



**March 04, 2014 9:00 am**

1. Call to Order by Mayor Jan Moore
2. Invocation and Pledge of Allegiance by Mayor Pro Tem Will Britt
3. Recognitions/Public Presentations
  - A) Presentation of the Beautification Award by Mr. Henry Clay
    - a) The Forum at Statesboro
    - b) Hendley Properties, Inc.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 02-18-2014 Council Minutes
  - B) Notification of alcohol license application:
    - a) Licensee: Alvin Friesen  
DBA: Food World #792  
Location: 603 Northside Drive West  
Type of Alcohol License: Retail Beer & Wine Packaged Only  
Type of Business: Package (Grocery Store)
    - b) Licensee: Alvin Friesen  
DBA: Food World #793  
Location: 620 Fair Road  
Type of Alcohol License: Retail Beer & Wine Packaged Only  
Type of Business: Package (Grocery Store)
  - C) Consideration of a Motion to approve **Resolution 2014-04**: A Resolution authorizing the waiver of any payment in lieu of taxes (pilot) by the Statesboro Housing Authority to the City of Statesboro for the 2013 tax year.
6. Consideration of a Motion to approve **Resolution 2014-03**: A Resolution adopting a temporary six month moratorium on the acceptance, issuance, and processing of alcohol license applications for locations where a previously licensed premises was adjudicated a public nuisance by a court of competent jurisdiction.
7. Consideration of a Motion to award a construction contract for phase II of the fire station project to BAK Builders, LLC in the amount of \$422,562.

8. Consideration of a Motion to approve **Ordinance 2014-01**: An Ordinance Amending Certain Sections of Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)(Drive-Thru Sales).
9. Other Business from City Council
  - A) Planning and Development will have an update regarding the selection of the design team for the GSU/COS Fab Lab project.
10. Public Comments (General)
11. Consideration of a Motion to Adjourn



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**CITY OF STATESBORO  
Council Minutes  
February 18, 2014**

A regular meeting of the Statesboro City Council was held on February 18<sup>th</sup>, 2014 at 5:15 p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Will Britt, Phil Boyum, John Riggs, Gary Lewis and Travis Chance. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Attorney Alvin Leaphart, City Engineer Robert Cheshire and Director of Community Development Mandi Cody.

The meeting was called to Order by Mayor Jan Moore.

The Invocation was given by Reverend Lee and Pledge of Allegiance was led by Councilman Travis Chance.

**Recognitions/Public Presentations**

- A) Ms. Carrie Howard would like to present a certificate to Mayor Moore.
- B) “Recognition of the Statesboro Police Department in the Morris Street Rescue.”

Ms. Carrie Howard presented Mayor Moore with a certificate of recognition for her accomplishment as being the first Mayor of the City of Statesboro.

Director of Human Resource Jeff Grant presented plaques to the Police Officers for their performance in the Morris Street Rescue. They were: Officer Casey Tomlinson, Officer Elizabeth Johnson, Corporal Nicholas Davis, Sgt. Randy Powell, Officer Ricardo Moreno and Detective Kevin Wadley.

**Public Comments (Agenda Item):** None

**Consideration of a Motion to approve the Consent Agenda**

- A) **Approval of Minutes**
  - a) **02-04-2014 Council Minutes**
- B) **Consideration of a Motion to approve the surplus of the 2003 Chevrolet Impala VIN 2G1WF55KX39306545 formerly utilized by the Code Compliance Division due to high mileage and cost prohibitive repair and maintenance needs.**
- C) **Consideration of a Motion to approve Resolution 2014-02: A Resolution to adopt the second amendment to the fiscal year 2014 Budget for each fund of the City of Statesboro, Georgia, appropriating the amounts shown in each budget as expenditures/expenses, adopting the several items of revenue anticipation, and prohibiting expenditures or expenses from exceeding the actual funding appropriated.**

**D) Consideration of a Motion to approve the addendum to Frank C. Parker's employment contract.**

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve the consent agenda in its entirety. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion for Planning & Development to update and report to Council regarding the October 15, 2013 Council approval for temporary location of L&D Produce at Highway 80.**

Director of Community Development Mandi Cody gave Council an update on the temporary license that was issued to L&D Produce. The license expired on February 15<sup>th</sup>, 2014 and requirements for a permanent license have not been met. Councilman Chance asked Ms. Cody to contact the license holder and ask what his intentions were and a time line to complete the necessary requirements to continue to do business. There was no action taken on this item.

