

**COUNCIL MEETING
SEPTEMBER 19, 2006**

A regular meeting of the Statesboro City Council was held September 19, 2006 at 6:00 p.m. in the Council Chambers at City Hall. Present were Council Members Will Britt, Tommy Blicht, Gary Lewis, Joe Brannen and John Morris. Mayor Bill Hatcher was absent. Mayor Pro Tem Joe Brannen presided. 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 SEPTEMBER 6, 2006

Councilman Blicht made a motion, seconded by Councilman Britt, to approve the minutes of September 6, 2006. Councilmen Britt, Blicht, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

RECOGNITION: MRS. CLAIRE KRISSINGER FROM EDGEWOOD ACRES

Ms. Krissinger stated she wants the Council to be aware of a situation in her community and to inform them that the community is willing to help. She stated we love the neighborhood, we take pride in it, and we would like the new neighbors to have the same respect. She stated people speed through the area, have late night parties, and vehicles are parked on the lawns. Ms. Krissinger stated she wrote a good neighbor letter for all the new neighbors moving in which states some rules and friendly advice for the new neighbors. Councilman Britt stated the council is meeting Thursday to discuss some of the issues that apply to her situation. Number one is trash receptacles and number two is parking in the yard; however, when you have the next association meeting, please feel free to call any of us.

PUBLIC HEARINGS:

APPLICATION V 06-09-01: BULLOCH HOSPITALITY SERVICES, LLC, REQUESTS A 13 FOOT VARIANCE OF THE 35 FOOT MAXIMUM BUILDING HEIGHT FOR A 2.5 ACRES PARCEL LOCATED ON THE EAST SIDE OF VETERANS MEMORIAL PARKWAY, 500 FEET SOUTH OF BRANNEN STREET.

Planning Director Jim Shaw stated the applicant is requesting the building height variance of an additional 13 feet to allow construction of a 48 foot, 4 story hotel. The Zoning Ordinance states in Article X Section 1002 the height requirement of a building over 35 feet with a maximum of 50 feet, provided that for every foot in excess of 35 feet an additional one foot shall be added to each yard setback requirements. The setback requirements in a CR district are 25 feet front and rear and 15 feet on the sides. An additional 13 feet is added to the normal requirements for this project. Planning Commission and Staff recommended approval. Doug Lambert with Bulloch Hospitality Services LLC was present to answer questions.

Councilman Blicht made a motion, seconded by Councilman Britt, to approve V06-09-01 Bulloch Hospitality Service requesting a 13 foot variance of the 35 foot maximum building height for a 2.5 acre parcel. Councilman Councilmen Britt, Blicht, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

APPLICATION RZ 06-09-04: 2195 GROUP, INC. REQUEST REZONING FROM CR TO PUD WITH A CR OVERLAY TO ALLOW HOTELS, CONFERENCE CENTER AND OUT PARCEL FOR A 3.036 ACRE PARCEL LOCATED ON THE SOUTHWEST CORNER OF VETERANS MEMORIAL PARKWAY AND GA HIGHWAY 67 (FAIR ROAD).

Planning Director Jim Shaw stated the applicant wants to rezone to construct two hotels and a conference center on the property. One out-parcel would remain for an undetermined future development. Mr. Shaw stated like the previous CR, the Zoning Ordinance remains the same on height. Although this is a PUD, the CR requirements do not apply and staff feels the same setback should be observed. Planning Commission and Staff recommend approval with the following conditions: 1. Development will be in substantial conformance with the submitted site plan. 2. Maximum building height of 50 feet provided that an additional foot is added to the setback requirements for each foot of building height in excess of 35 feet. Brent Lane with Lane Engineering was present for questions.

Councilman Lewis made a motion, seconded by Councilman Morris to approve the rezoning from CR to PUD with a CR overlay to allow two hotels and a conference center with the conditions added from the Planning Commission. Councilman Councilmen Britt, Blitch, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

APPLICATION T 06-09-07: A TEXTUAL AMENDMENT OF THE ZONING ORDINANCE TO REMOVE THE PARKING REQUIREMENT FOR RESIDENTIAL USES IN THE CBD (CENTRAL BUISNESS DISTRICT) ZONING DISTRICT AND TO ALLOW SINGLE FAMILY ATTACHED DWELLING IN THE CBD ZONING DISTRICT.

