

**COUNCIL MEETING
MARCH 15, 2005 – 6:00 P.M.**

A regular meeting of the Statesboro City Council was held March 15, 2005, at 6:00 p.m. Present were Mayor William S. Hatcher, and Council members Gary Lewis, Will Britt, John Morris, Joe Brannen and Tommy Blicht. Also present were Director of Finance and Administration Judy McCorkle, City Manager George Wood, City Attorney Sam Brannen and City Engineer Maz Elhaj. City Planner Hawa Samatar was absent.

TABLED APPROVAL OF MINUTES – MARCH 1, 2005

Councilman Brannen made a motion, seconded by Councilman Blicht to table the approval of the March 1, 2005 minutes until the next meeting. Councilmen Brannen, Blicht, Britt, Lewis, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

PUBLIC HEARINGS:

MRS. OLA MAE LESTER-SPECIAL USE VARIANCE/314 WEST MAIN

City Manager Wood gave the report in the absence of the City Planner. He reported Mrs. Ola Mae Lester is requesting a special use variance to operate a 3-chair barbershop as a home occupation at 314 West Main. The Statesboro Planning Commission recommended denying the request, which was properly advertised.

Mrs. Ola Mae Lester and son spoke in favor of the request. Mrs. Lester said her son would like to relocate his barbershop from Elm St. to 314 West Main. Mrs. Peggy Grimes spoke in favor of the request. She sold Mrs. Lester this property that has a large house, which Mrs. Lester has renovated. Mrs. Grimes said this would be an improvement to the area. Mr. Wood asked Mrs. Grimes if she knew of their plans to have a barbershop when she sold the property. Mrs. Grimes said no.

Mrs. Tabitha Stewart inquired about Mrs. Sara Lawrence's beauty shop on Akins Street, which is a home occupation. Councilman Lewis said Mrs. Lawrence has been there approximately 25 years and the beauty shop was grandfathered. No one spoke in opposition to the request. Councilman Blicht made a motion, seconded by Councilman Morris to deny the request. Councilmen Blicht, Morris, Lewis, Brannen, and Britt voted in favor of the motion. The motion carried by a 5-0 vote to deny.

**MR. KEVIN L. DORSEY (APPLICANT) & MR. JAMES E. GREEN (OWNER) –
CONDITIONAL USE VARIANCE/220 MATTHEWS ROAD**

Mr. Wood reported Mr. Kevin L. Dorsey (applicant) and Mr. James E. Green (owner) is requesting a conditional use variance to locate an automotive repair shop at 220 Matthews Road. This was previously approved for a conditional use variance to allow a detailing shop. Mr. Kevin Dorsey and Mrs. Joy Dorsey spoke in favor of the request. They plan to fence the area to block the view of the cars on this property. Due to a conflict of interest, Councilman Brannen abstained from voting because Mr. Dorsey is one of his tenants. Councilman Blicht made a motion, seconded by Councilman Lewis to approve the request with the condition to fence the area to keep clear of junk property and to submit a letter of approval from the adjacent property owner. Councilmen Blicht, Lewis, Morris and Britt voted in favor of the motion. Councilman Brannen abstained from voting. The motion carried by a 4-0 vote, with one abstention.

MR. TIM HUNT (APPLICANT) & MR. W.R. SMITH (OWNER)-VARIANCE FROM THE SIGN PROVISIONS OF THE ORDINANCE/20 E. VINE STREET

Mr. Wood reported Mr. Tim Hunt (applicant) and Mr. W.R. Smith (owner) is requesting a variance from the sign provisions of the Zoning Ordinance to place a cabinet-type internally illuminated sign on an existing pole at 20 East Vine Street. Mr. Wood reported the request was properly advertised and recommended denial by the Statesboro Planning Commission. The sign that was located on the pole has been removed and has lost its grandfathering clause but the pole remains.

Mr. Tim Hunt spoke in favor of the request. He would like to place a sign on the existing pole for his Bubba Golf Shop business which is located next door to Pawn City. The original sign was replaced over a year ago. Councilman Britt asked Mr. Hunt if this request is not approved what are your plans for advertising the business. Mr. Hunt said he would place a sign on the wall of the building. Councilman Blich asked if Mr. Hunt could change the current sign on the wall to have Pawn City on one side and Bubba Golf Shop on the other. Mr. Wood said yes, because the facing on the sign can be changed. Councilman Britt asked if the previous sign that was removed could have been changed. Mr. Wood said no, because once the sign is removed it loses its grandfathering clause. No one spoke in opposition to the request. Councilman Brannen made a motion, seconded by Councilman Blich to deny the request. Councilmen Brannen, Blich, Morris, and Lewis voted in favor of the motion. Councilman Britt opposed. The motion carried by a 4-1 vote.

THE HOBENWALK GROUP, LLC-REZONING/3 TILLMAN ROAD

Mayor Hatcher reported the Hobenwalk Group, LLC has withdrawn its request for the rezoning of a portion of 3.56 acres on 3 Tillman Road from HOC to R-4, in order to revise its plans and resubmit at a later date.

