

**COUNCIL MEETING
AUGUST 15, 2006**

A regular meeting of the Statesboro City Council was held August 15, 2006 at 6:00 p.m. in the Council Chambers at City Hall. Present were Mayor William S. Hatcher, Council Members Will Britt, Tommy Blicht, 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 AUGUST 1, 2006

Mayor Hatcher requested these minutes be tabled to the following meeting. Councilman Brannen made a motion seconded by Councilman Blicht to table the minutes. Councilmen Britt, Blicht, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

RECOGNITION:

Pearl Brown stated she is a retired educator of the county and a concerned citizen of Statesboro and she has concerns about the lack of support for our young people by the elected officials in the City and County with one of those things being swimming pools. She stated this has been the hottest summer on record and being able to have pools assessable would have been a welcome relief for a lot of our citizens. Ms. Brown stated she spoke to the County Commissioner and was told the City owns the pools that closed but wanted the county to maintain them.

Mayor Hatcher stated for years the city operated the Recreation Department and then it transitioned from the City to the County. HB. 489 states the City no longer can share the Recreation Department with the County because the city tax payers would be taxed twice. In 1998, the Recreation Department became totally a county entity so therefore, we don't have a voice or a seat on that Recreation Advisory Board. Mayor Hatcher stated the Council understands her concern, but the City is not in the recreation business.

MOTION TO ADOPT ORDINANCE #2006-12 AMENDING THE ALCOHOL CONTROL ORDINANCE.

City Manager George Wood stated at the last meeting the Council asked for an amendment to be prepared that would give additional notification to consumption-on-the premises alcohol licensees that a quarterly report is due and failure to file on time could result in a penalty. In subsection 'B' the City Clerk will send, by regular mail, to consumption-on-the-premises licensees by the 3rd day of the month a letter stating the report is due by the 20th of the month. If it is not filed by that date there will be a \$250.00 late fee and if it's not filed at all they're subject to revocation. Item number 2 states should any licensee fail to provide the quarterly reports by the deadline which will be the 20th of the month, there shall be imposed a \$250.00 late fee. The City Clerk will notify such licensee by certified mail that within 3 business days of the deadline penalties are due and failure to submit a quarterly report and late fee by the 10th of the next month shall result in automatic revocation of the alcohol license.

Mr. Wood stated we added a second part to the ordinance because a couple of potential business owners asked before making a substantial investment if they would in fact be issued an alcohol license. In section 'C' this will allow them that right as long as they meet the requirements. Section 'C' states the consumption-on-the-premises alcohol licenses is approved subject to the applicant completing the following conditions prior to it being issued by the City Clerk. 1. The applicant must obtain an

occupation tax certificate for the licensed premises. 2. The applicant must have the premises inspected by the City Fire Inspector and correct any deficiencies noted by him regarding the Fire Code and the Life Safety Code. 3. The applicant must have had the health department inspect the premises and issue a food service permit. 4. The applicant must have obtained a building permit and made all renovations necessary to bring the building up to code. 5. The applicant must have received a Certificate of Occupancy from the Chief Building Official evidencing all renovations have been made according to the building, electrical, plumbing, and mechanical codes. 6. The Chief Building Official and the Planning Director must establish the allowed Occupancy Load based upon the seating diagram, and the actual available parking that is hard-surfaced (paved or concrete) with individual spaces painted.

Councilman Brannen made a motion seconded by Councilman Morris to adopt Ordinance #2006-12 amending the Alcohol Control Ordinance. Councilmen Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT RESOLUTION #2006-28 A RESOLUTION SETTING THE MILLAGE RATE FOR AD VALOREM (PROPERTY) TAXES FOR THE 2006 CALENDAR YEAR FOR THE CITY OF STATESBORO, GEORGIA.

City Manager George Wood stated there is no change to the millage rate as we have already discussed this at the last meeting. Councilman Britt made a motion, seconded by Councilman Lewis to adopt Resolution #2006-28 A resolution setting the millage rate for Ad Valorem (property) taxes for 2006 calendar year at 6.921. Councilmen Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO SET DATE OF SEPTEMBER 6TH, 9:00AM IN THE CITY HALL COUNCIL CHAMBERS FOR AN APPEAL BY EL SOMBRERO MEXICAN RESTERRAUNT FROM THE FIRST OFFENSE AND \$1,000.00 FINE IMPOSED BY THE ALCOHOL CONTROL BOARD, AND THE LOSS OF HAPPY HOUR DUE TO THIS OFFENSE.

