

**COUNCIL MEETING
JULY 5, 2006 9:00 AM**

A regular meeting of the Statesboro City Council was held July 5, 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

Mayor Hatcher requested these minutes be tabled to the following meeting.

RECOGNITIONS:

- a) **LISA SANCHEZ REGARDING THE HOMELESS SHELTER.**

Ms. Sanchez was not present at the meeting

- b) **INTRODUCTION OF CHIEF DENNIS MERRIFIELD AS STATESBORO FIRE CHIEF.**

Mayor Hatcher introduced Chief Merrifield and was delighted to welcome him aboard. Chief Merrifield stated he is looking forward to being here and has met most of his staff.

PUBLIC HEARING:

- a) **APPLICATION RZ 06-06-01: SOUTHEAST GEORGIA INVESTMENT ASSOCIATES REQUESTING REZONING FROM HOC (HIGHWAY ORIENTAL COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) FOR PROPERTY AT 719-721 SOUTH MAIN STREET.**

Planning Director Jim Shaw stated the original plan was for two multi-tenant buildings and one single tenant building. The application was submitted because there is a desire to divide the single-tenant building and the remainder of the property as a separate ownership. The building setback can be met; however the parking setback requirements of 3 feet will not be met. Also a 10 feet buffer is required when commercial property abuts residential property.

Mr. Shaw stated the site plan with this application differs somewhat from the plan submitted as part of the building permit application a few months ago. If approval is granted it should be conditioned upon resubmission of the site plan to the Engineering Department for review by appropriate departments prior to issuance of any further permits. The Staff and Planning Commission recommend approval of the rezoning conditioned on providing the 10 foot buffer along the rear of the outer parcel and approval of the site plan by other City Departments.

Councilman Blich made a motion, seconded by Councilman Britt to approve Rezoning application 06-06-01 with the conditions be provided that a 10 foot buffer along the rear outer parcel and approval of the site plan with the review by other City Departments

Mayor Hatcher asked if the buffer requirements to develop property had been met. Mr. Shaw stated there are some places that the 10 foot buffer is not met. He mentioned that at the Planning Commission meeting. Mr. Parker mentioned there is some discrepancy on the property line and there is additional property that is not shown.

Councilmen Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

b) APPLICATION V 06-06-02: DR. LANE AND CHRIS VAN TASSELL REQUESTING A 5-FOOT VARIANCE OF THE 10-FOOT SIDE YARD SETBACK REQUIREMENTS FOR A BUILDING ADDITION AT 507 PEG-WEN BLVD.

Planning Director Jim Shaw stated the applicants are requesting to add on to their home at the north end for an additional family member. The addition is proposed to be 5 feet from the side property line and the minimum requirements is 10 feet. Some of the houses on the north end of Peg-Wen Blvd. have been constructed less than 10 feet from their side property line. Staff and Planning Commission both recommended approval of this variance.

Lane Van Tassel stated this request will allow himself and his wife to explore the options of accommodating his father.

Councilman Blich made a motion, seconded by Councilman Britt to approve V 06-06-02 for a 5 foot variance of the 10 foot side yard setback requirement for a building on Peg-Wen Blvd. Councilman Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2006-10: AN ORDINANCE AMENDING THE STATESBORO MUNICIPAL CODE REGARDING ALCOHOLIC BEVERAGES.

City Manager George Wood stated this is to clarify the language already in the Ordinance. The section would allow additional information or documents to be requested by the Alcohol Control Board or Administrative Staff. Secondly, it would clarify the language on how many years following a conviction for a misdemeanor or felony, can someone be discluded from having a license. City Attorney Sam Brannen has changed the language so that we can clarify the meaning.

Councilman Brannen made a motion, seconded by Councilman Britt to adopt the second reading of Ordinance #2006-10 amending the Municipal Code regarding Alcoholic Beverages. Councilmen Britt, Blich, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO ADOPT ON SECOND READING ORDINANCE #2006-11 AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF STATESBORO REGARDING INTERFERENCE WITH BUISNESSES.

City Manager George Wood stated this Ordinance makes it clear that it is unlawful to block a business while picketing. Furthermore, it makes it clear that someone can picket or parade in small enough groups without a permit, but they still can not block a business.

Councilman Britt made a motion, seconded by Councilman Morris to approve Ordinance #2006-11 Amending the Code of Ordinance regarding interference with businesses. 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 #2006-25: A RESOLUTION DECLARING PERSONAL PROPERTY SURPLUS AND ITS METHOD OF DISPOSAL

City Manager George Wood stated we had a request from the City of Portal about certain equipment from the Police Department for disposal they would like to obtain. Usually we try to sell

surplus items but in this case another city could use them and we are allowed to give items to another government entity.