**Consideration of a Motion to approve the agency agreement with Georgia Technology Authority (GTA)**

Councilman Chance made a motion, seconded by Councilman Lewis to approve the agency agreement with Georgia Technology Authority (GTA). Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a motion to approve the addition of three (3) line Firefighters to the Fire Department's authorized personnel.**

Councilman Riggs made a motion, seconded by Councilman Chance to approve the addition of three (3) line Firefighters to the Fire Department's authorized personnel. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to approve Ordinance 2014-01: An Ordinance Amending Certain Sections of Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)(Drive-Thru Sales).**

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to table **Ordinance 2014-01**: An Ordinance Amending Certain Sections of Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages) (Drive-Thru Sales). Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the request. The motion carried by a 5-0 vote.

**Other Business from City Council**

City Manager Frank Parker asked Council for a motion to set the date of April 14<sup>th</sup> 2014 for the budget retreat. It will be held in the Council Chambers unless a decision is made later to change the location. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Boyum to set

April 14<sup>th</sup> as the date for the budget retreat. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

City Engineer Robert Cheshire updated Council regarding the Public Works Department helping our neighboring counties with the cleanup work after the ice storm. He stated most of their crews were sent to Screven County.

City Manager Frank Parker announced that today was his 30<sup>th</sup> anniversary.

Councilman Travis Chance thanked the fire department for their efforts in handling a house fire across the street from his home. He stated the fire department was able to save most of the house and it could be restored.

### **Public Comments (General)**

Ms. Carrie Howard praised the fire department for their quick response to the house fires in her neighborhood.

### **Consideration of a Motion to Adjourn**

Councilman Chance made a motion, seconded by Mayor Pro Tem Will Britt to adjourn. Councilman Britt, Boyum, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

The meeting adjourned at 6:10 pm.

CITY OF STATESBORO, GEORGIA

RECEIVED  
2/11/14

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 2/11/14

TYPE OF BUSINESS TO BE OPERATED:

<input checked="" type="checkbox"/>	RETAIL BEER & WINE PACKAGED ONLY	\$1,250.00	625 <sup>00</sup>
<input type="checkbox"/>	RETAIL BEER & WINE BY THE DRINK	\$1,250.00	
<input type="checkbox"/>	BEER, WINE & LIQUOR BY DRINK	\$3,750.00	
<input type="checkbox"/>	WHOLESALE LICENSE	\$1,000.00	
<input checked="" type="checkbox"/>	APPLICATION FEE - PACKAGED SALES	\$ 150.00	
<input type="checkbox"/>	APPLICATION FEE - POURING SALES	\$ 150.00	

APPLICANTS FULL NAME ~~Alvin~~ Alvin Frousen

OWNERS NAME HAC, Inc

DBA (BUSINESS NAME) Food World #792

CHECK THE TYPE OF ALCOHOL LICENSE YOU ARE APPLYING FOR:  
RESTAURANT  SPORTS RESTAURANT  PRIVATE CLUB  PACKAGE

BUSINESS ADDRESS 603 Northside Drive, Statesboro, GA

BUSINESS MAILING ADDRESS P.O. Box 25008, Atten Mike Brown, Oklahoma City, OK 73175

BUSINESS TELEPHONE # (405) 290-3000

ARE YOU A CITIZEN OF THE UNITED STATES?  YES  NO

HAVE YOUR EVER BEEN ARRESTED FOR ANYTHING?  YES  NO

IF YES, WHEN AND WHY \_\_\_\_\_

IS THE APPLICANT THE OWNER OF THE BUSINESS?  YES  NO

IF NO, WHAT IS YOUR TITLE IN THE BUSINESS? Controller / Treasurer

HOW MANY PARTNERS, SHAREHOLDERS, ETC. ARE INVOLVED IN THE BUSINESS 2

PLEASE LIST BELOW:  
John Darrell Fitzgerald \_\_\_\_\_  
Deborah Ann Brown \_\_\_\_\_

