



January 17th, 2017 5:30 pm

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Councilman Travis Chance
3. Recognitions/Public Presentations
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 01-03-2017 Council Minutes
6. Public Hearing and Consideration of Motion to Approve: **APPLICATION # V 16-12-03**: Missy Bennett requests a variance from Article V Section 503(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum required side yard setback for the property located at 122 Park Avenue (Tax Parcel S41 000047 000).
7. Public Hearing and Second Reading of **Ordinance 2017-01**: An Ordinance amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages) for proximity requirements.
8. Public Hearing and First Reading of **Ordinance 2017-02**: An Ordinance to amend Section 6-6(b) of the City of Statesboro Code of Ordinances (Alcoholic Beverages) to comply with State regulations. [GA560-2-2-.02(9)]
9. Public Hearing and First Reading of **Ordinance 2017-03**: An Ordinance to amend Section 6-19(c)(10)(b) of the City of Statesboro Code of Ordinances (Alcoholic Beverages) to allow for a three year lookback.
10. Public Hearing and First Reading of **Ordinance 2017-04**: An Ordinance to amend Section 6-3 of the City of Statesboro Code of Ordinances (Alcoholic Beverages) to redefine Catered Event.
11. Consideration of a Motion to Approve **Resolution 2017-03** : A Resolution to adopt the document entitled "Personnel Policies and Procedures (Employee Handbook)", dated January 17, 2017, attached hereto and incorporated into this Resolution by reference, is hereby adopted as the official personnel policies and procedures to be used to administer all personnel matters for the City of Statesboro; and that any ordinances, resolutions, motions or informal policies conflict with any provision of this adopted document are hereby repealed to the extent of any such conflict.

12. Consideration of a Motion to approve **Resolution 2017-04**: A Resolution to approve phase II - 50% of the Compa-Ratio - Move to Market option of the Fiscal Year 2016 Classification and Compensation Plan provided by Evergreen Solutions Inc.,
13. Consideration of a Motion to Approve awarding of contract to the low bidder, Hawk Construction, LLC, for the construction of a Class A Burn Facility as well as the construction of a repelling wall on the Training Tower at the Public Safety Training Center in the amount of \$73,560.00. This project is funded under CIP# FD 62 using 2013 SPLOST.
14. Other Business from City Council
15. City Managers Comments
 - A) Presentation of the Police Department's new website
 - B) 2016 Development Review Presentation
 - C) Discussion of Funeral Processions
16. Public Comments (General)
17. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Council Minutes
January 03, 2017**

A regular meeting of the Statesboro City Council was held on January 3rd 2017 at 9:00 a.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Travis Chance. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Cain Smith.

The meeting was called to order by Mayor Jan J. Moore.

The Invocation and Pledge of Allegiance was led by Councilman John Riggs

Recognitions/Public Presentations

A) Presentation of Retirement for Jimmy Edenfield, Water Sewer Supervisor, Water Sewer Department, after 42 years of service.

This item was tabled for a later time.

B) Presentation of Run The 'Boro 5K / Holiday Celebration Proceeds To The Statesboro Boro Food Bank

A check for \$8,275.00 was presented to the Statesboro Food Bank. The Holiday Celebration has donated over \$34,000.00 over the last 5 years to charitable organizations.

Councilman John Riggs gave an update on his trip to Italy to visit the City of Statesboro's sister cities. He also thanked SCVB for making all the travel arrangements.

Councilman Phil Boyum joined the meeting at 9:05 am.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes
 - a) 11-15-2016 Executive Session Minutes
 - b) 12-06-2016 Council Minutes
 - c) 12-06-2016 Executive Session Minutes
- B) Consideration of a Motion to approve **Resolution 2017-01**: A Resolution to Fix and Publish Qualifying Fees for the City of Statesboro November 7, 2017 General Election.

Councilman Riggs made a motion, seconded by Councilman Chance to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve Alcohol License Applications:

- A) Zip N Food #10
(Beer and Wine Package only)
Pallavi Patel, Keyuriben Patel, & Ekta D Patel 1803 Chandler Road
Statesboro Ga 30458 Council District 4 (Riggs)

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Interim Police Chief Rob Bryan made Council aware of the compliance check with this business and discovered the business was operating without an Occupational Tax Certificate and an Alcohol License. They were also cited for underage selling of alcohol. Chief Bryan recommended a 30 day extension before issuing the alcohol license. Mrs. Patel stated they were in the process of buying the business when the incident occurred but she was managing the business and admitted they had not applied for any licenses.

Councilman Boyum made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by Councilman Riggs to suspend the license for 3 days after the State has issued a license to the business. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

- B) Southern Billiards & Burgers Inc.
(Enlarging their current building to include the adjoining building)
James H. Rushing Jr.
200 Lanier Drive Suite #2
Statesboro Ga 30458 Council District 5 (Chance)

Councilman Yawn made a motion, seconded by Councilman Chance to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

No one spoke for or against the request.

Councilman Yawn made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by Councilman Boyum to approve the alcohol license for Southern Billiards. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Administrative Hearing for alleged Alcohol Violation as pursuant to Chapter 6 of the City of Statesboro Alcohol Ordinance:

Enforcement from the Statesboro Police Department

Current Offense Violations in the last 5 Years

- | | | | |
|-----------|--|---|---|
| a) | Hazrat Rehman
GR Comrade LLC
DBA Main Street Bar & Grill
230 South Main Street
Council District 2 (Jones) | December 8, 2016
Sale to Underage
(2 counts) | February 13, 2015
Sale to Underage |
|-----------|--|---|---|

Interim Police Chief Rob Bryan presented Council with a consent form signed by the business owner for the alcohol violation. The consent form stated 7 days suspension to start on January 5th and end on January 12th and probation for 6 months. Councilman Riggs made a motion, seconded by Councilman Chance to accept the consent form of the violation. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

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|-----------|---|---|---|
| b) | Clyde Al Chapman III
Gnats Landing of Statesboro
470 South Main Street
Council District 3 (Yawn) | December 8, 2016
Sale to Underage
(2 counts) | February 13, 2015
Sale to Underage |
|-----------|---|---|---|

Interim Police Chief Rob Bryan stated the business owner declined to sign the consent form that was presented to him Mr. Al Chapman addressed Council with his views of the alcohol violation. He agreed the violation did occur but because of his good record and willingness to work with the Police Department; he felt the punishment was too harsh. Interim Police Chief Bryan had recommended 7 day suspension with 6 months' probation. Councilman Boyum made a motion, seconded by Councilman Riggs to suspend the alcohol license for 3 days with no probation. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

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| c) | Ramiro Melendez
Boro Mexican Foods LLC
DBA El Jalapeno Mexican Restaurant
711 South Main Street
Council District 2 (Jones) | December 8, 2016
Sale to Underage
(2 counts) | February 21, 2015
Exceeded the legal
occupancy load |
|-----------|---|---|--|

Interim Police Chief Rob Bryan presented Council with a consent form signed by the business owner for the alcohol violation. The consent form stated 3 days suspension to start on January 5th and end on January 8th and probation for 6 months. Councilman Boyum made a motion, seconded by Councilman Riggs to accept the consent form of the violation. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

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|----|---|---|---|
| d) | Farid Gharachorloo GATA 2 LLC
DBA GATA's Sports Bar & Grill
67 Gata Drive
Council District 4 (Riggs) | December 8, 2016
Sale to Underage
2 (counts) | September 4, 2014
Sale to Underage
September 11, 2015
Sale to Underage
September 20, 2015
Sale to Underage |
|----|---|---|---|

Interim Police Chief Rob Bryan presented Council with a consent form signed by the business owner for the alcohol violation. The consent form stated 21 days suspension to start on January 5th and end on January 26th and probation for 24 months. The consent form also stated the business would be a 21 and up establishment after 9:00 pm each day. Councilman Riggs made a motion, seconded by Councilman Boyum to accept the consent form of the violation. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

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|----|---|---|-------------|
| e) | Greg Cyrier
BRG Beverages LLC Chili's Bar & Grill
435 Commerce Drive
Council District 5 (Chance) | December 8, 2016
Sale to Underage
2 (counts) | None |
|----|---|---|-------------|

Interim Police Chief Rob Bryan presented Council with a consent form signed by the business owner for the alcohol violation. The consent form stated 3 days suspension to start on January 5th and end on January 8th and probation for 6 months. Councilman Riggs made a motion, seconded by Councilman Boyum to accept the consent form of the violation. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

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|----|--|---|---|
| f) | Roger Collier Ruby Tuesday
195 Northside Drive East
Council District 5 (Chance) | December 8, 2016
Sale to Underage
(2 counts) | March 28, 2013
Sale to Underage
August 22, 2013
Sale to underage
September 11, 2014
Sale to Underage |
|----|--|---|---|

Interim Police Chief Rob Bryan presented Council with a consent form signed by the business owner for the alcohol violation. The consent form stated 17 days suspension to start on January 5th and end on January 22nd and probation for 24 months. Councilman Yawn made a motion, seconded by Councilman Chance to accept the consent form of the violation. Councilman Boyum, Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Councilman Phil Boyum left the meeting at 10:55 am.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 16-11- 03: Monarch 301 Apartments LLC requests a variance from Article XV Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the maximum square footage and maximum height allowed for a monument sign to be installed at 816 South Main Street (Tax Parcel MS52 000026 000).

