

COUNCIL MINUTES
MAY 15, 2007

A regular meeting of the Statesboro City Council was held on May 15, 2007 at 6:00 p.m. in the Council Chambers at City Hall. Present were Mayor William S. Hatcher, Council Members Joe Brannen, Tommy Blitch, Will Britt, Gary Lewis, and John Morris. Also present were City Manager George Wood, Director of Finance and Administration Judy McCorkle, City Attorney Sam Brannen, Planning Director Jim Shaw, and Assistant City Engineer Jason Boyles. Absent was City Engineer Maz Elhaj.

APPROVAL OF MINUTES: MAY 1, 2007

Councilman Britt made a motion, seconded by Councilman Blitch, to approve the minutes of May 1, 2007. Councilmen Blitch, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

PUBLIC HEARING ON A REVISION TO THE OCCUPATIONAL TAX ORDINANCE OF THE STATESBORO MUNICIPAL CODE.

City Manager George Wood stated the revised Occupational Tax Ordinance is based on the number of full time equivalent employees. Mr. Wood said the City can base this information from the third quarter employment report filed with the Department of Labor.

Mr. Wood stated the City was extremely low regarding occupational taxes compared to other cities in Georgia. He stated Appendix "A" in the Ordinance shows the break down of the occupational tax rates. Mr. Wood said there will be a flat fee of \$75.00 and an additional \$20.00 per full time equivalent employee. He stated there will also be a cap of \$3,000.00.

Mr. Wood stated he would like the Council to be aware of John Kohn's letter of opposition. Councilman Blitch stated it has been since 1995 since the Council looked at the Occupational Tax Ordinance.

No one spoke in favor or opposition to the proposed revision of the ordinance. Mayor Hatcher closed the public hearing.

MOTION TO ADOPT ON FIRST READING ORDINANCE #2007-18: AN ORDINANCE AMENDING THE STATESBORO MUNICIPAL CODE REGARDING OCCUPATIONAL TAXES.

Councilman Brannen made a motion, seconded by Councilman Lewis, to adopt Ordinance 2007-18. Councilmen Blitch, Britt, 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 #2007-14: AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF STATESBORO, GEORGIA (AFFORDABLE HOME BUILDERS, INC. AND JMB DEVELOPERS).

City Manager George Wood stated this was discussed at the public hearing in November and the property is located off Lanier Drive and Bird Lane. He said the request was to rezone the property to R-10. Mr. Wood stated this item was tabled from the last Council Meeting for further research. He stated we are proposing the Council annex the property in and zone it with the following conditions: (1) the lots along the southern property line have a minimum size of 15,000 square feet; (2) a buffer

will be provided in a straight line along the southern property, with a minimum of five feet and contain a six foot high opaque fence and scrubs; (3) four lots shown immediately north of Nesmith property will be reduced to two lots; and, (4) rezone the northern 2.796 acres of property between Lanier Drive and Bird Lane to PUD/R-4 with a maximum density of 6 units per acre to match the property immediately to the east. Mr. Wood said the property owners have requested, and the Staff is in agreement, to close a portion of Bird Lane that adjoins this property; which, is Resolution 2007-24. He said our recommendation to the Council is to authorize disposal by a quitclaim deed of the portion of Bird Lane right-of-way. Councilman Brannen made a motion, seconded by Councilman Britt, to adopt Ordinance 2007-14. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPROVE THE ZONING OF PROPERTY OF AFFORDABLE HOME BUILDERS, INC. AND JMB DEVELOPERS ANNEXED BY ORDINANCE #2007-14 TO R-10 FOR THE 35.01 ACRES OWNED BY AFFORDABLE HOME BUILDERS AND THE SOUTHERN 2.91 ACRES OF THE PROPERTY BETWEEN LANIER DRIVE AND BIRD LANE WITH THE FOLLOWING CONDITIONS: THE LOTS ALONG THE SOUTHERN PROPERTY LINE WILL HAVE A MINIMUM SIZE OF 15,000 SQUARE FEET EACH, A BUFFER WILL BE PROVIDED IN A STRAIGHT LINE GENERALLY ALONG THE SOUTHERN PROPERTY LINE, THE BUFFER WILL HAVE A MINIMUM OF FIVE FEET AND CONTAIN 6 FOOT HIGH OPAQUE FENCE AND EVERGREEN SHRUBS, AND FOUR LOTS SHOWN IMMEDIATELY NORTH OF NESMITH PROPERTY WILL BE REDUCED TO TWO LOTS; AND TO REZONE THE NORTHERN 2.796 ACRES OF PROPERTY BETWEEN LANIER DRIVE AND BIRD LANE TO PUD/R-4 WITH A MAXIMUM, DENSITY OF 6 UNITS PER ACRES TO MATCH THE PROPERTY IMMEDIATELY TO THE EAST.