CITY OF STATESBORO, GEORGIA

RECEIVED  
2/17/14

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 2-17-14

TYPE OF BUSINESS TO BE OPERATED:

<input checked="" type="checkbox"/>	RETAIL BEER & WINE PACKAGED ONLY	\$1,250.00	<u>625.00</u>
<input type="checkbox"/>	RETAIL BEER & WINE BY THE DRINK	\$1,250.00	
<input type="checkbox"/>	BEER, WINE & LIQUOR BY DRINK	\$3,750.00	
<input type="checkbox"/>	WHOLESALE LICENSE	\$1,000.00	
<input checked="" type="checkbox"/>	APPLICATION FEE - PACKAGED SALES	\$ 150.00	
<input type="checkbox"/>	APPLICATION FEE - POURING SALES	\$ 150.00	

APPLICANTS FULL NAME Alvin Eriksen

OWNERS NAME HAC, Inc.

DBA (BUSINESS NAME) Food World # 793

CHECK THE TYPE OF ALCOHOL LICENSE YOU ARE APPLYING FOR:

RESTAURANT  SPORTS RESTAURANT  PRIVATE CLUB  PACKAGE

BUSINESS ADDRESS 620 Fair Road, Statesboro, GA 30458

BUSINESS MAILING ADDRESS P.O. Box 25008, OKC, OK 73125

BUSINESS TELEPHONE # 405-290-3000

ARE YOU A CITIZEN OF THE UNITED STATES?  YES  NO

HAVE YOUR EVER BEEN ARRESTED FOR ANYTHING?  YES  NO

IF YES, WHEN AND WHY \_\_\_\_\_

IS THE APPLICANT THE OWNER OF THE BUSINESS?  YES  NO

IF NO, WHAT IS YOUR TITLE IN THE BUSINESS? Controller / Treasurer

HOW MANY PARTNERS, SHAREHOLDERS, ETC. ARE INVOLVED IN THE BUSINESS 2

PLEASE LIST BELOW:

John Darrell Fitzgerald \_\_\_\_\_

Deborah Ann Brown \_\_\_\_\_

RESOLUTION 2014-04: A RESOLUTION AUTHORIZING THE WAIVER OF ANY PAYMENT IN LIEU OF TAXES (PILOT) BY THE STATESBORO HOUSING AUTHORITY TO THE CITY OF STATESBORO FOR THE 2013 TAX YEAR

THAT WHEREAS, the City of Statesboro has previously established the Statesboro Housing Authority to provide subsidized rental housing to low- and moderate-income citizens; and

WHEREAS, the Statesboro Housing Authority is exempt from property taxes but is required to make a payment in lieu of taxes (PILOT) based upon the amount of rental income during the fiscal year; and

WHEREAS, in previous years the Mayor and City Council have annually waived the requirement to make this payment in lieu of taxes in order for the Housing Authority to utilize that money on capital improvements and/or maintenance on its facilities; and

WHEREAS, the Statesboro Housing Authority has asked that the payment in lieu of taxes be waived again for the 2013 tax year, with the \$20,140.88 to be used for maintenance on the facilities; and

WHEREAS, the Statesboro Housing Authority has provided evidence that prior PILOT funds that were waived have been used for maintenance on the facilities; and

WHEREAS, the Statesboro Housing Authority and the City of Statesboro enjoy an excellent working relationship, and the Mayor and City Council wish to assist the Authority in its maintenance efforts;

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

Section 1. That the "Payment in Lieu of Taxes" in the amount of \$20,140.88 due to the City for the 2013 Tax Year from the Statesboro Housing Authority is hereby waived so that the funds can be used for additional maintenance on the Authority's facilities.

Section 2. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Passed and adopted this \_\_\_\_ day of March, 2014.