Councilman Morris made a motion, seconded by Councilman Lewis to approve the Resolution #2006-25 declaring personal property surplus and its method of disposal.

Councilman Britt asked for the value of the equipment. Chief York stated the items cost new was \$400.00 - \$500.00 and currently they are worth \$50.00 - \$75.00.

Councilmen Britt, Blicht, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPOINT PLANNING DIRECTOR JIM SHAW AS THE CITY'S EX OFFICIO MEMBER TO THE DSDA BOARD OF DIRECTORS, REPLACING THE CITY MANAGER.

Councilman Brannan made a motion, seconded by Councilman Britt to appoint the Planning Director Jim Shaw as the City's ex-Officio Member to the DSDA Board replacing the City Manager. Councilman Britt, Blicht, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried out by a 5-0 vote.

MOTION TO AWARD A BID IN THE AMOUNT OF \$61,293.85 TO THE LOWEST BIDDER, PEEK PAVEMENT MARKING, FOR THE ANNUAL STREET RE-STRIPING CONTRACT.

City Engineer Maz Elhaj stated Peek Pavement Marking was the lowest bid at \$61,293.85; there was only one other bid from Thompson Pavement for \$62,000.00. He recommended Peek Pavement Marking for the re-striping bid.

Councilman Morris made a motion, seconded by Councilman Lewis to award the bid in the amount of \$61,293.85 to the lowest bidder, Peek Pavement Marking, for the annual street re-striping contract. Councilman Britt, Blicht, 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 \$624,405.80 TO THE LOWEST BIDDER, REEVES CONSTRUCTION COMPANY, FOR THE ANNUAL STREET RESURFACING CONTRACT (FY 2006 CARRYOVER AMOUNT AND THE FY 2007 BUDGETED AMOUNT).

City Manager George Wood wanted to point out this is a much larger then we've ever done; since we're combining 2006 and 2007. In addition, City Engineer Maz Elhaj was able to get \$271,418.35 from the DOT, so technically we drew about \$225, 000 in a year that would be doubled which is why the amount is so high. This is not all of that money. We are holding some in a resurfacing account following the project. The amount will remain in the account so the City can resurface Baldwin Street, Garfield Street, Donnie Simmons Way, and a portion of Williams Road.

Councilman Morris made a motion, seconded by Councilman Lewis to award a bid in the amount of \$624,405.80 to the lowest bidder Reeves Construction Company, for the annual street resurfacing contract (FY 2006-2007). Councilman Britt, Blicht, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPROVE THE PROPOSAL FROM GOLDER ASSOCIATES INC FOR ENGINEERING INC. FOR ENGINEERING SERVICES AT THE LAKEVIEW ROAD LANDFILL AND TRANSFER STATION FOR FY 2007.

City Manager George Wood stated this is the annual contract we have with Golder Associates. They have been our consultants out at the Lakeview Road Landfill for about 10 years now. We have to monitor the wells to make sure chemicals don't leak into the ground water and we have to make sure the methane collection system operates properly.

Councilman Britt made a motion, seconded by Councilman Lewis to approve the proposal from Golder Associates Inc for engineering services at Lakeview Road Landfill and Transfer Station for 2007. Councilman Britt, Blicht, Lewis, Brannen, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO APPROVE THE CITY ENGINEER'S TRAFFIC ENGINEERING PROPOSAL FOR THE INTERSECTION OF CHANDLER ROAD AND HARVEY STREET, ON THE GSU CAMPUS.

City Manager George Wood stated we have a request from Georgia Southern to look at the intersection of Chandler Road and Harvey Street. There is a flashing light and a pedestrian cross walk there. In the past few years there has been a severe pedestrian/vehicle conflict, so Georgia Southern asked if we would look at the intersection. City Engineer Maz Elhaj stated we are looking at putting a pedestrian traffic signal there. This will help the pedestrians cross safely. What we want is to allow the flow of traffic to go smoothly until the signal is pushed for pedestrians and then the traffic will stop. Georgia Southern is comfortable with this solution. The pedestrian traffic signal will go up at Chandler Road.

Councilman Britt made a motion, seconded by Councilman Morris to approve the City Engineer's Traffic Engineering Proposal for the intersection of Chandler Road and Harvey Street, on GSU campus.