Planning Director Jim Shaw stated the Downtown Statesboro Development Authority (DSDA) Board of Directors asked the City staff to consider removing the Zoning Ordinance requirements of 1½ parking spaces per apartment for property zoned Central Business District (CBD) to encourage residential development downtown. While reviewing the Zoning Ordinance it seems logical to add single-family dwellings as a permitted use in CBD. The Zoning Ordinance does not allow attached dwellings in any zoning district and developers have been required to rezone to PUD to have that made a permitted use. Planning Commission and Staff recommended approval. Stephanie Howell of the DSDA stated that residential housing in downtown areas has become more popular. The downtown areas have spaces behind the buildings where private property is owned with enough space for one car. Councilman Britt asked if you run a business are you entitled to a parking spot. Mr. Wood replied no.

MOTION TO ADOPT ON FIRST READING ORDINANCE #2006-13: AN ORDINANCE AMENDING THE STATESBORO MUNICIPAL CODE, REGARDING ZONING ORDINANCE (PARKING IN CBD)

Councilman Morris made a motion, seconded by Councilman Blitch, to approve T06-09-07: a textual amendment of the zoning ordinance to remove parking requirements for residential uses in CBD zoning district. Councilman Councilmen Britt, Blitch, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO ADOPT RESOLUTION #2006-29: A RESOLUTION AUTHORIZING THE TRANSFER OF PARCEL #29-44 AT 212 SOUTH MAIN STREET TO THE DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY TO ENCOURAGE REDEVELOPMENT OF THE ADJACENT PROPERTY.

City Manager George Wood stated Stephanie Howell, Executive Director of DSDA, requested this Resolution. He stated the City owns this property and we would like to transfer ownership to the DSDA at no cost to them. If someone goes to redevelop the adjacent property this would make it a better site. It would put the property back in productive use and back on the tax digest. Mr. Wood stated that at the present time it's a liability for the City to maintain.

Councilman Morris made a motion, seconded by Councilman Britt, to adopt Resolution #2006-29 authorizing the transfer of parcel #29-44 to the Downtown Statesboro Development Authority. Councilmen Britt, Blich, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO AUTHORIZE THE TRANSFER OF THE CITY'S INTEREST IN THE ADECCO BUILDING TO THE DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY AND TO ACCEPT TRANSFER FROM THE DSDA OF ITS INTEREST IN THE WALNUT STREET PARKING LOT, EXCEPT FOR THE SMALL PARCEL OF PROPERTY IT INTENDS TO SELL TO AN ADJOINING BUSINESS.

City Manager George Wood stated the City bought the building from DSDA for \$10,300.00 and in exchange we agreed to house Stephanie Howell's office for 10 years in the new Arts Center at no rent with an additional extension for another 10 years. Currently the Adecco building houses our vital records. Mr. Wood asks Mrs. McCorkle to comment on the records stored in this building.

Ms. McCorkle stated Lee Ann Joy, the records management clerk, is working diligently on this project. She must research each box to properly label them using the records retention schedule. She stated we also need the funds to complete the project. We have funds budgeted in the 2007, 2008 and 2009 fiscal years CIP and funds from FY 2006 operating budget that were moved in the last budget amendment for this project. She stated a contractor will pick up the records, scan them into a digital format and transfer them to the City's server, giving everyone access. Once this process is completed we can destroy the boxes; however, some records must be kept permanently. Our records room should accommodate the remaining boxes.

Mr. Wood asked how long before the records could be out of the building and Mrs. McCorkle replied that if the funds were moved forward, possibly in a year. Mr. Wood then asked Ms. Howell when would they need the Adecco building and Ms. Howell replied around March 2007. Councilman Britt asked could the records go in the Police Station if needed. Councilman Blich stated he did not feel the City should give the building up to pay rent somewhere else and suggested they table this until we have more information. Ms. McCorkle stated we will make March 2007 a deadline if needed and if we can get the funds and some interns part time to help us.

Mr. Wood stated the Walnut parking lot would be transferred from DSDA to the City except one small area in the back which the DSDA will retain. They have been approached by the Statesboro Herald about putting in an emergency generator for their building. Basically, every piece of the property will be deeded to the City except for parcel 25A. Councilman Blich made a motion, seconded by Councilman Morris to table this until Thursday September 21, 2006. The motion carried by a 4-0 vote.