CITY OF STATESBORO, GEORGIA

BY: \_\_\_\_\_  
Jan J. Moore, Mayor

ATTEST: \_\_\_\_\_  
Sue Starling, City Clerk



Resolution 2014-03

**A RESOLUTION**

A RESOLUTION ADOPTING A TEMPORARY SIX MONTH MORATORIUM ON THE ACCEPTANCE, ISSUANCE, AND PROCESSING OF ALCOHOL LICENSE APPLICATIONS FOR LOCATIONS WHERE A PREVIOUSLY LICENSED PREMISES WAS ADJUDICATED A PUBLIC NUISANCE BY A COURT OF COMPETANT JURISDICTION

**WITNESSETH**

**WHEREAS**, the duly elected governing authority of the City of Statesboro, Georgia is authorized under Article 9, Section 2, of the Constitution of the State of Georgia to enact reasonable ordinances to protect the health, safety, and quiet enjoyment of its citizenry;

**WHEREAS**, the duly elected governing authority of the City of Statesboro, Georgia is the Mayor and City Council thereof;

**WHEREAS**, O.C.G.A. § 3-3-2 provides the Mayor and City Council of Statesboro discretionary powers within the guidelines of due process to grant or refuse, suspend, or revoke permits or licenses for the sale of alcoholic beverages within the city limits of Statesboro;

**WHEREAS**, the Mayor and City Council of Statesboro exercise the powers granted in O.C.G.A. § 3-3-2 through Chapter 6 of the Code of Ordinances of the City of Statesboro;

**WHEREAS**, Chapter 6 of the Code of Ordinances of the City of Statesboro does not currently address the grant or refusal of an alcoholic beverage license for a location where a previously licensed premises was adjudicated to be a public nuisance;

**WHEREAS**, proposed substantial revisions to Chapter 6 of the Code of Ordinances of the City of Statesboro are currently being studied and drafted, and it is expected that these revisions will address the grant or refusal of an alcoholic beverage license for a location where a previously licensed premises was adjudicated to be a public nuisance

**WHEREAS**, the interest of the public generally is served by appropriate regulations addressing the grant or refusal of an alcoholic beverage license for a location where a previously licensed premises was adjudicated to be a public nuisance;

**WHEREAS**, a moratorium on the acceptance and processing of applications for alcoholic beverage licenses for a location where a previously licensed premises was adjudicated to be a public nuisance, and on the issuance of such licenses for six (6) months, will not deny property owners economically viable use of their property, and will afford the Mayor and City Council the time necessary to put into place reasonable regulations to further the aforesaid purposes;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of Statesboro that no alcoholic beverage license for a location where a previously licensed premises was adjudicated to be a public nuisance be accepted, approved, or, for those applications already filed, processed during this six (6) month period.

This moratorium shall take effect immediately upon passage and expire six (6) months from the effective date of this Resolution, upon adoption by the City of reasonable regulations to further the aforesaid purposes, or repeal by the Mayor and City Council, whichever occurs first.

The Mayor and City Council may extend this moratorium established by this resolution upon a finding by the Mayor and City Council that the problems that gave rise to the original moratorium continue to exist and that progress is being made by the City but that additional time is necessary to adequately address the issues facing the City.

**APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF STATESBORO** at a regular meeting of the Mayor and Council on the \_\_\_\_\_<sup>st</sup> day of \_\_\_\_\_, 2014.

CITY OF STATESBORO, GEORGIA:

\_\_\_\_\_  
Jan J. Moore, Mayor

ATTEST:

\_\_\_\_\_  
Sue Starling, City Clerk

# Memo



**TO: Frank Parker, City Manager**

**FROM: Darren Prather, Purchasing Director**

**DATE: 2-26-2014**

**Re: Sealed Bid: Phase II Construction/Fire Station**

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The City of Statesboro recently solicited sealed bids for the completion of phase II for the fire station on West Grady Street. Phase II will convert the old existing bays into sleeping and dining facilities. The fire engines and equipment will then be stored in the recently constructed bays of the phase I project. Complete plans are available from the project architect (Martin & Rule) for viewing of project details. Contractors were asked to submit a base bid and two (2) deductive alternates. The deductive alternates are to be subtracted from the base bid total if it is felt the project budget can't sustain the full construction scope. Deductive alternate 1 eliminated the enclosure of the S.E. Corner of the project and deductive alternate 2 eliminated the ACF final finish and would leave only masonry block for the exterior. This project was advertised and conducted in compliance with state public works laws. In addition, we held a mandatory pre-bid conference to afford any clarification needed by the contractors relating to this project. As a result, two (2) addendums were issued and complied with in the sealed bid responses. We had a total of eight (8) general contractors in attendance at the pre-bid meeting. Of these, six (6) submitted sealed bids and they are as follows: (Subtotal 1 represents Deductive Alternate 1 subtracted from the Base Bid, Subtotal 2 represents Deductive Alternate 2 subtracted from the Base Bid and Subtotal 3 represents both Deductive Alternates subtracted from the Base Bid.)

	<u>Name</u>	<u>Base Bid</u>	<u>D. Alt. 1/D. Alt. 2</u>	<u>Sub. Total 1</u>	<u>Sub. Total 2</u>	<u>Sub. Total 3</u>
1.	<b>BAK Builders</b>	<b>\$422,562</b>	\$35,489/\$8,020	<b>\$387,073</b>	<b>\$414,542</b>	<b>\$379,053</b>
2.	CMC Const.	\$442,300	\$29,500/\$8,800	\$412,800	\$433,500	\$404,000
3.	Paul Akins	\$458,900	\$27,700/\$8,000	\$431,200	\$450,900	\$423,200
4.	Pearce Build. Sys.	\$493,898	\$39,298/\$10,200	\$454,600	\$483,698	\$444,400
5.	Tippins-Polk	\$464,400	\$36,000/\$12,800	\$428,400	\$451,600	\$415,600
6.	Y-Delta	\$464,700	\$31,200/\$11,600	\$433,500	\$453,100	\$421,900

After having a discussion with Fire Department representatives and the project architect, we recommend the construction contract be awarded to BAK Builders, LLC as they have submitted the lowest responsive bid of \$422,562. It is felt that the items contained in the deductive alternates would eventually have to be done and it is most cost effective to award an all-inclusive project scope. This will leave approximately \$100,000 for the final phase III that includes renovations to provide administrative office spaces. This area is currently comprised of office and sleeping spaces. Since this section contains non-load bearing walls, it is expected to perform the majority of this phase with in-house resources.

**Ordinance #2014-01**  
**An Ordinance Amending Certain Sections of 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 certain sections of Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia;

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

SECTION 1:

Section 6-91 to the Code of Ordinances of the City of Statesboro is hereby amended in its entirety and shall read as follows:

**Sec. 6-91.** Drive-through sales of alcoholic beverages for off-premises consumption permitted.

- (a) For purposes of this chapter, the term "drive-through sale" means the sale of alcoholic beverages for off-premises consumption where the customer remains in his vehicle and where the licensee consummates the sale through a drive-through window affixed to the licensed premises.
- (b) It shall be lawful for a licensee to sell or offer for sale alcoholic beverages for off-premises consumption within the city by means of a drive-through sale.
- (c) Sales where the alcoholic beverage is delivered by the licensee to a customer outside the licensed premises by any means other than a drive-through window affixed to the licensed premises are prohibited.
- (d) This section is not applicable for sales of alcoholic beverages for consumption on the premises, and does limit or alter the prohibitions contained in Section 6-163.

SECTION 2. All other sections of Chapter 6 not expressly amended here remain in full force and effect.

SECTION 3. Should any section, subsection, or provision of this ordinance be ruled invalid by a court of competent jurisdiction, then all other sections, subsections, and provisions of this ordinance shall remain in full force and effect.

SECTION 4. This Ordinance shall be and remain in full force and effect from and after its adoption on two separate readings.

Reading: March 04, 2014

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

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By: Jan J. Moore, Mayor

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Attest: Sue Starling, City Clerk