split the 2007 Special Purpose Local Option Sales Tax. We need to apply as much as possible towards the water and sewer improvements.

He said we can pay for it in one or two ways, SPLOST funds or a Georgia Environmental Facilities Authority loan (GEFA), although the GEFA has to be repaid.

Councilman Brannen said you could see a lot of improvements were made. Mayor Hatcher gave his congratulations to Mr. Johnson and his staff for a job well done. He asked if there were any questions. There was no reply.

REPORTS

(a) Mr. Wood brought attention to the new zoning map and said it needs to be re-adopted as our official zoning map. He stated we have been working with the County thru their GIS system to get our zoning entered. All corrections have been made, but the color of all the area near the Board of Regents property at Georgia Southern University should be another color. He said they are not subject to our zoning and we should have a “No Zone”. Mr. Wood said quarterly, we will have David Hendrix, our GIS person, mark changes on the map as they occur and give to the County for a corrected update.

Mr. Wood said all of this is on the County’s GIS system and a lot of developers are now using it rather than coming in City Hall. To designate between the City and the County on the map there will be an “S” for Statesboro in front (ex: S-R15) of the zoning. Mr. Wood stated all areas have been picked up with the exceptions of 67 acres going south. He asked City Attorney Sam Brannen with no changes being made will we need a public hearing to show this. Mr. Brannen said yes. Mr. Wood stated the corrections for this and Georgia Southern University will be on the next agenda.

Mr. Wood referred to a letter from Executive Director Jeremy Fordham of Hands on Ogeechee, part of Hands on Georgia, a nonprofit, highly recommended organization thru the Governors’ office. The City signed off on a grant in the amount of \$8,000 for them. He said they have various chapters in the state and Hands of Ogeechee is one of them. They do a large amount of community service work and are part of the Weed and Seed program which we work with them on this project. He said technically we are the grantee and they are the sub grantee.

(b) Mr. Wood referred to a letter from GMA and is requesting permission to respond back. It is asking to contact our State representatives and senators regarding inverse condemnation.

He said basically this is Senate Resolution 1040 which if passed by voters in a state wide referendum and authorized the General Assembly would compensate property owners who were “burdened from the governmental action” on a rezoning variance, or other land use regulation.

Mr. Wood said this is very broad, and we could pay someone compensation each time we refused to rezone a piece of property. Many people feels that no regulation is needed and any land use regulation we enforce, we would be forced to pay compensation on it. He stated if a person wanted to put a junkyard next door to someone and we turned them down, they could sue the City or County and get compensation.

He said he would like the Council’s permission to write back to our delegation and interject we are in opposition of it.

Mayor Hatcher asked if there were any objection to responding with what Mr. Wood is outlining. There was no response.

(c) Mr. Wood introduced Ronnie Shaw as Interim Fire Chief for March and said hopefully by the end of the month the permanent Fire Chief will be chosen.

PLANNING DIRECTOR-PUBLIC HEARINGS

Planning Director Jim Shaw reported the following public hearings are scheduled for the March 21, 2006 Council meeting.

(a) Application RZ 06-02-01: Freda Johnson requests a zoning change from R-15 (Single-Family Residential) to R-4 (High Density Residential) for 17 Gordon, 20 Gordon Street, 2 Lott Street, 4 North Crescent Circle, and 15 North Crescent Circle.

(b) Application RZ 06-02-02: Darrell Horton, on behalf of JBC Development, LLC, requests a zoning change from R-4 (High Density Residential) and CR (Commercial Retail) to PUD (Planned Unit Development) for a 27.55 acre tract located on the north side of the 300 block of East Main Street and the west side of Packinghouse Road, north of East Main Street.

(c) Application V 06-02-03: Russell Moore, on behalf of Cork & Bottle, requests an 11 foot variance of the 15 foot side yard setback requirement and a variance of the parking requirements for a restaurant for 1803 Chandler Road.

Mayor Hatcher stated an Executive Session was needed to discuss a personnel and property matter.

OTHER BUSINESS

Councilman Brannen was approached by Ronnie Pope and wanted to thank the Engineering Department Maz Elhaj, Chip Godbee and Jason Boyles for the job they did assisting him on his project. He said this is the type of compliments we like to hear about our employees.

Councilman Blich said there are several intersections that need turn lane signals. He brought attention to:

(1) North Side Drive & North College- It has north and south signals but no east or west signals. He said this is a very busy intersection and this change will possibly need approval by the State.

(2) The North Main turn lane at Hwy 301 near Boyd's. He said there is no signal going north and south and this also is a heavily traveled section.

He said he realizes there are other areas of town that need to be checked and would like special attention to be given to this project.

EXECUTIVE SESSION-PERSONNEL AND PROPERTY

Councilman Blich made a motion, seconded by Councilman Brannen, to enter into an

Executive session for the purpose of discussing personnel and property matter. Councilmen Brannen, Britt, Lewis and Blich voted in favor of the motion. The motion carried by a 4-0 vote.

EXECUTIVE SESSION

An Executive Session of the City Council was held on March 7, 2006 to discuss personnel and a property matter. Present were Mayor William Hatcher, Council Members Will Britt, Joe Brannen, Gary Lewis and Tommy Blich. Also present were City Manager George Wood, Director of Finance and Administration Judy McCorkle, and City Attorney Sam Brannen. Absent was Councilman John Morris. No action was taken and the meeting adjourned at 10.30 a.m.

RECONVENED SESSION

A regular meeting of the City Council reconvened at 10:30 a.m. after the executive session. Mayor Hatcher announced personnel and a property matter were discussed in executive session and no action was taken.

Mr. Wood asked everyone going to the retreat to meet at City Hall at 8:00 a.m., Friday March 10, 2006. It would be at Flat Creek Lodge near Swainsboro, Georgia. He said the facilitator will be Scott Wrighton. He is with CVIOG governmental training and also a former City Manager.

He said there are four main items for discussion:

- (1) SPLOST- He and the Mayor will meet with the county on Monday March 13, 2006 to give them a list. He will include changes on the cemetery.
- (2) Hotel/Motel Tax- The issue is how can we get Hotel/Motel tax money to help pay for the Averitt Arts Center so we don't have to use the General Fund money.
- (3) City pay plan
- (4) Annexation & Utility Extensions- Mr. Wood stated we need to work out an agreement with the county when we go out of the City limits with the water and sewer lines would they agree to annexation.

Councilman Blich asked where we stand on Eminent Domain. Mr. Wood said you can establish a policy.

ADJOURNMENT

Being of no further business, the meeting adjourned at 10:40 a.m.