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

No one spoke for or against the request.

Councilman Yawn made a motion, seconded by Councilman Jones to close the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Chance to approve **APPLICATION # V 16-11- 03**: Monarch 301 Apartments LLC requests a variance from Article XV Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the maximum square footage and maximum height allowed for a monument sign to be installed at 816 South Main Street (Tax Parcel MS52 000026 000). Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 16- 12- 01: Home Land Auto Group requests a zoning map amendment for 1.5 acres of property located at 2538 Northside Drive West from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail used automobile dealership (Tax Parcel # S17 000008 000).

Councilman Riggs made a motion, seconded by Councilman Chance to open the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Bo Donaldson spoke in favor of the request.

Councilman Chance made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve **APPLICATION # RZ 16- 12-01**: Home Land Auto Group requests a zoning map amendment for 1.5 acres of property located at 2538 Northside Drive West from CR (Commercial Retail) zoning district to HOC (Highway Oriented Commercial) zoning district to permit a retail used automobile dealership (Tax Parcel # S17 000008 000) with staff recommendations. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # SE 16-10- 07: Vaden of Statesboro, Inc. requests a special exception to utilize the property at 600

Brannen Street as a parking lot for automobile sales inventory within the CR (Commercial Retail) zoning district (Tax Parcel S53 000059 000).

Councilman Chance made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Jason Hay and John Mulherrin spoke in favor of the request. Mr. Mulherrin asked for the decision to run concurrent with the lease for October 4th of 2017 with 200 cars being parked on the lot.

Councilman Yawn made a motion, seconded by Councilman Chance to close the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Chance made a motion, seconded by Councilman Yawn to approve **APPLICATION # SE 16-10- 07:** Vaden of Statesboro, Inc. requests a special exception to utilize the property at 600 Brannen Street as a parking lot for automobile sales inventory within the CR (Commercial Retail) zoning district (Tax Parcel S53 000059 000) with conditions of 10 months and 200 cars on the lot along with the revised site plan. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Resolution 2017-02: A Resolution to appoint Russel Rosengart to the Statesboro Planning Commission for a two year term.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve **Resolution 2017-02:** A Resolution to appoint Russel Rosengart to the Statesboro Planning Commission for a two year term. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and First Reading of Ordinance 2017-01: An Ordinance amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages).

Councilman Riggs made a motion, seconded by Councilman Chance to open the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

No one spoke for or against the request.

Councilman Riggs made a motion, seconded by Councilman Chance to close the public hearing. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

There was no vote taken for first reading.

Consideration of a Motion to approve an agreement with Hines and Associates Inc. for utilization review services and other services for the management of health care claims of group members at the rate of \$2.05/employee per month.

Councilman Chance made a motion, seconded by Councilman Yawn to approve an agreement with Hines and Associates Inc. for utilization review services and other services for the management of health care claims of group members at the rate of \$2.05/employee per month. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve an agreement with Optum Inc. for managed transplant program services per employee at the rate of \$4.87/single and \$11.69/family per month.

Councilman Chance made a motion, seconded by Councilman Yawn to approve an agreement with Optum Inc. for managed transplant program services per employee at the rate of \$4.87/single and \$11.69/family per month. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to approve the statement of rates with Taylor Benefit Resource and authorize the Mayor to execute an agreement with Cabot Inc. for stop-loss insurance coverage management services per employee at the rate of \$64.43/single and \$173.25/family per month.

Councilman Chance made a motion, seconded by Councilman Yawn to approve the statement of rates with Taylor Benefit Resource and authorize the Mayor to execute an agreement with Cabot Inc. for stop-loss insurance coverage management services per employee at the rate of \$64.43/single and \$173.25/family per month. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve award of contract to the low bidder, Hawk Construction, for the "2016-11 Storm water Shelter" project in the amount of \$162,890.00. This project, STM-9, will be funded by Storm water Fund revenues.

Councilman Chance made a motion, seconded by Councilman Yawn to award a contract to the low bidder, Hawk Construction, for the "2016-11 Storm water Shelter" project in the amount of \$162,890.00. This project, STM-9, will be funded by Storm water Fund revenues. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Award the purchase of a cab and chassis truck to Allan Vigil Ford per the State of GA contract in the amount of \$29,850.00. This item is funded under CIP# Eng-STS-90 in the amount of \$40,000 and will be initially paid for using the GMA Lease Pool.

Councilman Yawn made a motion, seconded by Councilman Riggs to award the purchase of a cab and chassis truck to Allan Vigil Ford per the State of GA contract in the amount of \$29,850.00. This item is funded under CIP# Eng-STS-90 in the amount of \$40,000 and will be initially paid for using the GMA Lease Pool. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve the Mayor to sign a contract in the amount of \$23,141.75 (paid over a three year period) to reimburse Bulloch County for the expense of adding high-resolution aerial photography for the City of Statesboro to the already contracted low-resolution project being done County-wide. Although this contract will be with Bulloch County, the County has contracted with Pictometry International Corporation. If approved, this expense will be funded from the operational budgets of City Departments utilizing this product.

Councilman Yawn made a motion, seconded by Councilman Riggs to approve the Mayor to sign a contract in the amount of \$23,141.75 (paid over a three year period) to reimburse Bulloch County for the expense of adding high-resolution aerial photography for the City of Statesboro to the already contracted low-resolution project being done County-wide. Although this contract will be with Bulloch County, the County has contracted with Pictometry International Corporation. If approved, this expense will be funded from the operational budgets of City Departments utilizing this product. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

Mayor Moore announced that Beth Sands was selected to be the Executive Director of the Keep Bulloch Beautiful Program. She also stated the dedication of the new Municipal Court Building was yet to be determined.

City Managers Comments

- A) Update on the Personnel Policy**
- B) Update on the Police Chief search**

Director of Human Resource Jeff Grant the Personnel Policy Handbook will be presented for Council's approval possibly in February.

He also stated there were 45 applicants for the police chief search. The next step will be to choose approximately 6 of those applicants and then choose 2 or 3 of those as finalists.

Public Comments (General) None

Consideration of a Motion to Adjourn

Councilman Yawn made a motion, seconded by Councilman Riggs to adjourn the meeting. Councilman Jones, Yawn, Riggs, and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 12:05 pm

CITY OF STATESBORO

COUNCIL

Phil Boyum
Sam Lee Jones
Jeff Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Robert Cheshire, P.E.,
Deputy City Manager
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Candra Teshome, Planning & Development Specialist

Date: January 9, 2017

RE: January 17, 2017 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance Side Yard Setback Variance Request*

Recommendation: Staff recommends approval of the setback variance requested by application V 16-12-03.

Background: Missy Bennett requests a variance from Article V Section 503(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum required side yard setback for the property located at 122 Park Avenue (Tax Parcel S41 000047 000).

Budget Impact: None

Council Person and District: Jeff Yawn (District 3)

Attachments: Development Services Report V 16-12-03



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

» (912) 764-0630
» (912) 764-0664 (Fax)

**V 16-12-03
VARIANCE REQUEST
122 PARK AVENUE**

LOCATION: 122 Park Avenue

REQUEST: Variance from Article V Section 503(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum required side yard setback.

APPLICANT: Mary M. Bennett

OWNER(S): Mary M. Bennett and Lovett Bennett, Jr.

LAND AREA: .62 acres

PARCEL TAX MAP #s: S41 000047 000

COUNCIL DISTRICT: District 3 (Yawn)



PROPOSAL:

The applicant is requesting a variance from Article V Section 503(C) Table 3 of the *Statesboro Zoning Ordinance* regarding the minimum required side yard setbacks. The applicant would like to decrease the side yard setback from the minimum required ten (10) feet to four (4) feet for renovations, including the construction of a carport, porch and breakfast room. (See **Exhibit A** – Location Map, **Exhibit B** – Site Survey and **Exhibit C** – Floor Plans)

BACKGROUND:

The subject site is currently zoned R-15 (Single-Family Residential) and on June 21, 2016, the applicant submitted a building permit application for the construction of a carport, porch, breakfast room and a kitchen renovation, which was approved June 24, 2016 (See **Exhibit D** – Building Permit Number PD 01561).

The applicant picked up the building permit on July 14, 2016. Prior to beginning construction the applicant was informed by her construction crew that the project may require a variance. The applicant then called later in July with questions regarding a setback variance for the construction of the carport. Staff informed the applicant that she would not need a variance. Once construction of the carport began, the Building Official/Inspector, after completing inspections, notified Planning & Development of the setback issue.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-15 (Single-Family Residential)	Single-family detached dwelling units
SOUTH:	R-15 (Single-Family Residential)	Single-family detached dwelling units
EAST:	R-15 (Single-Family Residential)	Single-family detached dwelling units
WEST	R-15 (Single-Family Residential)	Single-family detached dwelling units

The subject property is located in a residential area with all property lines surrounded by parcels zoned R-15 (Single-Family Residential). The area includes single-family residences to the north, south, east and west. (See **Exhibit A** – Location Map)

COMPREHENSIVE PLAN:

The subject site lies within the “Established Residential Neighborhood” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The traditional residential neighborhoods in the Established area were developed from the late 19th to mid-20th century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 17.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does not contain any wetlands and the request is not expected to have any environmental impact.