APPROVAL OF THE PRELIMINARY PLAN FOR PHASE TWO REVISION OF THE MARKET DISTRICT COMMERCIAL SUBDIVISION, DATED FEBRUARY 3, 2005 SUBJECT TO CONDITIONS NOTED BY CITY STAFF

Mr. Wood reported this may be a replat to change Phase One which is the front part that has been completed. The internal road has been changed to create a larger tract in the middle and they already have a potential buyer. Director of Water/Wastewater Wayne Johnson reported he needs to meet with Chuck Perry and Engineering to coordinate in order to be sure the water and sewer ties together because two or three engineering concepts are currently going on.

Mr. Wood reported this would complete Bermuda Run to connect with Brampton. A side road would cross and a cul-de-sac road would be there. There is a request on both cul-de-sac roads and we would like to do either-or because some may be Planned Unit Developments. This would be one tract with no interior roads. We do not want a cul-de-sac there, but want a standard road to take part of the driveway going in. The same goes for the other end with the large tract. The City Engineer has approved the design for either-or so the developer would not have to come back before the Council depending on how they sell the property.

Mayor Hatcher asked Mr. Wood about the status on the larger tract that has come back. Mr. Wood said this is Parcel #30, which they plan to rezone to R-4 and give the developer a 5 ft height variance. A multi-family development is being planned and we do not see a problem with the 5 ft. height variance. The Planning Commission has recommended approval on both items. This request will come before the Council at the next meeting as a public hearing.

Representative Chuck Perry of EMC Engineering, Inc. was present to answer questions from Council. Councilman Britt made a motion, seconded by Councilman Blitch to approve the preliminary plat for Phase Two of the Market District Commercial Subdivision, dated February 3, 2005, prepared by EMC Engineering, Inc. for The Market District, LLC, developers subject to the conditions noted by the City Staff. Councilmen Britt, Blitch, Brannen, Morris, and Lewis voted in favor of the motion. The motion carried by a 5-0 vote.

AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH MBIA MUNISERVICES TO CONDUCT FULL HOTEL/MOTEL TAX AUDITS ON 10 FIRMS

Mr. Wood reported MBIA MuniServices have completed a two stage study: 1) a preliminary study to review numbers to see who may avoid an audit and 2) to get specific findings from the preliminary study. They have recommended 10 of 19 businesses for the audit.

Director of Finance and Administration Judy McCorkle reported in 2001, when the audit was performed MBIA kept 40% of what they recovered. The current cost is a flat fee of \$500 per audit. Mr. Wood recommended the Council to move forward with this. He said we should try to have an audit done every three years. Mayor Hatcher asked when was the last audit performed. Mrs. McCorkle said in April 2001. She said all hotel/motel tax reports were submitted to MBIA from that time until now.

Councilman Blitch made a motion, seconded by Councilman Lewis to authorize the Mayor and City Clerk to execute an agreement with MBIA MuniServices to conduct full Hotel/Motel Tax audits on 10 firms recommended following their initial screening process. Councilman Brannen asked if the cost to the city would be \$5,000.00. Mrs. McCorkle said yes, and any revenue recovered would go back into the Hotel/Motel Tax Fund. Councilman Brannen asked what amount was recovered during the last audit. Mrs. McCorkle said \$125,476.00, and of this amount 40% was paid for the audit. The City received 5%, and the remainder went to the Statesboro Convention and Visitors Bureau. Councilmen Blitch, Lewis, Morris, Brannen, and Britt voted in favor of the motion. The motion carried by a 5-0 vote.

AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE STANDARD GDOT CERTIFICATE OF OWNERSHIP AND AGREEMENT FOR THE LOCAL ASSISTANCE ROAD PROGRAM

Mr. Wood reported the GDOT provides this assistance to the city each year and we certify that we are the owner of the streets. This project covers 1.289 miles of resurfacing for MLK Jr. Drive; S. Edgewood Ave.; Shelby St.; and Soloman Circle.

Councilman Britt made a motion, seconded by Councilman Lewis to authorize the Mayor and City Clerk to execute the standard GDOT Certificate of Ownership and Agreement for the Local Assistance Road Program. Councilmen Britt, Lewis, Brannen, Blich, and Morris voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AWARD A BID FOR THE PURCHASE OF A 2006 FORD F-450 IN THE WASTEWATER MAINTENANCE DIVISION

Director of Water/Wastewater Wayne Johnson reported this vehicle would be for the Maintenance Implementation Technician. Councilman Britt made a motion, seconded by Councilman Morris to award the lowest bid from Roberts Truck Center in the amount of \$35,950.00 for the purchase of a 2006 Ford F-450 with a knapheide body as a utility truck in the Wastewater Maintenance Division. Councilman Morris inquired about the 2006 model when the bid indicates 2005 specifications. Mr. Johnson said the 2005 model was not available and the 2006 could be purchased at the same price. Mr. Wood recommended tabling this item since some of the bid information was not included in the packets. Councilman Morris made a motion, seconded by Councilman Brannen to table this item until the next meeting. Councilmen Morris, Brannen, Britt, Lewis, and Blich voted in favor of the motion. The motion carried by a 5-0 vote.

