

**COUNCIL MINUTES
JANUARY 17, 2007**

A regular meeting of the Statesboro City Council was held on January 17, 2007 at 6:00 p.m. in the Council Chambers at City Hall. Present were Mayor William S. Hatcher, Council Members Will Britt, Tommy Blitch, Gary Lewis, John Morris and Joe Brannen. Also present were City Manager George Wood, Director of Finance and Administration Judy McCorkle, City Attorney Sam Brannen, Planning Director Jim Shaw, and City Engineer Maz Elhaj.

APPROVAL OF MINUTES OF JANUARY 3, 2007.

Councilman Britt made a motion, seconded by Councilman Morris, to approve the minutes of January 3, 2007. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

RECOGNITIONS: Richard Deal of Thigpen, Lanier, Westerfield, and Deal, LLP, presented the 2006 Annual Audit. He thanked Judy McCorkle, Cindy West, and the finance department for their hard work putting together the audit. Mr. Deal went through the table of contents and explained the break down of the report and discussed some of the highlights of the 2006 audit.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2007-01: AN AMENDMENT OF ARTICLE XV, SIGNS, OF THE ZONING ORDINANCE TO MODIFY THE DEFINITIONS AND ADD A PROVISION ALLOWING ANIMATED SIGNS AT ENCLOSED SHOPPING CENTERS (MALLS).

City Manager George Wood stated this is a second reading for the ordinance regarding animated signs for enclosed malls only. Councilman Morris made a motion, seconded by Councilman Blitch, to adopt Ordinance 2007-01 to modify the definition and add animated signs for enclosed malls only. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2007-02: AN AMENDMENT OF ARTICLE II, DEFINITIONS, AND ARTICLE XVI, OFFSTREET PARKING AND LOADING, OF THE ZONING ORDINANCE TO MODIFY THE PARKING REQUIREMENTS FOR RESTAURANTS WITHIN SHOPPING CENTERS.

City Manager George Wood stated the current ordinance that requires the recalculation of the required parking only applies if restaurants are asking for an on-premises consumption license, but the parking problems that occur are usually the result of the restaurant itself, not whether it is selling alcohol. This ordinance will require the recalculation of the parking requirement for a shopping center when 30% of the gross leasable area is taken by restaurants. Mr. Wood stated section B of the ordinance states that any restaurant in business currently may continue to operate and will not be affected unless they increase the occupancy of any existing restaurants or increase the area taken by restaurants. Councilman Brannen made a motion, seconded by Councilman Britt, to approve Ordinance 2007-02. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2007-04: AN AMENDMENT OF ARTICLE VII, R-4 HIGH DENSITY RESIDENTIAL DISTRICT, OF THE ZONING ORDINANCE TO ALLOW SINGLE-FAMILY ATTACHED DWELLING UNITS AS A PERMITTED USE.

City Manager George Wood stated currently if someone wanted to have single family attached dwellings such as condominium units, the person would have to change the zoning to PUD

(Planned Unit Development). He stated this amendment adds single family attached units as a permitted use in the R-4 district. Councilman Blitch made a motion, seconded by Councilman Morris, to adopt Ordinance 2007-02. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2007-05: AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF STATESBORO FOR LOTTS CREEK DEVELOPERS, LLC (CAWANA ROAD).

City Manager George Wood stated this includes two tracts of land totaling approximately 29 acres on Cawana Road. The Council previously held a public hearing and declared its intent to annex the property into the City and change the zoning to R-15. This is the ordinance to formally take that action. Councilman Blitch made a motion, seconded by Councilman Lewis, to adopt Ordinance 2007-05. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2007-06: AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF STATESBORO FOR WHISPERING PINES STATESBORO, LLC (WHISPERING PINES BOULEVARD).

Councilman Britt made a motion, seconded by Councilman Brannen, to adopt Ordinance 2007-06. Councilman Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT RESOLUTION #2007-04: A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN MUNICIPAL RECORDS.

Councilman Britt made a motion, seconded by Councilman Blitch, to adopt Resolution #2007-04: to authorize the destruction of certain municipal records. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPROVE CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH POPE CONSTRUCTION COMPANY FOR THE POLICE STATION PROJECT, IN THE AMOUNT OF \$18,664.

City Manager George Wood stated at the end of the month they will reach their 80% inspection, there have been no change orders to the contract until now and they're doing an excellent job on the Police Station. He stated there are 12 items on the change order that was suggested by the City, the Architect, and Pope Construction in the amount of \$18,664. Mr. Wood stated the changes will benefit the building not only the look, but the integrity. Councilman Brannen made a motion, seconded by Councilman Blitch, to approve change order #1 to the construction contract with Pope Construction Company for the Police Station Project. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO SET THE DATE FOR THE ANNUAL BUDGET RETREAT-FRIDAY 13TH RECOMMENDED.

Councilman Britt made a motion, seconded by Councilman Morris, to set the date of the Annual Budget Retreat for Friday April 13, 2007. Councilmen Britt, Blitch, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AUTHORIZE THE SUBSTITUTION OF A COMMERCIAL TRANSPORT TRUCK FOR APPROXIMATELY \$35,000, FOR AN AUTHORIZED LEAFING MACHINE WITH A \$67,000 APPROPRIATION IN THE CURRENT BUDGET. (BUDGET REDUCTION OF \$32,000.)