ANALYSIS:

I. Whether to grant a variance to eliminate the required side yard setback.

The .62 acre site is currently zoned R-15 (Single-Family Residential). The applicant picked up approved building permit number PD 01516 on July 14, 2016. The applicant contacted staff later in July to inquire about a variance, at which time she was informed she did not need one. Once construction began, the applicant’s construction crew informed her she would need a variance in order to place the carport in the proposed area (See **Exhibit E** – Photos of Subject Site). Article V Section 503(C) states that a parcel must have “two side yards, one on each side of the building, together having an aggregate width of not less than 25 feet, but neither having a width of less than ten feet.” The applicant is requesting a variance from the minimum 10’ side yard setback to a 4’ side yard setback (See **Exhibit B** – Site Survey).

Section 1801 of the *Statesboro Zoning Ordinance* lists the following four (4) factors that the Mayor and Council [could] consider to be true in its consideration of a variance request:

- (1) There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
- (2) The special conditions and circumstances do not result from the actions of the applicant;**
- (3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
- (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

STAFF RECOMMENDATION:

Staff recommends approval of the variance requested by V 16-12-03 to reduce the minimum side yard setback from 10' to 4'.

PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on January 3, 2017, the Planning Commission voted 4 to 0 to approve the variance requested by application V 16-12-03.

EXHIBIT A: LOCATION MAP



City of Statesboro Department of Planning and Development

Note: The Boundries Depicted on this map are approximate and should be used for reference only



EXHIBIT B: SITE SURVEY (CONT)