Councilman Britt made a motion, seconded by Councilman Morris, to approve the zoning property of Affordable Home Builders Inc., and JMB Developers, annexed into the City of Statesboro by Ordinance 2007-14. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT RESOLUTION #2007-24: A RESOLUTION DECLARING THAT A PORTION OF BIRD LANE RIGHT-OF-WAY IS NO LONGER NEEDED AS A PUBLIC STREET OR RIGHT-OF-WAY, AND AUTHORIZING ITS DISPOSAL BY QUITCLAIM DEED.

Councilman Morris made a motion, seconded by Councilman Lewis, to adopt Resolution 2007-24. Councilmen Blicht, Britt, 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 #2007-15: AN ORDINANCE AUTHORIZING A CAPITAL COST RECOVERY FEE FOR THE EXTENSION OF WATER AND SEWER TRUNK LINES INTO AREAS WITHIN AND ADJACENT TO THE CITY LIMITS.

City Manager George Wood stated this would place language in the municipal code that would establish, by resolution, Capital Cost Recovery Districts; and, set the fee within the district. He stated this will allow the City to get ahead of the development. Mr. Wood said the collection of the CCR fee will be collected at the time the building permit is issued. He stated this will be a separate revenue source so the City keeps track of it and, it has to be used to pay of the debt on the Capital Cost Recovery

District. Mr. Wood stated the duration of a Capital Cost Recovery District would stay in place until the last piece of property is developed.

Councilman Britt made a motion, seconded by Councilman Lewis, to adopt Ordinance 2007-15. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote

MOTION TO ADOPT RESOLUTION #2007-26: ESTABLISHING THE CCR DISTRICT #1 SOUTHEAST QUADRANT AREA.

City Manager George Wood stated this is the first Capital Cost Recovery District. He said it is based on the report given by Hussey, Gay, Bell, and Deyoung. Mr. Wood said the way this operates is from two different methodologies, sewer and water. He stated the methodology on water is the amount of water lines and the cost to put water into the entire area and divide that by the number of developable acres. He said the methodology on sewer is gravity flow; which, depends on the geology of the area.

Councilman Morris made a motion, seconded by Councilman Britt, to adopt Resolution 2007-26. Mayor Hatcher asked a month ago when the City annexed in two developments, are these properties eligible for this program? Mr. Wood stated yes, and the Beasley Brothers have already applied under the Subdivision Incentive Program and the other one is eligible. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote

MOTION TO ADOPT ON FIRST READING ORDINANCE #2007-16: AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF STATESBORO, GEORGIA (CJV, LLC)

City Manager George Wood stated he recommends approval of the annexation of the 1.335 acres on Stambuck Lane between the Garden District and Nesmith Select. Councilman Morris made a motion, seconded by Councilman Lewis, to adopt Ordinance 2007-16. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote

MOTION TO ADOPT ON FIRST READING ORDINANCE #2007-17: AN ORDINANCE AMENDING THE STATESBORO MUNICIPAL CODE REGARDING THE ZONING ORDINANCE.

Planning Director Jim Shaw stated this amendment is designed to address three portions of the regulations on parking. (1) Require half the minimum stall width of ten feet and the other half of nine feet. The two separate widths are confusing and appear to be unique to Statesboro and require an explanation when working with out of town developers. Most communities in Georgia require a minimum of nine foot width for all parking spaces. The mixed spaces create problems when designing a parking lot for small and large developments. The reduction of the parking space width will provide an environmental improvement by reducing storm water runoff and reducing the size of the heat island that the parking lot creates. (2) The Ordinance does not address the stacking area for drive thru facilities. Basic requirements are necessary to limit the possibility of conflict between vehicles waiting in line and those entering and leaving the facilities. The proposed amendment requires a stacking area sufficient for four vehicles behind the vehicle at the first stopping point. 3) The design requirements for parking lots primarily suffer from the problem of not being sufficiently explicit. The amendment will fill in the gaps and eliminate questions. The requirements are: hard surfaces “concrete, asphalt”, minimum standards for construction “minimum width or depth for base material”, proper grading, clear and permanent markings, and actions that require the construction of new or additional parking.