Councilman Britt made a motion, seconded by Councilman Morris, to authorize the substitution of a commercial truck for \$35,000. Councilmen Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

REPORT FROM STAFF:

CITY MANAGER GEORGE WOOD: Mr. Wood stated he recommended the Council to remove the two Oak trees on Grady Street and replace them with the same type of tree. He said Henry Clay with Statesboro Beautification Committee and Georgia Power Arborist has looked at the trees and has agreed they must come down. Councilman Blich made a motion, seconded by Councilman Morris to approve the removal of two Oak trees on Grady Street and replace them with the same type of tree. Councilmen Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

Mr. Wood stated he recommended the Council to advertise for a consultant for the new phones and VOIP. Councilman Britt made a motion, seconded by Councilman Morris, to authorize the advertisement for a consultant for the new phones and VOIP. Councilmen Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

Mr. Wood stated the city has had interest from both Southern Link and Frontier regarding employing a wireless internet in Statesboro. He stated we do not have anyone on staff with the background. Mr. Wood recommended to the council to do a RFQ and hire a consultant to work with the City and the City Attorney on wireless internet. Councilman Britt made a motion, seconded by Councilman Morris, to approve the request for city to go through RFQ for a consultant to work with the city and the attorney on the wireless internet. Councilmen Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

DIRECTOR OF FINANCE AND ADMINISTRATION JUDY MCCORKLE: Mrs. McCorkle stated Stan York and herself have been working on the GIRMA Liability Insurance from GMA the law enforcement initiative will save the city 5% in the 1st year on the premiums and 20% the following year. She said when we do our renewal process in January and we update everything covered in the liability; which includes, the public official liability, property and building, vehicles, equipment, and law enforcement liability. Mrs. McCorkle stated last year alone the cost was \$37,000. for one part. She stated if the city participates in the program this year will save 5% this year which will be \$1,850. and next year will be the 20% which will be around \$7,500. Mrs. McCorkle stated the requirements are: 1) state certification 2) enroll and participate in the program 3) agreement that must be signed stating the city agrees to participate in the program. Councilman Lewis made a motion, seconded by Councilman Morris, to approve the GIRMA Liability Insurance participation. Councilmen Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

CITY ENGINEERING MAZ ELHAJ: Mr. Elhaj stated he would like to bring to the Council's attention a traffic issues on West Vine the section between South Main and Walnut. He stated cars parked on the left hand side of Vine Street and if a car is traveling east bound on South Main and car is turning from South Main there is no room and a problem is created. Mr. Elhaj stated the parking is important in the downtown area but when one lane becomes absolute because of the parking on the side of the street there's a problem. City Manager George Wood stated the question is does the council want to stop parking on the beginning parts of Vine Street were the buildings are. Mayor Hatch stated the city needs to come back with a proposal so this matter can be properly

discussed. Mr. Wood stated the staff can design a proposal looking from South Main to Walnut Street and see the exactly width of the road. Mayor Hatcher asked were is the City on the Streetscape issue. Planning Director Jim Shaw stated the review is in the environmental review and the guide book states the review only takes 30 days. He stated the completed final environmental review was turned in 2 or 3 months and we will not receive it back till sometime in February.

CITY PLANNER JIM SHAW:

Application RZ 07-01-01; Betty Givens requests the rezoning from R-15 (Single-Family Residential) to CR (Commercial Retail) to allow the operation of a group daycare for property located at 204 Best Street.

Application RZ 07-01-02; Gary Edwards requests the rezoning from O (Office) to CR (Commercial Retail) and a variance to reduce the side setback from 15 feet to 10 feet to allow the construction of an addition for property located at 605 Brannen Street.

Application V 07-01-03; Craig Rigdon requests a variance to reduce the required number of parking spaces from 31 to 15, to allow crush and run within parking facilities instead of required paving, to reduce the required setback for parking facilities from three feet to zero feet along the south property line, and to reduce the required front building setback from 60 feet to 54 feet for property located at 808 South Main Street.

Application V 07-01-04; Jason Phillips requests a variance to allow crush and run instead of paved parking and to eliminate the required landscaped buffer adjacent to residential zoning for property located at 17049 Highway 301 North

EXECUTIVE SESSION

An Executive Session of the City Council was held on January 17, 2007 to discuss a legal matter. Present were Mayor William Hatcher, Council Members Gary Lewis, Joe Brannen, Will Britt, and Tommy Blich. Absent was Councilman John Morris. Also present were City Manager George Wood, City Attorney Sam Brannen, Director of Finance and Administration Judy McCorkle. No action was taken and the meeting adjourned at 7:20 p.m.

RECONVENED SESSION

The regular meeting of the City Council reconvened after the Executive Session. Mayor Hatcher announced there was no action taken in the Executive Session on the legal matter discussed.

ADJOURNMENT

Being no further business, the meeting adjourned at 8:45 p.m.