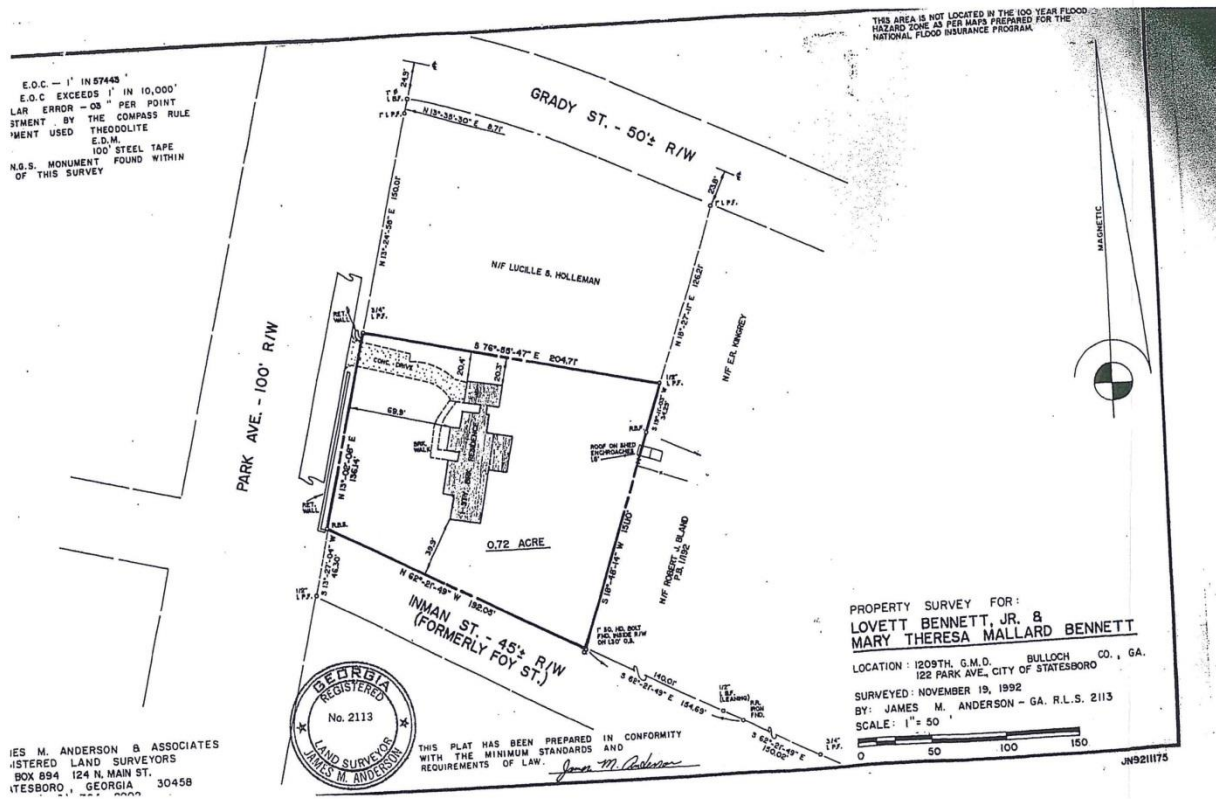


EXHIBIT C: FLOOR PLANS

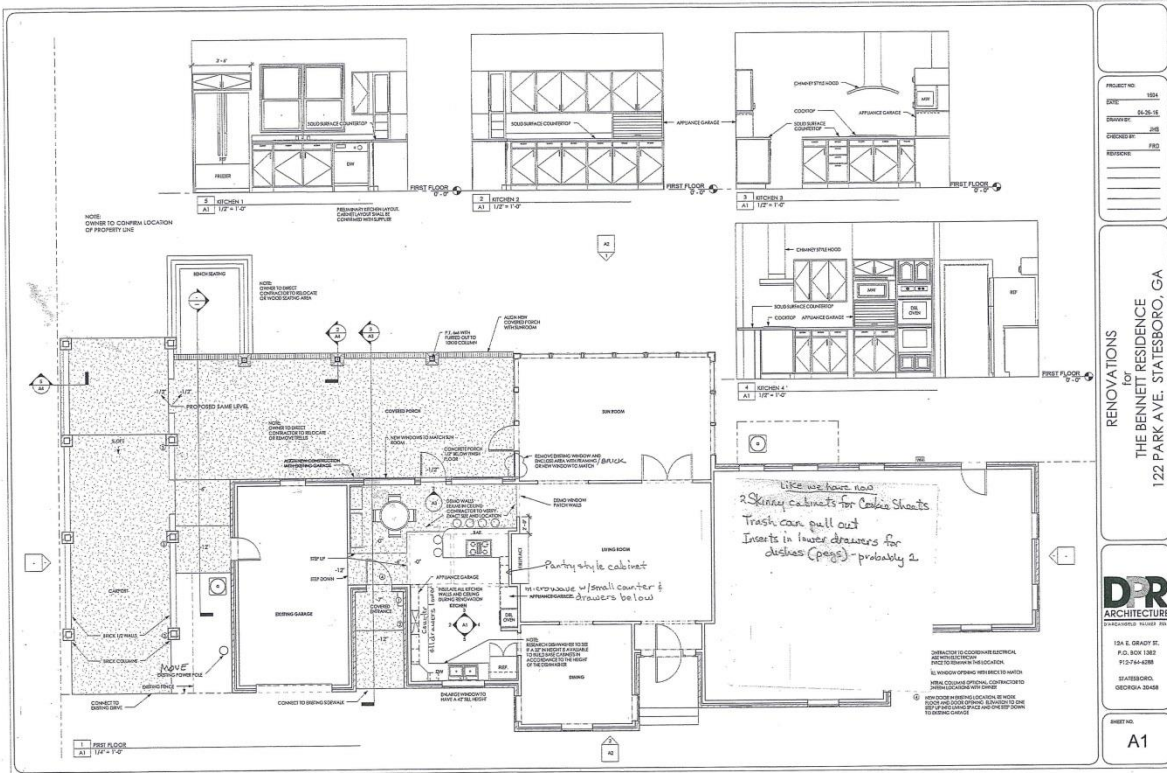
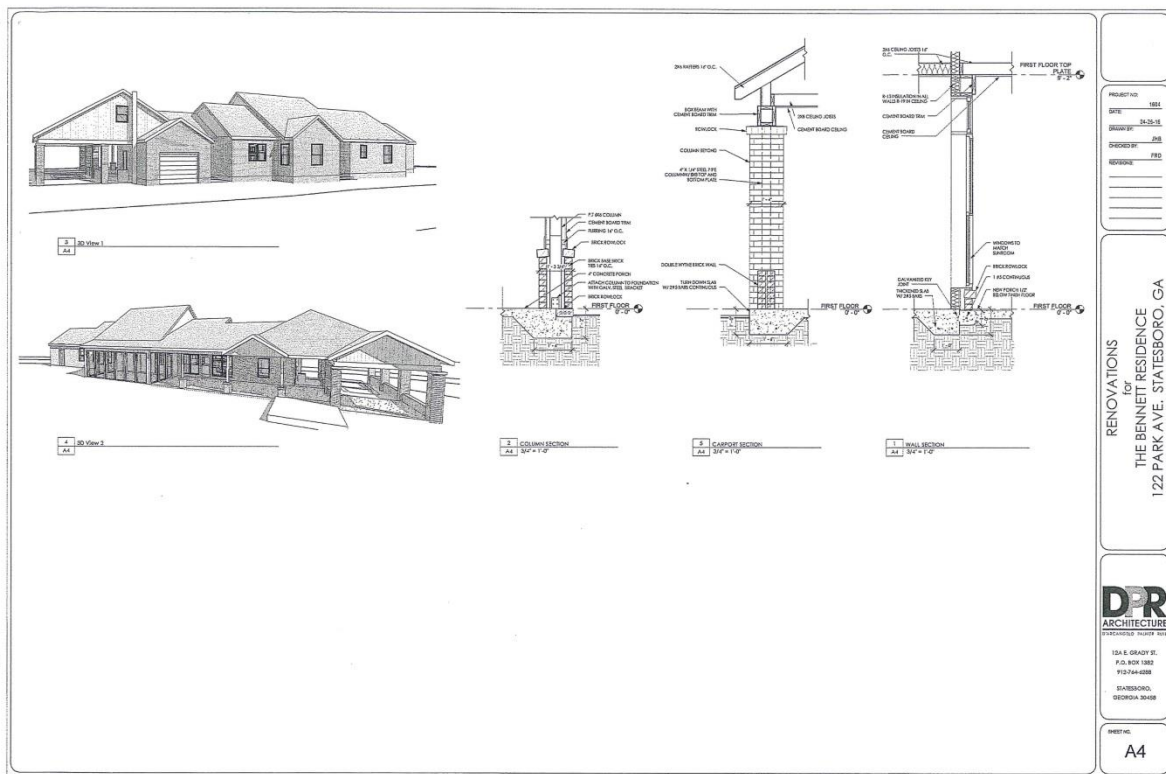
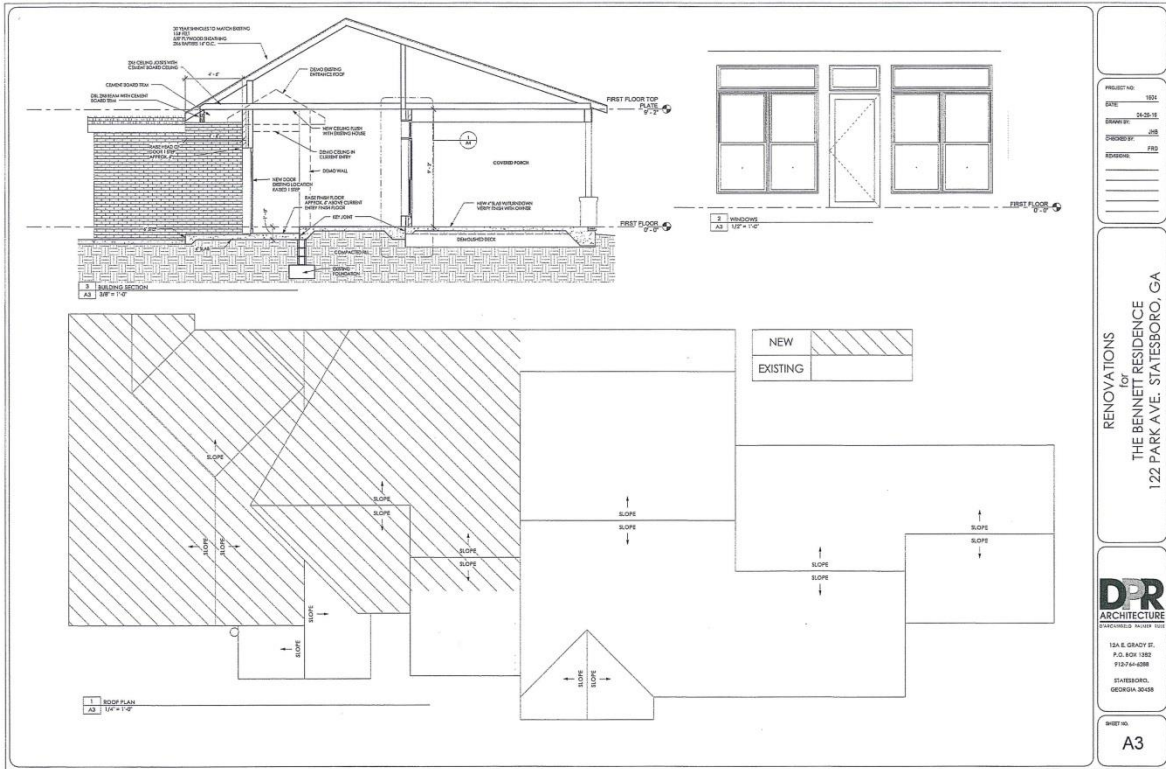


EXHIBIT C: FLOOR PLANS (CONT)




City of Statesboro
Building Permit

PD 01561

Job Address: 122 Park Ave			
1. Legal Desc.			
N/A { <input checked="" type="checkbox"/> }	San. Sewer { <input type="checkbox"/> }	Septic Tank { <input type="checkbox"/> }	City Water { <input type="checkbox"/> }
2. Owner	Mail Address	Phone	
Lovett Bennett	122 Park Ave	912-489-1152	
3. Contractor	Mail Address	Phone	GA State License #
Josh Anderson	302 Varnado Cir Claxton, GA	304-17	RBT 000457 012-601-9637
4. Architect/Engineer	Mail Address	Phone	
5. Use of Building: S. Fam. Res. { <input checked="" type="checkbox"/> } Multi-Fam. Res. { <input type="checkbox"/> } Accessory { <input type="checkbox"/> }			
Com. Bldg. { <input type="checkbox"/> } Industrial { <input type="checkbox"/> } Manf. Res. { <input type="checkbox"/> } Other { <input type="checkbox"/> }			
6. Class of Work: Erect { <input type="checkbox"/> } Addition { <input checked="" type="checkbox"/> } Renovation { <input type="checkbox"/> } Repair { <input type="checkbox"/> } Move { <input type="checkbox"/> } Demolish { <input type="checkbox"/> }			
7. Describe Work: Add carpet, porch & breakfast room & renovate			
8. Valuation of Work: \$ 75,000 Kitchen			

Special Conditions

 Approved For Issuance By:


City Official Date 6/24/16

Contact Engineering Department for required building inspections at (912) 764-0655 and Fire Inspector at (912) 764-FIRE for required fire inspections.

Notice:

- A. New construction shall meet all handicapped accessibility requirements.
- B. Construction in some areas may impact wetlands and require a separate permit from the Corps of Engineers. Permit holder agrees to hold the City of Statesboro harmless on any construction covered by such permit.
- C. This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 6 months at any time after work is commenced.
- D. Where applicable, general contractors and subcontractors must provide proof of a current Georgia State License.
- E. A "Certificate of Occupancy" shall be issued before any structure or building can be occupied.
- F. It is the permittee's responsibility to determine if lead based paint or asbestos exists in this structure, and contact the Georgia Environmental Protection Division if either is found.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be compiled with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law or code regulating construction or the performance of construction.


Signature of Owner/Contractor or Authorized Agent

7/14/2016
Date

Total \$ Building Permit Fee	651.95
Occ. Group	R
Type of Construction	II
Special Flood Hazard Area	Yes { } No { <input checked="" type="checkbox"/> }
Elevation Certificate Required	Yes { } No { <input checked="" type="checkbox"/> }

EXHIBIT E: PHOTOS OF SUBJECT SITE AND ADJACENT PROPERTY



Picture 1 Subject Site Depicting Location of Carport Compared to Adjacent Property Line and Fencing



Picture 2 Subject Site Depicting Brick Boundary of Carport in Comparison to Property Line and Fencing

EXHIBIT E: PHOTOS OF SUBJECT SITE AND ADJACENT PROPERTY (CONT)



Picture 3 Close-up of Carport Boundary in Comparison to Property Line and Fencing

EXHIBIT E: PHOTOS OF SUBJECT SITE AND ADJACENT PROPERTY (CONT)



Picture 4 Depiction of Carport Boundary as Related to Adjacent Property Fencing

CITY OF STATESBORO

COUNCIL

Phil Boyum
Sam Lee Jones
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John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Robert Cheshire, P.E.,
Deputy City Manager
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Candra Teshome, Planning & Development Specialist

Date: January 9, 2017

RE: January 17, 2017 City Council Agenda Items

Policy Issue: *Statesboro Code of Ordinances*: Chapter 6 (Alcoholic Beverages) Amendment

Recommendation: N/A

Background: 2nd reading of an amendment of Chapter 6 (Alcoholic Beverages) of the *Statesboro Code of Ordinances*

Budget Impact: None

Council Person and District: N/A

Attachments: Ordinance Amending Chapter 6 of the *Statesboro Code of Ordinances*

Ordinance 2017-01: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

A. Amend the existing Section 6-4(a) to strike and include following language:

Sec. 6-5. - Application procedure; contents of application; contents to be furnished under oath.

(a) Generally. The applicant for a license or permit under this chapter shall make a written application under oath on the form as proscribed by the City Clerk or his or her designated representative. A floor plan for each licensed premise as defined herein must be submitted with each application for a license under this chapter. At the time of initial application, a sketch from a surveyor registered in the state of Georgia shall be attached to the application which shall certify that all state and local proximity requirements for the proposed location have been met. Except as otherwise provided by law, such application shall be a public record and open to public inspection at a reasonable time and place.

B. Amend the existing Section 6-7(a-f) to strike and include following language:

Sec. 6-7—General regulations pertaining to all licenses.

