

**COUNCIL MEETING
AUGUST 1, 2006**

A regular meeting of the Statesboro City Council was held August 1, 2006 at 9:00 a.m. Present were Mayor William S. Hatcher Council Members Will Britt, Tommy Blich, Gary Lewis, Joe Brannen 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 City Engineer Maz Elhaj.

APPROVAL OF MINUTES ON JUNE 20, 2006 & JULY 5, 2006

Councilman Brannen, made a motion, seconded by Councilman Blich to approve the minutes for June 20, 2006 and July 5, 2006. Councilmen Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

RECOGNITIONS: RESOLUTION #2006-26: A RESOLUTION HONORING THE SERVICE OF MR. SAM L. BRANNEN AS CITY ATTORNEY FOR 40 YEARS.

Mayor Hatcher stated it has come to our attention that Sam Brannen has been the City Attorney for some 40 years. Mr. Bannen has served 4 Mayors and countless Councilmen. Mr. Brannen represented the City of Statesboro in an exemplary manner for the past 40 years, providing excellent legal advice and council to the Mayor, City Council, City Manager, and Management staff. The City expresses their sincere appreciation.

Councilman Brannen made a motion, seconded by Councilman Blich to approve Resolution #2006-26, a Resolution honoring the service of Sam L. Brannen as City Attorney for 40 years. Councilman Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote. Mayor Hatcher stated that Mr. Brannen's family and friends were present and a brief reception was given in his honor.

**PUBLIC HEARING:
APPLICATION V06-07-01 BY JEANNE MCDOUGALD REQUESTING A 3.5 FOOT VARIANCE OF THE 10 FOOT SIDE YARD SETBACK REQUIREMENT FOR PROPERTY LOCATED AT 216 COLLEGE BLVD.**

Planning Director Jim Shaw stated the applicant requested a variance to add an addition onto the rear of her residence near its south end. The end of the house is 6.9 feet from the side of the property line and the minimum setback requirements is 10 feet. The addition extends 14 feet straight back and the existing setback will remain the same. The staff and Planning Commission recommended approval. Contractor Brad Fry stated the existing setback will remain the same. The addition will be added straight back on the property.

Councilman Britt made a motion, seconded by Councilman Brannen to approve V 06-07-01 a 3.5 foot variance of the 10 foot side yard setback requirement for 216 College Blvd. Councilman Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

APPLICATION RZ 06-97-02 BY DAVID WAGNER, ON BEHALF OF JANICE GRAY, REQUESTING REZONING FROM R15 TO CR FOR PROPERTY LOCATED AT 105 JET DR.

Planning Director Jim Shaw stated the owner, owns two adjacent lots, 103 Jet Drive and 510

Northside Drive. She wishes to rezone 105 Jet Drive from R-15 to CR to offer all three lots as a CR zoning to potential buyers. On Nov. 18, 2003 Council approved a city initiated rezoning of this property and the neighborhood to the west from R3 to R15, because the area developed into a single family residential. The staff and Planning Commission recommend denial.

David Wagner representing Janice Gray stated Classic Cleaners and Walgreen are CR zoning. Ms. Gray's property is 103 Jet Drive which is behind Classic Cleaners and 105 Northside Drive which is behind Walgreen. Mrs. Gray felt she had a commercial lot until she tried to do some refinancing in January and was told it was zoned R15. This is a valuable commercial lot and the only one in that area. She developed that property, she developed the Classic Cleaners, and she deserves the same right and privileges.

City Manager George Wood stated this property was an R3 then changed to an R15. There was an error on the map, but it was never zoned commercial. Janice Gray stated in January she had looked at refinancing lot 105 Jet Drive and Danny Clifton, an Appraiser, said this lot was already zoned as commercial property. Ms Gray stated she contacted the City Planning Dept and they said a mistake had been made on the map and it was corrected. Mr. Wood stated when the map was prepared someone had drawn the line on the wrong side. The City worked with Bulloch County GIS Department and the error was corrected. Councilman Lewis stated the ordinance says one thing and the map showed something different. City Attorney Sam Brannen stated that the ordinance supersedes the map. Dr. Stanbuk said his son owns a house in that area. The neighborhood is peaceful and quite with minimum traffic and they would like to keep it that way.