Councilman Blicht asked for the cost of this project. Mr. Elhaj stated around \$25,000.00. The reason is we have to install some poles for the signals to go up and the signals themselves.

Councilman Britt, Blicht, Brannen, Lewis, and Morris vote in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AUTHORIZE A \$5,000.00 EXPENDITURE TOWARD THE PLANNING OF A MUSICAL FESTIVAL, AS REQUESTED BY STATESBORO ARTS COUNCIL AND THE DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY/MAIN STREET PROGRAM.

DSDA Executive Director Stephanie Howell stated she would like to receive funding in the amount of \$5,000.00 to help fund the music festival that we are looking at holding May 17 -19 2007. We have come up with the name, *Celebration South*, not only for music but hopefully art also. Our partners who are the founding board and the owner of the festival are: Statesboro City Council, Bulloch County, Mainstreet Art Council, SCVB, and the Chamber of Commerce. The \$5,000.00 we receive from the council will go to hire a consultant, Elizabeth Stuart. Who currently coordinates the Savannah Music Festival held each year and we have received a grant to start Ms. Stuart working.

Councilman Britt made a motion, seconded by Councilman Lewis to authorize a \$5,000.00 expenditure toward the planning of a Music Festival, requested by the Statesboro Arts Council and Downtown Statesboro Development Authority/Mainstreet Program. Councilman Britt, Blicht, Brannen, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AUTHORIZE THE MAYOR TO RATIFY THE THREE MOST RECENT APPOINTMENTS TO THE GIRMA BOARD OF DIRECTORS.

City Manager George Wood stated the three people appointed are Billy Edwards, City Manager from Hinesville, Mayor Cecil Pruett from Canton, and Kathy Brannon City Manager from Chamblee.

Councilman Brannen made a motion, seconded by Councilman Morris to authorize the Mayor to ratify the three most recent appointments to the GIRMA Board of Directors. Councilman Britt, Blich, Brannen, Lewis, and Morris vote in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AUTHORIZE ONE ADDITIONAL POLICE CAPTAIN AND ONE ADDITIONAL POLICE LIEUTENANT POSITION, WITHOUT CHANGING THE OVERALL TOTAL OF EMPLOYEES WITHIN THE DEPARTMENT.

City Manager George Wood stated we are not adding new employees. These positions will go to current employees and the cost will be around \$5,000.00. Police Chief York stated we have 3 divisions Patrol, Investigation, and Administrative Services. The changes are for the Administrative Lieutenant position to Administrative Captain and the Criminal Investigation division has continued to grow and it is headed by a Captain and the next up is a sergeant, but it should be a lieutenant position.

Councilman Morris made a motion, seconded by Councilman Lewis to authorize 1 additional Police Captain and 1 additional Police Lieutenant position, without changing the overall total employees within the department. Councilman Britt, Blich, Brannen, Lewis, and Morris vote in favor of the motion. The motion carried by a 5-0 vote.

REPORTS FROM STAFF:

CITY MANAGER GEORGE WOOD – Maz Elhaj and myself attended the DOT meeting and they discussed the entire road projects and 4 of the projects deal with us. They have submitted the project on East Jones Ave, also the 1st streetscape and the 2nd streetscape, and lastly Brannon Street which gets underway after 2009.

DIRECTOR OF FINANCE AND ADMINISTRATIVE/CITY CLERK JUDY MCCORKLE – Just a reminder the property tax sale will be August 1, 2006 at 10:00am and that is a council meeting day. The law requires us to do conduct the sale on the 1st Tuesday of the month. The ad starts running tomorrow and will run until the end of July on all the remaining 93 properties. Secondly, we wanted to make everyone aware of our welcome home celebration for The 648th Engineering Battalion on Sunday, June 16, 2006 at 4:00pm.

CITY ENGINEER MAZ ELHAH – The work on Savannah Ave has started, side walks have been installed. Also at the Police Station site pipes are being installed. The replacement of the bridge on Landfill Road has begun.

DIRECTOR OF PLANNING AND ZONING JIM SHAW – He introduced the new City Marshall Kara Lundy. She currently transferred from the Police Department where she spent over 8 years.

OTHER BUISNESS

The new Fire Chief Dennis Merrifield introduced a colleague, Chief Hugh Futrell, of the Southside Fire Department from Chatham County. Mr. Futrell serves as the president of the Georgia Fire Chief Association and he has asked me to join him in the association.

ADJOURN

Being no further business, the meeting adjourned.