(a) *License not transferable to another location.* Each license is issued for a specific location only and may not be transferred to another location. A new application is required for each licensed premise. No license may be issued to different licensees for the same location.

(b) *Transfer of license to another person.* No alcoholic beverage license shall be transferred from one person to another during the year in which the license or permit was obtained, except in the case of the death of a person holding a license, in which event his personal representative may continue to operate under the license for six months from the date of his qualification.

(c) *Location.* None of the above licenses shall be issued except in the following zones as defined in Appendix A (Zoning) of the Code of the City of Statesboro:

- (1) CBD, Commercial Business District;
- (2) CR, Commercial Retail District;
- (3) HOC; Highway Oriented Commercial District
- (4) LI; Light Industrial District

(d) *Proximity Requirements; Package sales for off-premises consumption governed by O.C.G.A. § 3-3-21.*

(1) Class B and C licenses shall be issued for a location only if the location complies with the proximity requirements provided by O.C.G.A. § 3-3-21 as measured by the Rules and Regulations promulgated by the Georgia Department of Revenue.

(2) Nothing in this subparagraph shall prohibit a grocery store licensed for the retail sale of only wine and malt beverages for consumption off the premises from selling wine or malt beverages within 100 yards of any college campus. As used in this subparagraph, the term "grocery store" shall, as provided in O.C.G.A. § 3-3-21(a)(1)(B), mean a retail establishment which has a total retail floor space of at least 10,000 square feet of which at least 85 percent is reserved for the sale of food and other nonalcoholic items, and conducts all of its sales inside the building containing its retail floor space and meets all other criteria by this ordinance.

(3) As further provided in O.C.G.A. § 3-3-21(a)(1)(B) the above proximity requirements shall not apply at any location for which a license has been issued prior to July 1, 1981, nor to the renewal of such license. Nor shall the above proximity requirements apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the twelve (12) months immediately preceding such application.

(e) *Proximity Requirements; Sales for Consumption on the Premises; local regulation permitted per O.C.G.A. § 3-3-21(b)(3).*

(1) Class D, Class E and Class F alcoholic beverage licenses shall not be issued for a location without a certificate from a land surveyor, registered in the state of Georgia, showing a scaled drawing of the location of the proposed premises and the shortest straight line distance from the front door/primary entrance to any church building, school building, educational building, school grounds, college building, or college campus located within a radius of 100 yards of the premises.

(2) No licenses shall be issued under this chapter for any location without a certificate from a land surveyor, registered in the state of Georgia, showing a scaled drawing of the location of the proposed premises and the shortest straight line distance from the front

door/primary entrance to any alcoholic treatment center building located within a radius of 100 yards of the premises.

(3) The proximity requirements for Class D, Class E and Class F licenses shall be in effect for all districts in which such licenses are authorized, with the exception of any restaurant as defined in this chapter that is granted a distance waiver permit for a restaurant by the Mayor and City Council pursuant to subsection 6-5(o).

(f) At the time of initial application, a sketch from a registered surveyor shall be attached to the application which shall certify that all state and local proximity requirements for the proposed location have been met. A survey may be required for property line measurements, in some instances, to include the minimum property line distances as required by state law.

First Reading: January 3, 2017

Second Reading: January 17, 2017

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

Ordinance 2017-01: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

A. Amend the existing Section 6-4(a) to strike and include following language:

Sec. 6-5. - Application procedure; contents of application; contents to be furnished under oath.

(a) Generally. The applicant for a license or permit under this chapter shall make a written application under oath on the form as proscribed by the City Clerk or his or her designated representative. A floor plan for each licensed premise as defined herein must be submitted with each application for a license under this chapter. At the time of initial application, a ~~plat sketch~~ from a ~~registered~~ surveyor **registered in the state of Georgia** shall be attached to the application which shall certify that all state and local proximity requirements for the proposed location have been met. Except as otherwise provided by law, such application shall be a public record and open to public inspection at a reasonable time and place.

B. Amend the existing Section 6-7(a-f) to strike and include following language:

Sec. 6-7—General regulations pertaining to all licenses.

(a) *License not transferable to another location.* Each license is issued for a specific location only and may not be transferred to another location. A new application is required for each licensed premise. No license may be issued to different licensees for the same location.

(b) *Transfer of license to another person.* No alcoholic beverage license shall be transferred from one person to another during the year in which the license or permit was obtained, except in the case of the death of a person holding a license, in which event his personal representative may continue to operate under the license for six months from the date of his qualification.

(c) *Location.* None of the above licenses shall be issued except in the following zones as defined in Appendix A (Zoning) of the Code of the City of Statesboro:

- (1) CBD, Commercial Business District;
- (2) CR, Commercial Retail District;
- (3) HOC; Highway Oriented Commercial District
- (4) LI; Light Industrial District

(d) *Proximity Requirements; Package sales for off-premises consumption governed by O.C.G.A. § 3-3-21.*

(1) Class B and C licenses shall be issued for a location only if the location complies with the proximity requirements provided by O.C.G.A. § 3-3-21 as measured by the Rules and Regulations promulgated by the Georgia Department of Revenue.

(2) Nothing in this subparagraph shall prohibit a grocery store licensed for the retail sale of only wine and malt beverages for consumption off the premises from selling wine or malt beverages within 100 yards of any college campus. As used in this subparagraph, the term "grocery store" shall, as provided in O.C.G.A. § 3-3-21(a)(1)(B), mean a retail establishment which has a total retail floor space of at least 10,000 square feet of which at least 85 percent is reserved for the sale of food and other nonalcoholic items, and conducts all of its sales inside the building containing its retail floor space and meets all other criteria by this ordinance.

(3) As further provided in O.C.G.A. § 3-3-21(a)(1)(B) the above proximity requirements shall not apply at any location for which a license has been issued prior to July 1, 1981, nor to the renewal of such license. Nor shall the above proximity requirements apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the twelve (12) months immediately preceding such application.

(e) *Proximity Requirements; Sales for Consumption on the Premises; local regulation permitted per O.C.G.A. § 3-3-21(b)(3).*

(1) Class D, Class E and Class F alcoholic beverage licenses shall not be issued for a location in which the nearest point on a wall of the building proposed as the licensed premises is closer than 100 yards in a straight line measurement to the nearest wall of a school building, an educational building on a college campus, or a church in existence at the time of the application for the initial license. **without a certificate from a land surveyor, registered in the state of Georgia, showing a scaled drawing of the location of the proposed premises and the shortest straight line distance from the front door/primary entrance to any church building, school building, educational building, school grounds, college building, or college campus located within a radius of 100 yards of the premises.**

~~(2) No licenses shall be issued under this chapter for any location in which the nearest point on a wall of the building proposed as the licensed premises is closer than 100 yards in a straight line measurement to the nearest point of the property line of an alcohol treatment center which is in existence at the time of the application for the initial license.~~
without a certificate from a land surveyor, registered in the state of Georgia, showing a scaled drawing of the location of the proposed premises and the shortest straight line distance from the front door/primary entrance to any alcoholic treatment center building located within a radius of 100 yards of the premises.

~~(3) No licenses shall be issued under this chapter for any location in which the nearest point on a wall of the building proposed as the licensed premises is closer than 100 yards in a straight line measurement to the nearest point of the property line of a private dwelling located within a single-family residentially zoned district which is in existence at the time of the application for the initial license.~~

(4) The proximity requirements for Class D, Class E and Class F licenses shall be in effect for all districts in which such licenses are authorized, with the exception of any restaurant as defined in this chapter that is granted a distance waiver permit for a restaurant by the Mayor and City Council pursuant to subsection 6-5(o).

(f) At the time of initial application, a plat **sketch** from a registered surveyor shall be attached to the application which shall certify that all state and local proximity requirements for the proposed location have been met. **A survey may be required for property line measurements, in some instances, to include the minimum property line distances as required by state law.**

First Reading:

Second Reading:

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: January 12, 2017

RE: January 17, 2017 City Council Agenda Items

Policy Issue: *Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages)*
Amendment so that Sec 6-6(b) comply with state regulations contained in GAC
560-2-2-.02(9)

Recommendation: Alcohol Advisory Board recommended 5-0.

Background: Public Hearing and First Reading

Budget Impact: None

Council Person and District: N/A

Attachments: Amended and existing Ordinance

Ordinance 2017-02: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

Sec. 6-6. - When issuance prohibited.