Councilman Blich made a motion, seconded by Morris, to adopt Ordinance 2007-17 with two exceptions. (1) Maintain the current parking spaces size “half nine feet and half ten feet”. (2) Parking surfaces and drive thru areas as asphalt or concrete only. Council Britt asked are the majority of the business meeting the stacking area requirements? Mr. Shaw stated yes. Mayor Hatcher asked Mr. Shaw how big is the problem regarding the current requirements being confusing and unique to Statesboro with designing the parking lots at nine and ten feet widths? Mr. Shaw stated the problem is a lot of developers don’t understand the requirements. He said the developers will come in with a plan with the standard nine foot space and they’ll end up losing 20 to 40 spaces when they redesign it. Councilmen Blich, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPROVE CHANGE ORDER #3 TO THE CONSTRUCTION CONTRACT WITH POPE CONSTRUCTION COMPANY FOR THE POLICE STATION PROJECT IN THE AMOUNT \$13,387.00

City Manager George Wood stated this is the third change order on the project with a total amount on the three change orders at \$18, 000.00 on a 4.6 million dollar project. The change orders are: (1) tile floor in the lobby; (2) smoked dampers to contain the FM200; and, (3) add a pass thru and deal tray at opening W15. Mr. Wood stated the total of the three changes is \$13,387.00 and there is enough money in the contingency for this. Councilman Brannen made a motion, seconded by Councilman Lewis, to approve change order #3 with Pope Construction Company for the Police Station project. Councilman Morris asked to abstain from this vote due to financial interest. Councilmen Blich, Britt, Brannen, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO AWARD BIDS FOR THE POLICE STATION FURNISHING AS RECOMMENDED BY THE ARCHITECTURAL FIRM’S INTERIOR DESIGN CONSULTANT.

City Manager George Wood stated the City has been working with Barbara Ratchford, an interior designer for Stewart, Cooper, Newell, Architects. He stated she split the bids into eight separate lots and the City could take the lowest bidder. Lot (A) Teknion Products at \$167,314.37. Lot (B) Modern Business at \$2,961.14. Lot (C) Alternate bid Contract Interior at \$45,015.00. Lot (D) Contract Interior at \$66,611.21. Lot (E) Ivan Allen Workspace at \$23,258.00. Lot (F) Contract Interior at \$2,155.00. Lot (G) Modern Business at \$8,840.60. Lot (J) Modern Business at \$587.00. Mr. Wood stated all the products have been reviewed by Ms. Ratchford to insure the best possible equipment for the Police Department. He state Ms. Ratchford originally budgeted \$400,000.00 and this total amount comes to \$330,000.00.

Council members stated concern with Lot A regarding a local bidder, LA Waters. Mr. Wood stated they did not meet the specifications the Police Department would need. Councilman Brannen stated it appears that there are certain technical differences in product line. He asked do we know what Ms. Ratchford is talking about? Mr. Wood stated we didn’t go into detail with her we just asked for her evaluation on which product she would recommend.

Councilman Morris made a motion, seconded by Councilman Brannen, to approve the bids for the Police Station furnishings. Councilman Brannen and Morris voted in favor of the motion. Councilman Blich, Britt, and Lewis voted to deny the motion. The motion was denied by a 2-3 vote. Councilman Britt made a motion, seconded by Councilman Blich, to approve Lots B, C, D, E, F, G, and J with an exception to lot A. Councilman Blich, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote. Councilman Blich stated he wants to clarify the

distinction in writing with the difference in the merchandise from LA Waters with as much information as possible.

MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT FOR ANIMAL CONTROL SERVICES WITH BULLOCH COUNTY BOARD OF COMMISSION.

City Manager George Wood stated Chief York and he had been working with Ted Winn, the County's Public Safety Director and Tom Coach, County's Manager on this. He stated the City's ordinance will be rewritten to mirror the County. Mr. Wood said the City would agree to turn over our current vehicle to them and pay 1/8 of a cost of a vehicle in the future. He said the City would also turn over our equipment to the County and pay the equivalent of one person. Mr. Wood stated this does not save the City any money; however, it does consolidate the service. He said this will allow calls that come through in the City or the County, for the Bulloch County Animal Control to respond. Councilman Brannen made a motion, seconded by Councilman Britt, to authorize the Mayor and City Clerk to execute an agreement for Animal Control Services with the Bulloch County Board of Commission. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPOINT THE VOTING DELEGATES TO THE GMA ANNUAL CONFERENCE.