MOTION TO AWARD A BID TO ROBERTS TRUCK CENTER FOR A 2005 FORD F-450 TRUCK CAB AND CHASIS FOR THE WATER DIVISION

Director of Water/Wastewater Wayne Johnson reported this would replace the existing service truck. Councilman Brannen asked why is there a large discrepancy in the two bids. Mr. Johnson said because of the Chevrolet body. He said Ford has a municipal program and offers better discounts. Councilman Brannen made a motion, seconded by Councilman Blich to award the low bid of \$25,139.00 to Roberts Truck Center for the purchase of a 2005 Ford F-450 Truck Cab and Chassis for the Water Division. Councilmen Brannen, Blich, Morris, Lewis, and Britt voted in favor of the motion. The motion carried by a 5-0 vote.

ACCEPTANCE OF THE RESIGNATION OF MR. WELDON DUPREE FROM THE STATESBORO PLANNING COMMISSION & DISCUSSION OF NAMING A REPLACEMENT MEMBER

Mr. Wood reported Mr. Weldon Dupree has resigned from the Statesboro Planning Commission due to health reasons. He informed the Mayor and Council if they know of a nominee to please notify him before the next meeting. Councilman Blich made a motion, seconded by Councilman Morris to accept the resignation of Mr. Weldon Dupree from the Statesboro Planning Commission. Councilmen Blich, Morris, Britt, Lewis, and Brannen voted in favor of the motion. Mayor Hatcher asked that the minutes reflect the City's indebtedness to Mr. Weldon Dupree's service for the number of years he has served faithfully to the Statesboro Planning Commission. Our appreciation of thanks goes out to him. The motion carried by a 5-0 vote.

RESOLUTION DECLARING TWO PATROL VEHICLES AS SURPLUS PROPERTY, AND AUTHORIZING THEIR SALE TO THE TENNILLE POLICE DEPARTMENT

Mr. Wood reported this was a request from Police Chief Stan York. He said under the State law surplus property can be sold at a lower price to another governmental agency.

Chief York reported the City of Tennille, Georgia Police Department had a police vehicle totaled several weeks ago, and the other vehicle is not in good working condition. They have had budget cuts over the past year that has not allowed them to purchase any vehicles. Chief Cochran of the Tennille Police Department is requesting to purchase two City of Statesboro surplus vehicles for \$1,500.00. Councilman Britt made a motion, seconded by Councilman Lewis to adopt a resolution declaring two patrol vehicles as surplus property, and authorizing their sale to the Tennille Police Department at \$1,500.00 for both. The estimated cost for the surplus vehicles was discussed as well as mileage. Councilmen Britt, Lewis, Morris, Brannen, and Blitch voted in favor of the motion. The motion carried by a 5-0 vote.

AMETHYST PROJECT GRANT ENDORSEMENT

Mrs. Debbie Blackburn, Executive Director for Amethyst Project, distributed information to the Mayor and Council regarding Amethyst Project. She is requesting grant funds in the amount of \$233,000.00. The Amethyst Project provides housing for people with HIV and AIDS in Bulloch, Candler, and Evans counties. Councilman Britt made a motion, seconded by Councilman Lewis to endorse the application for funding for the Amethyst Project. Councilmen Britt, Lewis, Blitch, Morris and Brannen voted in favor of the motion. The motion carried by a 5-0 vote.

STAFF REPORTS:

CITY MANAGER – GREGORY JENKINS DEPARTURE

Mr. Wood recognized Senior Finance Technician Gregory Jenkins who has accepted a position in Greensboro, North Carolina. He extended best wishes in his new position.

PLANNING DIRECTOR – PUBLIC HEARINGS

Mr. Wood gave the report in absence of the City Planner. He reported the following public hearings are scheduled for the April 5, 2005 Council meeting: **1)** Andy Burns is requesting the rezoning of the Market District LLC for 17 acres from CR to R-4. **2)** The developer who wants to purchase this property from them is requesting a 5 ft. variance to allow a maximum height of 40 ft. to build a proposed development Campus Edge Apartments. **3)** Preservation First Development Company LLC is requesting the City's support in funding the low income housing tax credits. This may be for the Summit Apartments and does not need advertising. **4)** John Dotson on behalf of Biff Thompson is requesting the rezoning of 13.8 acres on Stockyard Road and West Main Street from Light Industrial (LI) to Planned Unit Development (R-15). **5)** A zoning request from Mrs. Wells on 27 MLK Street. At this time all the paperwork has not been provided.

OTHER BUSINESS:

PLANNING DIRECTOR'S POSITION

Councilman Brannen inquired about the status of the Planning Director's position. City Manager George Wood said this position has been readvertised and Georgia Tech has been notified to place this position on their network. It is also being advertised on the American Planning Association website, GMA & ACCG website. He said the City is making every effort to hire someone for this position.

ADJOURNMENT

Being no further discussion, Mayor Hatcher adjourned the meeting at 7:00 p.m.