(b) *Convictions; Pending violations.* The term "conviction" as used in this paragraph shall include a finding or verdict of guilt, plea of guilty, or a plea of nolo contendere including also anyone currently on probation or otherwise currently under a court's supervision to avoid a judgment of guilt being entered under what is commonly referred to as "first offender sentence" or "pre-trial diversion program." No license for the sale of alcoholic beverages shall be issued to any person or applicant where the applicant or any individual person having an ownership interest in the business:

(1) ~~has been convicted within fifteen years immediately prior to the filing of the alcoholic beverage application with the City Clerk of any felony or for whom outstanding indictments, accusations or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred.~~ **of a felony who served any part of a criminal sentence, including probation within ten (10) years immediately following the date of receipt of submission of the application.** If at the time of application, the applicant is charged with any of the offenses prescribed in this subsection, consideration of the application shall be suspended until entry of a plea or verdict or dismissal;

(2) has been convicted within five years immediately prior to the filing of the alcoholic beverage application with the City Clerk of the violation (i) of any state or federal law pertaining to the manufacture, possession, transportation or sale of malt beverages, wine or intoxicating liquors, or the taxability thereof except a first conviction of selling alcohol to underage persons; (ii) of a crime involving moral turpitude; or (iii) of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident, or any misdemeanor serious traffic offense as defined in O.C.G.A. § 40-6-390 et seq., but excluding any first conviction for reckless driving or driving under the influence of alcohol or drugs in the past 10 years as measured from the date of arrest, or for whom outstanding indictments, accusations or criminal charges exist charging such individual

with any of such offenses and for which no final disposition has occurred. If at the time of application, the applicant is charged with any of the offenses prescribed in this subsection, consideration of the application shall be suspended until entry of a plea or verdict or dismissal;

(3) has been convicted of two violations of the ordinances of the City of Statesboro governing alcoholic beverages licensed hereunder within the last five years immediately prior to the filing of the licensee's application with the City Clerk, except as specifically provided in paragraph (c) below, concerning revocation of alcohol license, or paragraph (d) below, concerning selling alcohol to underage persons. If at the time of application, the applicant is charged with any of the offenses prescribed in this subsection, consideration of the application shall be suspended until entry of a plea or verdict or dismissal.

(4) has been convicted of a misdemeanor who served any part of a criminal sentence, including probation within five (5) years immediately preceding the date of receipt of submission of the application.

First Reading: January 17, 2017

Second Reading: February 7, 2017

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
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John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: January 12, 2017

RE: January 17, 2017 City Council Agenda Items

Policy Issue: *Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages)*
Amendment to change lookback period from 5 to 3 years

Recommendation: Alcohol Advisory Board recommended 5-0.

Background: Public Hearing and First Reading

Budget Impact: None

Council Person and District: N/A

Attachments: Amended and existing Ordinance

Ordinance 2017-03: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

Sec. 6-19. - Compliance; violations; penalties.

(c) Probation, suspension, revocation of license; administrative hearing, administrative hearing fee.

(10) In considering the term of suspension, whether to permanently revoke the license or whether to impose terms and conditions of probation on the license, the Mayor and City Council shall consider the following factors:

- a. The gravity of the violation;
- b. Any previous violations within the past ~~five~~ **three** years period as measured from the date of previous offense to the date of the current offense;
- c. Actions of the licensee, its employees, subcontractors or agents in connection with the violation.

First Reading: January 17, 2017

Second Reading: February 7, 2017

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

CITY OF STATESBORO

COUNCIL

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John C. Riggs
Travis L. Chance



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Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: January 12, 2017

RE: January 17, 2017 City Council Agenda Items

Policy Issue: *Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages)*
Amendment to change definition of "catered events."

Recommendation: Alcohol Advisory Board recommended 5-0.

Background: Public Hearing and First Reading

Budget Impact: None

Council Person and District: N/A

Attachments: Amended and existing Ordinance

Ordinance 2017-04: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

Sec. 6-3. - Definitions.

~~Catered Event: An event where alcoholic beverages are served by a licensed caterer for a particular function (i.e. retirement dinner, wedding reception, private party) to which the general public is not admitted where food is served, and the total cost of the food exceeds the cost of alcohol.~~ **An event where alcoholic beverages are served and/or sold by a licensed caterer for a particular function (i.e. retirement dinner, wedding reception, private party, sporting event, artistic performance) where the general public may be admitted and where food is served and the total cost of food exceed the cost of alcohol. City Council shall have the discretion to approve or deny any request submitted to have a catered event. City council may place any limiting restrictions on the catered event which it deems necessary and may consider factors including the location of the event, times of the event, amount of security provided, and any other factors deemed appropriate by Council in making its determination.**

First Reading: January 17, 2017

Second Reading: February 7, 2017

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

To: Randy Wetmore, City Manager

From: Jeffery Grant, Director of Human Resources

Date: January 10, 2017

RE: Personnel Policy Rewrite and Update

Policy Issue: The City of Statesboro Personnel Policies was last adopted September 21, 2004. The staff has under taken the initiative of rewriting these policies to reflect current local, state, federal guidelines; and current organizational standards and processes.

Recommendation: To approve the final draft of the City of Statesboro personnel policies.

Background: Over the course of the last few fiscal years multiple drafts of this personnel policy have been distributed for rewrite, review and revisions to an employee policy review committee, department heads, Human Resources, City Manager, City Attorney, City Council and outside legal counsel. The purpose of these task forces were to assist in the review of these policies and make recommendations to ensure regulatory clarity, currency, consistency and in some cases regulatory compliance.

Budget Impact: None

Council Person and District: All

Attachments:

Resolution

City of Statesboro Personnel Policies

**2017-03: A RESOLUTION ADOPTING THE NEW PERSONNEL
POLICIES AND PROCEDURES (EMPLOYEE HANDBOOK)
OF THE CITY OF STATESBORO, GEORGIA**

THAT WHEREAS, the City of Statesboro has previously adopted Personnel Policies and Procedures which set out the personnel policies of the City and:

WHEREAS, the City Manager, City Attorney, Outside Legal counsel and Director of Human Resources have reviewed the policies and procedures; and have prepared a complete revision of policies and procedures governing the personnel function in city government; and

WHEREAS, the Mayor and City Council have reviewed the proposed personnel policies and procedures as prepared by the City Manager, City Attorney, Legal Counsel and the Director of Human Resources; and

WHEREAS, the Mayor and City Council wish to adopt the complete revision of the City of Statesboro Personnel Policies and Procedures;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia as follows:

Section 1. That the document entitled “Personnel Policies and Procedures (Employee Handbook)”, dated January 17, 2017, attached hereto and incorporated into this Resolution by reference, is hereby adopted as the official personnel policies and procedures to be used to administer all personnel matters for the City of Statesboro; and that any ordinances, resolutions, motions or informal policies conflict with any provision of this adopted document are hereby repealed to the extent of any such conflict.

Section 2. That these Personnel Policies and Procedures may be referred to as the Employee Handbook, or the Personnel Policies and Procedures; and that no changes can be made in any of its provisions except by written Resolution of the Mayor and City Council.

Section 3. That this Resolution shall be and remain effective from January 17, 2017, upon its adoption by the Mayor and City Council

Adopted this 17th day of January, 2017.

CITY OF STATESBORO, GEORGIA

By: _____
Jan J. Moore, Mayor

Attest: _____
Sue Starling, City Clerk

COUNCIL
Phil Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Travis L. Chance, District 5



Jan J. Moore, Mayor
Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
J. Alvin Leaphart, City Attorney

City of Statesboro

*50 East Main Street P.O. Box 348
Statesboro, Georgia 30459*

To: Mayor and Council

From: Randy Wetmore, City Manager

Date: January 10, 2017

RE: Fiscal Year 2016 Classification and Compensation Study

Policy Issue: Phase II Implementation of the Classification & Compensation Study
I

Recommendation: To approve Phase II implementation of the FY 2016
Classification and Compensation Plan provided by Evergreen Solutions Inc.

Background: In Fiscal Year 2016, the City of Statesboro hired Evergreen Solutions Inc. to conduct a Compensation Study. The purpose of the study was to review the City's existing classification and compensation structure for internal and external equity. The compensation analysis focused on the market competitiveness of the City's current pay structure, as well as the internal structure of the compensation and classification system. At the conclusion of the study the following budget recommendations were made and hereby adopted by City Council to implement a new Compensation Plan, provided by Evergreen Solutions Inc. as follows:

- o Phase I – Bring applicable Employees to the Proposed Minimum Salary, Fiscal Year 2016;
- o Phase II – 50% of the Compa-Ratio - Move to Market option, Fiscal Year 2017 pending funding availability and council approval;

COUNCIL
Phil Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Travis L. Chance, District 5



Jan J. Moore, Mayor
Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
J. Alvin Leaphart, City Attorney

City of Statesboro

*50 East Main Street P.O. Box 348
Statesboro, Georgia 30459*

- Phase III – 50% of the remaining Compa-Ratio - Move to Market option, Fiscal Year 2018 pending funding availability and council approval;

Budget Impact: The approximate impact to the current budget will be \$65,000 for all funds. This amount is already included in the conservatively prepared FY2017 Budget. As of December 2016, some revenues have come in higher than projected. Also, the vast majority of departments are approximately 2% under budget for the fiscal year. It appears FY2016 balances are going to be slightly higher than what was anticipated for FY2016. We should be in a position to pay the \$65,000 without any issues.

Council Person and District: All

Attachments:

Resolution

**A RESOLUTION TO ADOPT A NEW
CLASSIFICATION AND COMPENSATION PLAN
(Amendment 2017-04)**

THAT WHEREAS, it is essential to have qualified municipal employees in order to provide reliable services to the citizens of Statesboro; and

WHEREAS, in order to accomplish this the City Manager has made a recommendation to the approve the Phase II implementation of the Fiscal Year 2016 Classification and Compensation Comp Study;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled this 17th day of January, 2017 as follows:

Section 1. That the recommendations to implement Phase II of the Fiscal Year 2016 Classification and Compensation Plan provided by Evergreen Solutions Inc., is hereby further adopted as follows:

- o Phase II – 50% of the Compa-Ratio - Move to Market option, Fiscal Year 2017**
- o Phase III – 50% of the remaining Compa-Ratio - Move to Market option, Fiscal Year 2018 pending funding availability and council approval;**

Section 2. That this Resolution shall be passed and adopted this 17th day of January, 2017.

