

CITY OF STATHAM

MINUTES

Statham Community Center

336 Jefferson Street, Statham, GA 30666



PUBLIC HEARING & WORK SESSION – November 9, 2023

6:30 P.M.

CALL TO ORDER – Mayor Piper called the meeting to order at 6:30 p.m.

Roll Call

Present: Mayor Piper and Councilmembers Bogenrieder, Patterson, Penn, Thrasher, and Venable.

Also Present: City attorney Jody Campbell, City Accountant Rachel Bembry, City Clerk Ashya Fambrough, and PD Personnel.

PLEDGE OF ALLEGIANCE - Mayor Piper led the pledge of Allegiance and thanked all the Veterans and their families for their service.

At 6:31 p.m., Mayor Piper asked for a motion to enter into Public Hearing. Councilmember Patterson made a motion to enter into Public Hearing. Councilmember Thrasher seconded the motion and the motion passed unanimously.

PUBLIC HEARING

- 1. R-23-04 Rezoning:** PLG, LLC, c/o Anderson, Tate and Carr, by Melody A. Glouton, applicant, ARJAC Enterprises, Inc., property owner, seeks rezoning from RR, Rural Residential District and SR-2, Suburban Residential District to PUD, Planned Unit Development of 69.59 acres (Map/Parcels ST04/058, 25.074 acres; ST04/059, 26.046 acres; and part of ST04/095B, 18.470 acres) fronting on the north and west side of Jefferson Street across from and north of Bear Creek Middle School. Proposed use: Single-family detached subdivision (123 homes/lots).

City Attorney Jody Campbell explained that he was contacted by the petitioner's attorney. They are requesting the item be tabled to allow time to review and revise their application based on the Staff Report Jerry Weitz prepared earlier in the week. Councilmember Penn feels it should be tabled until January. Jody noted that no decision could be made until the Regular Meeting on November 21, 2023, and the new hearing date will need to be advertised. The floor was open for citizen comments on the rezone and there were no comments. At 6:36 p.m., Mayor Piper asked for a motion to exit the Public Hearing. Councilmember Venable made a motion to exit the Public Hearing. Councilmember Penn seconded the motion and the motion passed unanimously.

WORK SESSION

MINUTE APPROVAL

1. October 17, 2023 Regular Meeting Minutes (Provided to Council October 19, 2023).

Councilmember Venable made a motion to approve the October 17, 2023 Regular Meeting Minutes. Councilmember Patterson seconded the motion and the motion passed unanimously.

REPORTS

1. Finance Department: Rachel Bemby reviewed the Finance Report and noted that the FY23 audit is well underway.
2. Police Department: Mayor Piper reviewed the Police Report. Chief Underwood added that we are now in the Holiday Season and if you see something, please say something.
3. Public Works Department: Mayor Piper reviewed the Public Works Report.

NEW BUSINESS

1. **O-23-06: Ordinance to Amend the Charter- Sidewalks: (*First Reading*)**. An ordinance to amend section 1.04 of the City of Statham charter to remove from the corporate powers the authority to require property owners to maintain sidewalks.

City Attorney Jody Campbell noted a typo in the first paragraph: “2009” needs to be deleted. Also, this item will have to be voted on twice because of the Home Rule.

2. **R-23-05: Resolution Requesting Sales Tax Information from the Department of Revenue Pursuant to O.C.G.A. § 48-2-15 (d.1) and Naming a Designated Officer For All Related Purposes.**

Rachel Bemby reviewed the resolution. Governments can request a list of all businesses paying sales tax in the city. That list would be compared to the city’s Occupational Tax list.

3. **Apptegy:** to discuss web services.

Mayor Piper explained this could potentially replace the VC3 contract and is a little less expensive. It allows multiple users and all broadcasts. Councilmember Venable abstained due to a conflict of interest. Council requested a contract be provided for Jody to review as well as pricing information.

Councilmember Patterson requested an update on the Tyler/ New World transition from Chief Underwood. Chief Underwood noted that it has been active for 2 weeks and is going well. He invited citizens to sign up for a ride along as well to see how the system works in real time.

4. **Year 2024 City Council Meeting Calendar**

Mayor Piper noted that the July 4th meeting would need to be rescheduled. Councilmember Penn suggested July 9th.

5. **Year 2024 Holiday Schedule**

No comments.

Mayor Piper asked for a motion to move Citizen Input before the Executive Session. Councilmember Venable made a motion to move Citizen Input ahead of the Executive Session. Councilmember Penn seconded the motion and the motion passed unanimously.

CITIZEN INPUT

- Tim Terilli reported on the Boo on Broad event. \$4,500 was raised to support the running programs at Statham Elementary and Bear Creek Middle schools. He thanked the volunteers also.
- Janel Piper commented in opposition of the sidewalk ordinance. It is a slippery slope and a financial burden on the city.

EXECUTIVE SESSION

1. Pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1), a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved and the matter discussed was pending or potential litigation.

At 7:11 p.m. Councilmember Patterson made a motion to enter Executive Session to discuss pending or potential litigation. Councilmember Thrasher seconded the motion and the motion passed unanimously. The Executive Session ended at 7:19 p.m. with Councilmember Venable making the motion to exit. Councilmember Thrasher seconded the motion and the motion passed unanimously.

City Attorney Campbell stated that all discussions held in Executive Session are protected as Attorney/Client Privilege and that no votes were conducted during the session.

ADJOURN

At 7:19 p.m., Mayor Piper asked for a motion to adjourn the meeting. Councilmember Patterson made a motion to adjourn. Councilmember Venable seconded, and the motion passed unanimously.

Mayor Joe Piper

Date

Ashya Fambrough, City Clerk