Councilman Blich made a motion, seconded by Councilman Lewis to deny RZ 06-97-02 from R15 to CR for property located at 105 Jet Drive. Councilman Britt, Blich, and Brannen voted in favor of the motion to deny the request. Councilman Morris and Lewis voted to against the motion. The motion carried by a 3-2 vote.

APPLICATION V 06-07-03 BY RAY HOWELL REQUESTING A 13 FOOT VARIANCE OF THE 60 FOOT FRONT YARD SETBACK REQUIREMENT ALONG WILLIAMS ROAD AND NORTHSIDE DRIVE WEST FOR PROPERTY LOCATED AT 419 NORTHSIDE DRIVE WEST.

Director of Planning Jim Shaw stated the applicant wishes to add an addition to the front of his automotive repair shop. This will extend 18' from the front of the building and 47' from the property line at the nearest point. This property does not have front parking which reduces the front setback to 20'. However, the building appears to be closer to 20' from the front property line. The staff and Planning Commission recommend approval with the following conditions: 1. A site plan must be submitted for review and approved by the appropriate city departments; 2. Parking and drive aisles in front of the building and elsewhere need to meet Zoning Ordinance requirements and must be paved.

Bob Parker, Roy Howells brother-in-law, stated they understand what conditions the Planning Commission is asking for and they currently have someone working on the site plan. They realize that a building permit will not be issued until the criteria have been met.

Councilman Blich made a motion, seconded by Councilman Morris, to approve V 06-07-03 requesting a 13' variance of the 60' front yard setback requirements with the two provisions required by the Planning Commission and staff and, the area is cleaned up and approved by the City Marshall. Councilman Britt, Blich, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

APPLICATION V 06-07-04 BY PETER PATEL, ON BEHALF OF SAWMILL PLANTATION, INC., REQUESTING A 15 FOOT VARIANCE OF THE 35 FOOT MAXIMUM BUILDING HEIGHT, A 15 FOOT VARIANCE OF THE 30 FOOT SIDE SETBACK, A 15 FOOT VARIANCE OF THE 40 FOOT REAR YARD SETBACK, AND A VARIANCE TO REDUCE THE REQUIRED NUMBER OF PARKING SPACES FROM 94 TO 89 FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF BUCKHEAD DRIVE AND PIEDMONT LOOP. (WITHDRAWN AT APPLICANTS REQUEST.)

MOTION TO ADOPT RESOLUTION #2006-27: A RESOLUTION DECLAIRING CERTAIN SURPLUS PROPERTY AND ITS METHOD OF DISPOSAL.

City Manager George Wood stated the Bulloch County Emergency Management Agency expressed interest in a surplused motor home for the local chapter of the Red Cross. This will benefit Statesboro and Bulloch County residents. The request is to offer this as a gift instead of selling it to them. There are two used vehicles to declare surplus and dispose of by electronic auction. Also, we have computer equipment to declared surplus to allow the IT department to cannibalize for useable parts.

Councilman Brannen made a motion, seconded by Councilman Blitch to adopt Resolution #2006-27 to declare certain surplus property and its method of disposal. Councilman Britt, Blitch, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO CALL A PUBLIC HEARING ON ADOPTING THE MILLAGE RATE OF 6.921 MILLS (THE SAME RATE AS THE CURRENT TAX YEAR'S RATE) FOR TUESDAY, AUGUST 8, 2006 AT 5:00 PM IN CITY HALL COUNCIL CHAMBERS.

City Manager George Wood stated we are recommending the millage rate be kept at 6.921 mills. The growth rate was 4.28% rather than 2.0% and there was no re-evaluation of the property in the past year. The City was recommended to use the 2% by the County Assessors office. This has come in better than we thought and will help build our fund balance back up. He said the growth rate being at 4.28% will generate \$163,841 more than we budgeted and this additional money will put us back where we want to be.

Councilman Morris made a motion, seconded by Councilman Lewis to set the public hearing on adopting the millage rate of 6.921 mills for Tuesday August 8, 2006 at 5:00 pm in the City Hall Council Chambers. Councilman Britt, Blitch, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AWARD A BID IN THE AMOUNT OF \$283,616.00 TO THE LOWEST BIDDER, ALLIED UTILITES, INC. FOR THE WEST GRADY STREET WATER AND SEWER UPGRADES (GEFA LOAN FINANCING).

City Manager George Wood stated these are the water and sewer upgrades around the Police Station. With Allied Utilities, Inc bid at \$283,616.00 will still be under the estimated cost.