CITY OF STATESBORO, GEORGIA

**By: _____
Jan J. Moore, Mayor**

**Attest: _____
Sue Starling, City Clerk**



Timothy E. Grams
Fire Chief

Statesboro Fire Department

*Proudly serving the City of Statesboro and
surrounding communities since 1905!*



Jan J. Moore
Mayor

City Council Agenda Memorandum

To: Randy Wetmore, City Manager

From: Timothy, E Grams, Fire Chief

Date: 01/09/2017

RE: Training Center Bid

Policy Issue: NA

Recommendation: Recommend the approval of awarding of contract to the lowest bidder, Hawk Construction, LLC, for the completion of the training tower and burn building located at the public safety training center on Hwy 301 North in the amount of \$73,560.00.

Background: This project is the last major phase needed to complete the Fire Facilities at the Public Safety Training Center off of 301 North. It includes the construction of the repelling wall on the tower as well as some trim work at the base. It also includes the construction and installation of all doors, vents, platforms, stairs and burn racks for the burn building and the construction and installation of the ventilation simulator on the roof of the burn building. All steel construction for durability and reduced maintenance. The bidding process was conducted as outlined per City Ordinance. The initial bid process yielded only one bid which required the project to be rebid. At the conclusion of the second process Hawk Construction, LLC, had submitted the only bid in the amount of \$73,560. Per City Ordinance a single bid can be accepted after the completion of a second bidding process. Bid packets were sent to multiple contractors for both processes.

Budget Impact: This project is listed as a CIP project utilizing 2013 SPLOST dollars (FD-62). The amount budgeted for the project is \$81,561.00. Cost associated with maintaining the facilities are expected to be minimal. Additionally, having these



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Fire Chief*

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*Jan J. Moore
Mayor*

facilities available will reduce the need to send individuals for specialized classes that can now be accomplished through in-service training thereby saving the department those associated cost.

Council Person and District: N/A Located outside of City Limits.

Attachments: Documents associated with the bidding process.

- Non-Collusion Affidavit
- Bid Price Form
- Contractor Affidavit
- Certificate of Liability
- Bid opening documentation

Bid Price Form: (Please sign this form and all other areas required)

Bid Amount Fire Training Tower: \$ 27,375.00
Bid Amount Live Fire Training Building: \$ 46,185.00
Total Bid Amount—Both Projects: \$ 73,560.00

- Bid shall be awarded to the lowest responsive bid based on the Total Bid Amount and not individually.

(As stated in this bid package, this bid price is all-inclusive.)

Please include copies of your general liability insurance and workers compensation insurance (as required by the State of Georgia.

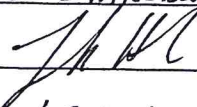
Please include your E-verify number in the space below:

E-Verify Number: 821970

Date: 12/22/2016

Company: HAWK Construction LLC

Address: 742 Metts Rd Statesboro GA 30461

Authorized Agent Signature:  /Printed: Zach Hawk

Phone: 912-587-5890 / 912-481-1701



Non-Collusion Affidavit

State of (Georgia)
County of Bulloch ss.

Zach Hawk, being first duly sworn, deposes and says that he or she is Owner of Hawk Construction LLC the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

12/22/16 (Date)
Hawk Construction LLC (Bidder Name)
742 Metts Rd (Address)
Statesboro GA 30461 (City, State, Zip)
Zach Hawk (Authorized Representative)
Owner (Representative's Title)



Contractor Affidavit Under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of City of Statesboro has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

47-1564666
Federal Work Authorization User Identification Number

8/12/14
Date of Authorization

Hawk Construction LLC
Name of Contractor

Fire Training Tower / Live Fire Training Building Enhancements
Name of Project

City of Statesboro
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

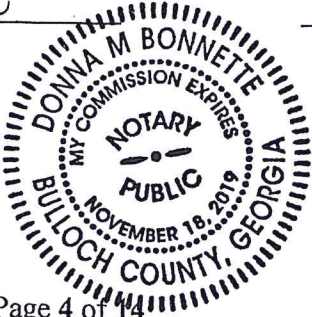
Executed on December, 22, 2016 in Statesboro (city),
GA (state).

[Signature]
Signature of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE 22 DAY OF Dec.,
2016.

Donna M Bonnette
Notary Public

Nov. 18, 2019
My Commission Expires



CITY OF STATESBORO

COUNCIL

Phil Boyum
Sam Lee Jones
Jeff Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Robert Cheshire, P.E.,
Deputy City Manager
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Candra Teshome, Planning & Development Specialist

Date: January 9, 2017

RE: January 17, 2017 City Council Agenda Items

Policy Issue: 2016 Development Review

Recommendation: N/A

Background: This presentation provides a summary of the number of building permits, and their value, issued by the Department of Planning and Development in 2016.

Budget Impact: None

Council Person and District: N/A

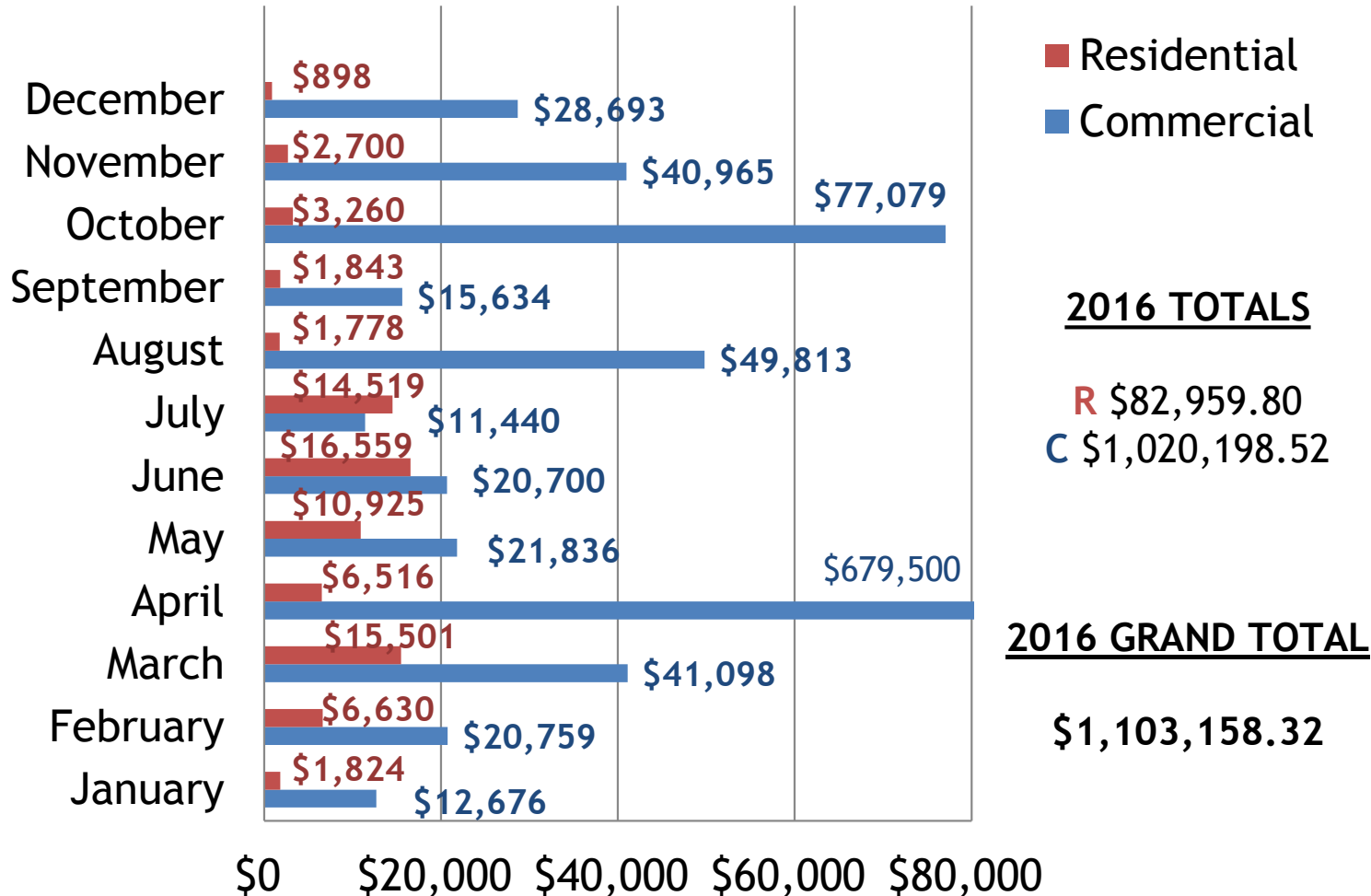
Attachments: 2016 Development Review Presentation