MOTION TO ADOPT RESOLUTION #2006-30: A RESOLUTION AMENDING THE CLASSIFICATION AND COMPENSATION PLAN OF THE CITY OF STATESBORO.

City Manager George Wood stated a pay plan was prepared in 2001 and adjusted in 2006. The City allows employees to write a written appeal if they thought they were classified incorrectly and five employees appealed the classifications. The appeals were sent to Dr. Stephen Condrey, from UGA, for recommendations. He stated two of the employees were at the last step, but the other three were advanced one step and they were: Gas Supervisor/Welder with a Pipeline Welding Certification, Gas System Operator with a CDL License, and Senior Gas System Operator with a Pipeline Welding Certification and a CDL.

Councilman Blich made a motion, seconded by Councilman Morris, to approve Resolution #2006-30: a Resolution amending the Classification and Compensation Plan. Councilmen Britt, Blich, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AIRPORT HANGER LEASE WITH MR. BIFF THOMPSON.

City Manager George Wood stated the Bulloch Board of Commission, the County and the Airport Committee recommended the airport hanger for Mr. Thompson. Potentially, it will be a lease for a 60 foot by 40 foot space and Mr. Thompson would erect the building. At the end of 25 years the building will become the property of the airport. The City and County own the airport 50/50 and they need our approval to move forward.

Councilman Britt made a motion, seconded by Councilman Blich, to authorize the Mayor and Council to execute an airport hanger lease with Mr. Biff Thompson. Councilmen Britt, Blich, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO AUTHORIZE THE USE OF SOME SEIZED AND CONFISCATED MONIES, RELEASED BY THE COURTS, TO PURCHASE A REPLACEMENT POLICE CANINE, AND \$9,000 TOWARD A VEHICLE FOR THE SPD OFFICER ASSIGNED TO THE DRUG TASK FORCE.

City Manager George Wood stated we had two civil actions which involved video gambling machines and illegal distribution of drugs. The two civil action cases awarded forfeiture of cash in the total amount of \$60,793.79 and that money goes over to our Confiscated Assets Fund. Chief York stated he is requesting a new dog because Boska, the K-9, has been diagnosed with seizures. A new K-9 replacement will cost approximately \$8,000.00. Secondly, we are part of a Federal Task Force against illegal drugs and this officer is in need of a vehicle. He stated the estimated cost will be \$12,000.00 and he recommends the council allocate \$9,000 toward the purchase of the vehicle.

Councilman Britt made a motion, seconded by Councilman Lewis, to authorize the use of seized and confiscated monies, released by the courts, to purchase a replacement K-9 and \$9,000 toward a vehicle. Councilmen Britt, Blich, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO SET THE DUE DATE FOR AD VALOREM (PROPERTY) TAXES

City Manager George Wood recommended that this be tabled to the October 4, 2006 meeting. Councilman Morris made a motion, seconded by Councilman Lewis, to table setting the due date for AD Valorem taxes until the October 4, 2006 meeting. Councilmen Britt, Blich, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO APPROVE CHANGE ORDER #1 ON THE SAVANNAH AVE. PROJECT IN THE AMOUNT OF \$2,000, AS REQUESTED BY THE CITY ENGINEER

City Engineer Maz Elhaj stated on the Savannah Avenue realignment project, Ellis Wood, Contractor, is waiting for the D.O.T. to finalize the plans for the work on the HWY 80 median. This portion of the project has some proposed changes in the median and travel lanes from D.O.T.

Councilman Blitch made a motion, seconded by Councilman Morris, to approve Change Order #1 on the Savannah Ave project in the amount of \$2,000. Councilmen Britt, Blitch, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO APPOINT MR. RAY CHANDLER AND MRS. LAURA LANIER TO KEEP BULLOCH BEAUTIFUL BOARD OF DIRECTORS FOR TWO YEAR TERMS ENDING SEPTEMBER 30, 2008, AS REQUEST BY THE KBB BOARD.