Councilman Britt made a motion, seconded by Councilman Brannen, to nominate Gary Lewis as the Voting Delegate for both sessions to the GMA Annual Conference. Councilman Brannen made motion, seconded by Councilman Morris, to nominate Will Britt as the alternate for the Voting Delegate for both sessions to the GMA Annual Conference. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the two motions. The motions carried by a 5-0 vote.

MOTION TO AUTHORIZE THE MAYOR TO EXECUTE A VOTING PROXY FOR THE GMEBS ANNUAL MEETING AS PART OF THE GMA ANNUAL CONFERENCE.

City Manager George Wood stated this is for the GMA retirement fund. He said the annual meeting will be Sunday at the GMA conference at 10:00am. Mr. Wood said they asking that the Council designate someone to attend the meeting and vote or give them the proxy to vote. Councilman Brannen made a motion, seconded by Councilman Blicht, to authorize the Mayor to execute a voting proxy for the GMEBS Annual Meeting. Councilmen Blicht, Britt, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

REPORTS FROM STAFF:

CITY MANAGER GEORGE WOOD: (1) Mr. Wood handed out the report that Scott Wrighton prepared for the Council Retreat. (2) He said a month ago the City received requests for two consultants, one on the telephone bids which will be in by Friday of this week and, the second consultant was to assist the City with a wireless internet. He said he as been in negotiations with this firm for over a month. He stated he now recommends the Council allow him to begin negotiations with vendor number two. The City has two options, to partner with someone or to own our own system. A partner would be an additional \$102,400.00 making the total \$143,200.000. Option two, owning our own wireless internet, would cost an additional \$73,600 making the total \$114,400.00. He stated he felt this was too much. He said they came back with a revised proposal that would be \$30,000.00 for the feasibility study and \$6,500.00 a month to assist the City. The Council agreed to allow City Manager George Wood to begin negotiations with the second vendor.

DIRECTOR OF FINANCE AND ADMINISTRATION/CITY CLERK JUDY MCCORKLE: (1) Ms. McCorkle stated the City hired a new Purchasing Agent, Darren Prather. He comes to us from Rome Georgia. He was the Purchasing Director for Gordon County for seven years. (2) She stated in November of last year the Council gave us a deadline to vacate the Addeco Building. The deadline was thought to be May 2007; however, after researching the minutes it is actually September 2007. She stated the Addeco Building is now cleared out and ready to be turned over to the DSDA. There was over a thousand boxes and Lee Ann Joy, Record's Management Clerk, had to review each record in each box to determine if it had exceeded the records retention schedule the State requires. She had to determine what had to be done with the records that met their retention date. The records that needed to be retained she needed to scan them into the computer making the document available for all City employees to view. Lee Ann has done an exceptional job in this area. The Addeco Building will be on the next agenda to turn over to the DSDA.

PLANNING DIRECTOR JIM SHAW: Application RZ 07-05-01; Statesboro Blues, LLC requests a zoning change from R-15 (Single Family Residential) to R-10 (Single Family Residential) to allow the construction of a single family residential subdivision for 61.25 acres located on the east side of Packinghouse Road 450 feet south of Acorn Lane.

Application RZ 07-05-02; Bernard Olliff, on behalf of V. Taylor, J. Bird, W. Brantley, and P. Brantley requests a zoning change from R-15 and R-20 (Single Family Residential) to CR (Commercial Retail) to allow the construction of a commercial development for a 21.27 acre parcel located on the west side of Veterans Memorial Parkway approximately 1,300 feet south of Brannen Street.

Application T 07-05-04; Amendment to Article XVI, Off-street Parking and Loading, of the Zoning Ordinance, to modify the dimensional requirements of parking spaces, add provisions for drive-up windows, and modify the design requirements for parking lots.

OTHER BUSINESS:

Mayor Hatcher stated he has a thank you note from Annette Waters on behalf of the family of Willie Joe Smith thanking the City for the love and support shown to them at a most difficult time.

MOTION TO ADJOURN

Being no further business, the meeting adjourned at 7:45 p.m.