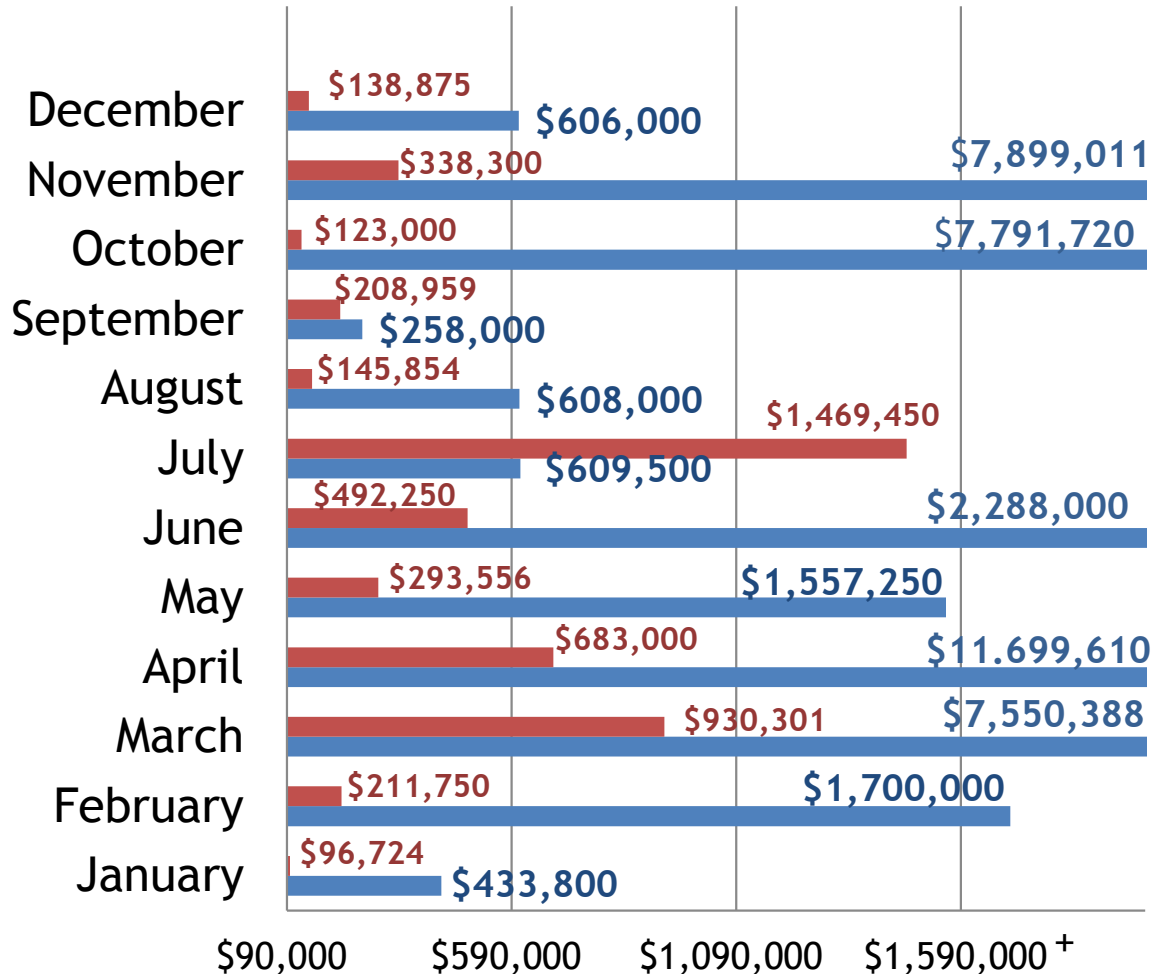
2016 DEVELOPMENT REVIEW

DEPARTMENT OF PLANNING &
DEVELOPMENT
FRANK NEAL, AICP, DIRECTOR

BUILDING PERMIT Fees Collected



BUILDING PERMIT Construction Value



■ Residential
■ Commercial

2016 TOTALS

R \$5,132,021
C \$43,028,280

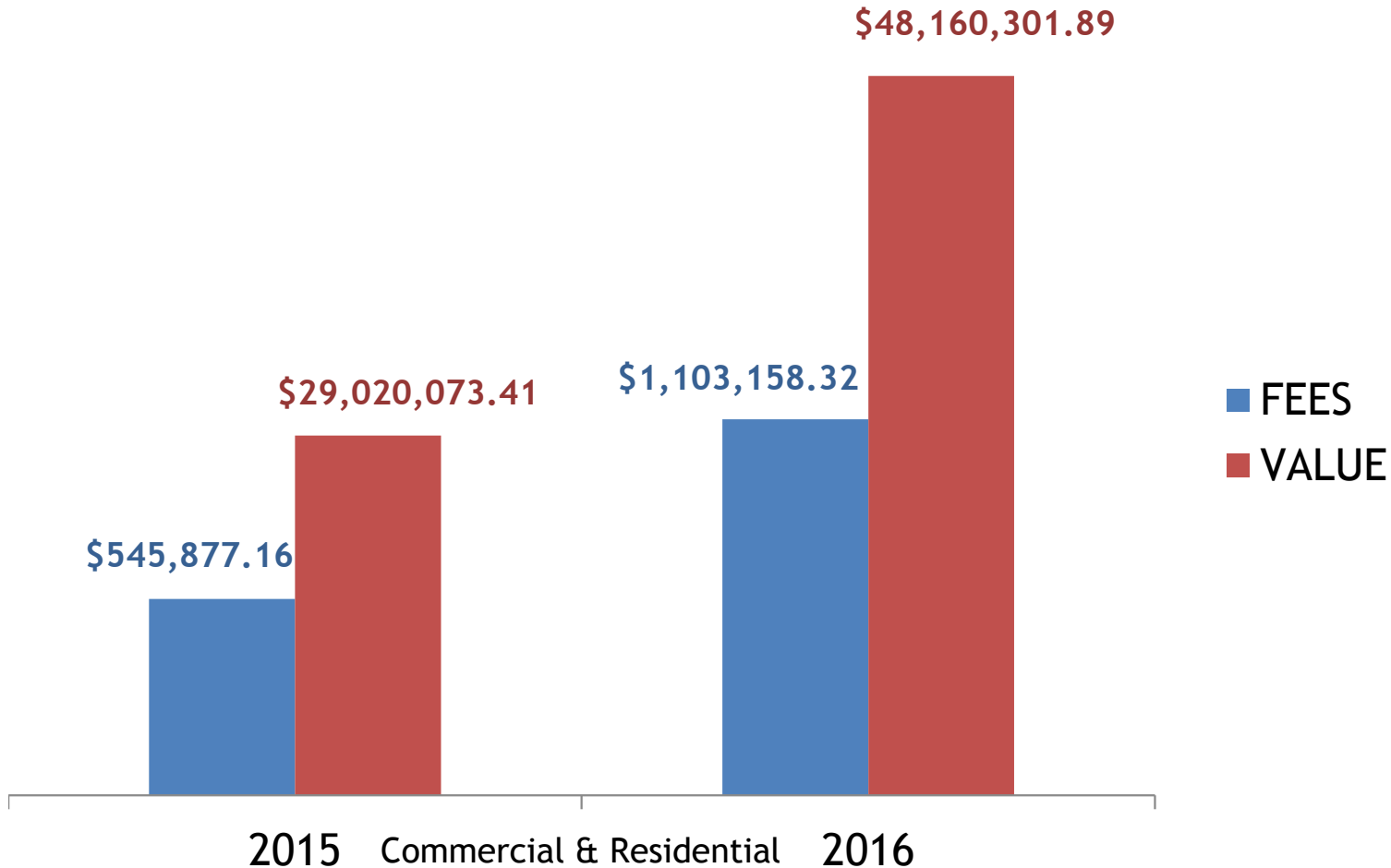
2016 GRAND TOTAL

\$48,160,301.89

2
0
1
6

BUILDING PERMITS

Commercial & Residential



NEW CONSTRUCTION

Commercial retail



\$500,000.00
Construction Value



\$700,000.00
Construction Value

2
0
1
6

NEW CONSTRUCTION

Commercial Retail



Little Italy Pizzeria
\$450,000.00 Construction Value



BBWH Insurors
\$800,000.00 Construction Value

2
0
1
6

NEW CONSTRUCTION

Commercial Retail



PREMIER DENTAL

\$562,500.00 Construction Value



STATESBORO CARDOLOGY

\$1,600,000.00 Construction Value

2
0
1
6

RENOVATIONS

Commercial Retail



\$425,000.00 Construction Value



\$350,000.00 Construction Value

2
0
1
6

NEW CONSTRUCTION

Residential



BEACON Place Townhouses
\$9,450,000.00 Construction Value



NEWPORT TRACE
\$49,129.00 Construction Value

2
0
1
6

NEW CONSTRUCTION

Permitted Commercial Retail



Walmart Neighborhood
\$582,000.00 Construction Value



AG SOUTH
\$3,000,000.00 Construction Value

2
0
1
6
/
2
0
1
7

NEW CONSTRUCTION

Permitted Commercial Retail



BULLOCH FIRST BANK
\$1,984,000.00
Construction Value



HOMES 2 SUITES
\$7,500,000.00
Construction Value

2
0
1
6
/
2
0
1
7