City Manager George Wood stated a background history on Mrs. Lanier and Mr. Chandler was provided to the Council. Executive Director Brooke Brandenburg of Keep Bulloch Beautiful has recommended they both serve on the Board. Councilman Britt made a motion, seconded by Councilman Morris, to appoint Ray Chandler and Lauria Lanier to the Keep Bulloch Beautiful Board of Directors for two year terms. Councilmen Britt, Blitch, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

MOTION TO APPOINT MR. RAY HENDLEY TO THE PLANNING COMMISSION.

City Manager George Wood stated Mayor Hatcher has recommended the Council appoint Mr. Ray Hendley to the Planning Commission. Councilman Morris made a motion, seconded by Councilman Blitch, to appoint Ray Hendley to the Planning Commission. Councilmen Britt, Blitch, Lewis, and Morris voted in favor of the motion. The motion carried by a 4-0 vote.

DISCUSSION OF THE PUBLIC SERVICE COMMISSION'S REGULATORY AUTHORITY TO REQUIRE A CERTIFICATE OF PUBLIC CONVIENCE FROM THE PSC FOR NATURAL GAS EXTENSIONS OUTSIDE BULLOCH COUNTY

City Manager George Wood stated a notification from the Public Service Commission stated we need to have a certificate to operate our gas lines outside Bulloch County. The City filed one in 1951 for the Screven County gas lines and we should have filed one when we took over the gas lines in Metter. He said at the time we were told we did not need to file for the certificate. Our City Attorney is sending a letter to the Georgia Public Service Commission along with nine other Georgia Cities in the same situation.

REPORTS FROM STAFF:

City Manger George Wood: Mr. Wood stated in November of 2005 the City was sued by Mr. Nathan Queen. His position was he should have been allowed to run for office even though he did not file for it. This matter was held in the Superior Court in Bulloch County. A resolution on the case has been decided and the City has prevailed in the matter.

Director of Finance and Administration City Clerk Judy McCorkle: Mrs. McCorkle stated the Council members have been invited to participate in the 1st Annual Steak and Burger Dinner at the Boy's and Girl's Club on Thursday Sept. 21, 2006 at 6:30pm. Secondly, the Council has been invited to participate in the Kiwanis Club Fair Parade, Monday Oct. 9, 2006 at 4:30pm.

City Engineer Maz Elhaj: Mr. Elhaj stated the Board of Education has requested 2.4 acres from Flemming Drive to Lester Road for a parking lot for Statesboro High School. The Superintendent for Business and Finance with the Board of Education, Charles Wilson, stated the extra 2.4 acres will allow parking for the students. There are 4 phases in the completion of the project: Phase 1- building the new High School, Phase 2- completing the parking lot, Phase 3- landscape and Phase 4 is the completed picture.

PLANNING DIRECTOR JIM SHAW: Mr. Shaw stated there are three Public Hearings for the next council meeting. Application RZ 06-09-02: Lise Tillman Vranches is requesting a rezoning from R-3 (Medium Density Multi Family Residential) to CR (Commercial Retail) for property located at 17 West Jones Avenue.

Application RZ 06-09-03: Robert Larry Allen is requesting a rezoning from R-10 (Single Family Residential) to R-8 (Single Family Residential) and a variance to allow the creation of lots that do not maintain the minimum lot width for the entire depth of the lots for a 0.375 acre parcel located on the southwest corner of West Main Street and Bay Street.

Application RZ 06-09-05: Neville Family Farm, c/o Lovett Bennett, Jr. is requesting a rezoning from R-20 (Single Family Residential) to PUD (Planned Unit Development) for a 63.962 acre parcel located on the southeast corner of West Jones Avenue and Cypress Lake Road.

Application V 06-09-06: Cleve Davis, Jr. is requesting a 14 foot variance of the 20 foot side yard setback for property located at 302 North Main Street.

OTHER BUSINESS:

Councilman Will Britt stated he would like the Council to consider changing the name of Fair Road to something honoring Erk Russell. Councilman Morris stated he would like to make the change on Lanier Road but, whatever the decision is, the City Manager needs to research the property in the area, because we'll need 75% of the population in that area to agree. Councilman Brannen stated he had already done some work on this by contacting some property owners in the area he would like to continue to work on this.

MOTION TO ADJOURN.

With no further business the meeting adjourned at 7:25 pm