Director of Finance and Administration Judy Mccorkle stated they had 30 days to notify the City that they were going to appeal it and they met that deadline. The Council now has to set a date within 30 days. Councilman Morris made a motion, seconded by Councilman Lewis to set the date for September 6th at 9:00am in City Hal Chambers. Councilmen Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

REPORTS FROM STAFF:

CITY MANAGER GEORGE WOOD: - Mr. Wood stated he has been asked to serve on a GMA City Incorporation Standard Task Force. The council agreed to have Mr. Wood serve on this committee.

DIRECTOR OF FINANCE AND ADMINISTRATION/CITY CLERK JUDY MCCORKLE: - Ms. Mccorkle stated as a reminder the next Council meeting will be held on Wednesday September 6, 2006 at 9:00 a.m. due to the Labor Day holiday.

PLANNING DIRECTOR JIM SHAW: - Mr. Shaw announced the following public hearings scheduled for the September 6, 2006 council meeting:

(1) Application RZ 06-08-01; Greg Howze, on behalf of KGB Investors, Inc, requests rezoning from R-4 (Multi-Family Residential) to PUD (Planned Unit Development) with an R-4 overlay to allow single family attached dwellings with a density of 17 units per acre and a maximum of 2 bedrooms per unit for

a 12.82 acre parcel located on the south side of East Main Street, 500 feet east of Veterans Memorial Parkway.

(2) Application RZ 06-08-02; Jeff Lacey, on behalf of Cedar Development, LLC, requests rezoning from LI (Light Industrial) to PUD (Planned Unit Development) with an R-4 overlay to allow single family attached dwelling units for a 44.1 acre parcel located on the west side of Northside Drive West (Highway 80), approximately 400 feet north of Stockyard Road; on the north side of Stockyard Road and on the east side of Miller Street.

(3) Application V 06-08-03; Paula Raines requests a 10 foot variance of the 25 foot front yard setback requirement along Woodrow Circle for property located at the northwest corner of Northside Drive East and Woodrow Avenue.

(4) Application RZ 06-08-04; Sandra Jeffers, on behalf of Wyant Family Ltd Partners II, requests rezoning from R-4 (Multi-Family Residential) to HOC (Highway Oriented Commercial) for property located on the north side of Highway 301 North (East Parrish), 500 feet west of Packinghouse Road.

Mr. Shaw stated that the Georgia Department of Community Affairs and the Georgia chapter of the American Planning Association have released the 2007 schedule for the Community Planners Institute training sessions. One will be held in Savannah January 16 & 17. Council members and Planning Commission members are urged to attend. More information will be provided when it becomes available.

A public meeting regarding the first phase of the Streetscape Project will be held on Tuesday, August 29 at 8:30 a.m. in the Council Chambers. The purposes of this meeting are to provide an update of the project schedule and to allow public comments on the design plans prior to final submission to the Georgia Department of Transportation. The meeting will be advertised in the Statesboro Herald and the DSDA has agreed to send a notice by email to its members.

OTHER BUISNESS

Councilman Brannen stated he would like to welcome back the G.S.U. students. He asked about the current ordinance which states polycarts have to be put out the day before pick up after 6:00pm and after pick up it needs to be removed from the street by 8:00am. A violation is a \$10.00 fine and \$10.00 daily till the poly cart is moved back. Councilman Brannen said maybe we need to charge more than \$ 10.00 or, maybe we can put a message on the utility bill, or put it in the newspaper to inform citizens. Councilman Britt stated he received a note from City Marshal Kara Lundy about this and she apparently is working on it. City Manager George Wood stated if we change the ordinance we have to be specific. Mayor Hatcher asked why don't we refer this to staff. Councilmen Britt, Blich, Lewis, Brannen, and Morris agreed to refer the issue concerning polycarts to the staff.

Councilman Britt asked what the status is on the take-home-cars for the Police Department. City Manager George Wood stated that is being looked into currently.

ADJOURN

Being no further business, the meeting adjourned.