Councilman Brannen made a motion, seconded by Councilman Britt to award a bid in the amount of \$283,616.00 to the lowest bidder Allied Utilites, Inc. for the West Grady Street water and sewer upgrades. Councilman Britt, Blitch, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AWARD A BID IN THE AMOUNT OF \$18,661.50 TO THE LOWEST BIDDER, ROZIER FORD, FOR A FORD FIVE HUNDRED FOR THE FINANCE AND ADMINISTRATION DEPARTMENT.

City Manager George Wood stated the Crown Victoria used by the Finance Department is too big and we wanted to have a smaller car, but still manage to carry four people in it. This is a replacement vehicle.

Councilman Morris made a motion, seconded by Councilman Blich to award a bid in the amount of \$18,661.50 to the lowest bidder, Rozier Ford, for a Ford Five hundred for the Finance and Administration Department. Councilman Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AUTHORIZE THE STAFF TO PROCEED WITH A RED LIGHT ENFORCEMENT PROGRAM, AS REQUESTED BY THE CITY ENGINEER AND POLICE CHIEF.

City Manager George Wood stated the program consist of a traffic study, camera installation, monitoring, and enforcement. We are requesting permission to move forward with this and start getting proposals. Councilman Blich asked what the total cost was? Chief York stated \$120,000 to \$140,000 per intersection. Mr. Wood recommended we buy our own equipment through GMA so that we can be the owner instead of a leaser. Councilman Morris asked how many intersections are we looking at? Mr. Wood stated initially one, but there are three possible intersections. Mr. Morris stated that Savannah has not seen the revenue they expected. Mayor William Hatcher stated this is not about revenue, but about safety. Mr. Morris asked how is this going to increase safety? Mr. Wood stated we will put signs out there stating camera enforced and that should stop speeders. Councilman Britt asked at what point do you say this number of accidents warrant a dangerous intersection? Chief York stated in conjunction with the Engineering Department we looked at both studies where there are collisions. If this could reduce accidents by 20 percent or more that would be subjective. The Police Department feels this is necessary for public safety. There are 14 cities in Georgia that use this type of system and there have been a reduction of accidents since they put it into place.

Councilman Blich made a motion, seconded by Councilman Branner to authorize the staff to proceed with a red light enforcement program. Councilman Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

REPORT FROM STAFF

CITY MANAGER GEORGE WOOD – The Annual Peanut Festival that the Public Works Department put on yearly generated 918 attendances. They ate 35 bushels of peanuts, 140 watermelon, and 75 cantaloupes. This festival is a great opportunity to see old friends and make new ones.

DIRECTOR OF FINANCE AND ADMINISTRATION/CITY CLERK JUDY MCCORKLE - The property tax sale was held this morning (August 1, 2006) and we had 5 properties left for sale for unpaid taxes. The City taxes collected totaled \$16, 523.26, the County taxes collected totaled \$40, 614.89, and the total bid amount was \$292,500.

OTHER BUISNESS FROM THE CITY COUNCIL.

Councilman Britt stated in the past couple of years alcohol licensee have turned in a report once a month showing what amount they have sold. Every three months they have to turn in a 50/50 report. They

also have to apply for an Alcohol License and a Business license. There were about 9 businesses that filed the 50/50 report late. Our standard operation procedures are to follow the ordinance. If they're late then they are fined \$1,000.00. My opinion is yes, they need to follow the law but a mistake shouldn't warrant harsh punishment. Instead, send out a late payment notice where 30 days late is a \$100.00 fine. The problem I see is licensees don't remember to file the form. There is nothing in front of them to remind them. There are around 40 to 50 businesses. I suggest we mail them something to remind them it's time to get the reports out. City Manager George Wood stated we send out the form annually and they are responsible to make copies and resubmit them. We could create a deadline with a \$100.00 fine for 7 days being late. After 7 days they will be fined and penalized. Mr. Britt stated he felt this needed further discussion. Director of Finance and Administration Judy Mccorkle stated businesses are required to send in a quarterly report at the same time they file there state sales tax report. The renewal process starts in March of each year and we send them an updated copy of the ordinance and a copy of the form; so they are reminded annually. Mr. Britt stated he realizes that, but we should mail then something every month and if they are late we could go to a fine very similar to the department of revenue. Mayor Hatcher stated we need to refer this to staff and come back with a proposal.

ADJOURN

Being no further business, the meeting adjourned at 10:40 am